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## **Proposed Programme Budget for 2022 of the International Criminal Court**

*Contents*

Page Paragraphs

List of abbreviations and acronyms .....	4	
Foreword by the Principals of the International Criminal Court .....	6	
I. Overview of the Proposed Programme Budget for 2022, budget priorities and operating parameters.....	8	1-38
A. Introduction .....	8	1-10
B. High-level Court-wide strategic budget priorities and main cost drivers for 2022 .....	10	11-30
C. Macroanalysis.....	13	31-33
D. Savings and efficiencies.....	14	34-38
II. Proposed Programme Budget for 2022 .....	18	39-97
A. Major Programme I: Judiciary.....	18	39-97
1. Programme 1100: The Presidency.....	20	44-62
2. Programme 1200: Chambers .....	25	63-97
B. Major Programme II: Office of the Prosecutor.....	32	98-340
1. Programme A: Prosecutor Pillar .....	44	169-230
2. Programme B: Prosecution Pillars .....	57	231-285
3. Programme C: Integrated Services Pillar .....	70	286-340
C. Major Programme III: Registry .....	82	341-703
1. Programme 3100: Office of the Registrar .....	90	384-403
2. Programme 3200: Division of Management Services.....	93	404-466
3. Programme 3300: Division of Judicial Services .....	104	467-592
4. Programme 3800: Division of External Operations.....	126	594-703
D. Major Programme IV: Secretariat of the Assembly of States Parties.....	148	704-732
E. Major Programme V: Premises of the Court .....	159	735-739
F. Major Programme VI: Secretariat of the Trust Fund for Victims .....	160	741-829
G. Major Programme VII-2: Permanent Premises Project – Host State Loan.....	179	831-836
H. Major Programme VII-5: Independent Oversight Mechanism.....	181	837-854
I. Major Programme VII-6: Office of Internal Audit.....	185	855-870

Annexes .....	189
I. Organizational structure of the Court .....	189
II. Assumptions and parameters for the 2022 Proposed Programme Budget .....	190
III. List of potential developments which could have an impact on the 2022 Proposed Programme Budget .....	192
IV. Strategic Goals .....	193
a) List of strategic goals from the International Criminal Court Strategic Plan (2019-2021) .....	193
b) List of strategic goals from the OTP Strategic Plan (2019-2021) .....	194
c) List of strategic goals from the Registry Strategic Plan (2019-2021) .....	195
d) Major Programme I: Judiciary .....	196
e) Major Programme II: Office of the Prosecutor .....	198
f) Major Programme III: Registry .....	202
g) Major Programme IV: Secretariat of the Assembly of States Parties .....	207
h) Major Programme VI: Secretariat of the Trust Fund for Victims .....	208
i) Major Programme VII-5: Independent Oversight Mechanism .....	209
j) Major Programme VII-6: Office of Internal Audit .....	209
V. Staffing information .....	210
a) Proposed Court staffing in 2022 by Major Programme .....	210
b) Changes to the staffing table .....	210
c) List of conversions 2022 (GTA to Established posts) .....	211
VI. Salaries and entitlements for 2022 (thousands of euros) .....	212
a) Judges' salary and entitlements for 2022 (thousands of euros) .....	212
b) Standard salary costs for 2022 - Professional and General Service staff at Headquarters (thousands of euros) .....	213
VII. Proposed budget for 2022 for the African Union Liaison Office (AULO) .....	214
VIII. 2022 estimated income statements .....	215
IX. Information Technology .....	216
a) Information Technology and Information Management (IT/IM) at the International Criminal Court: Five-Year Strategy (2018-2022) .....	216
b) Court-wide Information Technology and Information Management (IT/IM) costs .....	219
X. 2022 Proposed Programme Budget baseline .....	224
XI. Strategic dynamic evolution of judicial activity by situation .....	225
XII. Budget allocation per active investigation in Major Programme II (in thousands of euros)(*) .....	226
XIII. Yearly increases in Approved Programme Budgets 2015-2021 (thousands of euros) .....	227
XIV. Proposed Capital Investments (2022-2025) .....	228
XV. Maintenance, operating costs and mid-term capital replacement plan for the Court's premises in 2022 (thousands of euros) .....	230
XVI. Savings and efficiencies achieved in 2021 and estimates for 2022 .....	231
XVII. ICC Five-Year Time-Series Assumptions and Parameters: 2018-2022 .....	240
XVIII. MP II Resource Allocation by Situation .....	246
XIX. Major Programme II – Office of the Prosecutor Budget proposal by Programme (former structure presentation) .....	249

## List of abbreviations and acronyms

ASG	Assistant Secretary-General
ASP	Assembly of States Parties
AULO	African Union Liaison Office
AV	Audio-visual
BCS	Budget Control System
BPC	Business Planning and Consolidation
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
CMT	Crisis Management Team
CO	Country Offices
CoCo	Coordination Council
CSS	Counsel Support Section
D	Director
DEO	Division of External Operations
DJS	Division of Judicial Services
DMS	Division of Management Services
DRC	Democratic Republic of the Congo (Kinshasa and Bunia)
DRS	Digital Recording System
DS	Detention Section
DSA	Daily subsistence allowance
ECOS	eCourt operating system
EO	External Offices
EOSS	External Operations Support Section
FO	Field Office
FPC	Financial Planning and Control
FS	Finance Section
FSS	Forensic Science Section
FTE	Full-time equivalent
GCDN	Global Communications and Data Network
GEO	Georgia
GRGB	Geographical Representation and Gender Balance
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
IBA	International Bar Association
ICC	International Criminal Court
ICCP	International Criminal Court Protection Programme
ICS	International Cooperation Section
ICT	Information and communication technologies
ICTY	International Criminal Tribunal for the former Yugoslavia
IER	Independent Expert Review
IEU	Information and Evidence Unit

IGO	Intergovernmental organization
IKEMS	Information, Knowledge and Evidence Management Section
ILOAT	International Labour Organization Administrative Tribunal
IMSS	Information Management Services Section
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
LRV	Legal Representative for Victims
LSS	Language Services Section
LSU	Language Services Unit
MIS	Management information system
MLI	Mali
NGO	Non-governmental organization
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
OEA	Office of External Affairs
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
P	Professional
PIOS	Public Information and Outreach Section
RMT	Registry Management Team
RSM	Residual Security Measures
SAP	Enterprise Resource Planning System
SAS	Situation Analysis Section
SG	Strategic goal
SO	Strategic objective
SS	Services Section
SSAFE	Safe and Secure Approaches in Field Environments
SSS	Security and Safety Section
SUD	Darfur, Sudan
TFV	Trust Fund for Victims
UGA	Uganda (Kampala)
UNCS	United Nations Common System
UNDSS	United Nations Department of Safety and Security
UNJSPF	United Nations Joint Staff Pension Fund
UNSMS	United Nations Security Management System
USG	Under-Secretary-General
VAMS	Victims Application Management System
VPRS	Victims Participation and Reparations Section
VTC	Video conferencing
VWS	Victims and Witnesses Section
WCF	Working Capital Fund

## Foreword by the Principals of the International Criminal Court

The Hague, Netherlands, 22 July 2021

We are pleased to present the Proposed Programme Budget for 2022 for the consideration of the Assembly of States Parties (“the Assembly”).

The organs of the International Criminal Court (“the Court”) have worked closely and concertedly to compile and present the leanest possible, carefully reflected budget request, while also providing a coherent, detailed and self-explanatory budget document. In doing so, the organs have built on continued efforts to hone the budget process by engaging in active dialogue and coordination from the outset of the budget planning cycle, and with due regard for the changes in the Court’s leadership in 2021.

This budget document represents the vision and plans of the Court and its leadership (including the newly elected Court Presidency and Prosecutor), fortifying its commitment to enhancing its functioning and performance through a disciplined budget that adequately meets the strategic operational priorities and resource needs of the Court. It is also a reflection of the Court’s awareness and understanding of the pressure exerted on the global economy by the COVID-19 pandemic. Within these confines, the proposed budget has been prepared in such a manner as to allow the Court, where possible, to strengthen the capacity necessary to be able to discharge its mandate in 2022 and to ensure it can manage its dynamic and increasing workload to achieve better results.

Notwithstanding the resource pressures and the ongoing challenges presented by the global pandemic, the Court has continued to work actively and productively, on the strength of its professional and dedicated staff, by adapting its operations and resorting to innovative improvement measures where necessary or possible.

The projections for the significant increase in the level of activities of the Court in 2022, in particular the significant rise in courtroom proceedings, are indicative of the progress made and the outcome of the Court’s efforts to implement its prosecutorial and judicial mandates. The Court will continue to build in this direction, focusing its resources strategically to maximize impact and, by so doing, earn greater trust among its stakeholders.

Taking into account the anticipated volume of work in 2022, the Court’s strategic goals, complemented by the Principals’ organizational plans, and the circumstances resulting from the still prevailing yet gradually improving context of the COVID-19 pandemic, the Court is proposing a budget for 2022 of €162.35 million, representing an increase of €14.09 million, or 9.5 per cent, over the approved budget for 2021. The request aims to cater for, *inter alia*, preliminary examinations, investigations and prosecutions, trials, witness protection, language services, legal aid, reparations and assistance to victims, and management of the Court’s various facilities.

The Court has constructed a realistic and focused budget, fully cognizant of its needs while mindful of the acute difficulties that have arisen as a consequence of the global pandemic. In this regard, we have looked Court-wide to maximize flexibility and explore enhanced collaboration, redeployment and prioritization of activities to optimize the Court’s use of resources even further. The Court has carefully sought ways in which to increase efficiencies and absorb exogenous, obligatory costs – at times by taking difficult measures – without impeding its operating capabilities.

We consider that with these resources, the Court will be able to ensure and improve the efficiency and quality of its operations, in accordance with its statutory duties, and thereby consolidate the rules-based system of which the Court is an important part to deliver on its mandate ever more effectively for the benefit of victims, survivors and affected communities who continue to look to our organization with hope and expectation, all while guaranteeing the rights of the defence.

Building on past achievements, we are committed to enhancing the performance of the Court by ensuring the consistent implementation of strategies and policies, prioritizing continuous learning and improvement, and working in cooperation and partnership with States Parties and other stakeholders, where possible, to advance the goals of the Rome

Statute while safeguarding the Court's independence. As part of these efforts, the Court is committed to continuing its active engagement in the review process and to ensuring the best conditions for its staff to excel, maintaining due regard for gender equality, geographical representation and diversity.

The carefully formulated Proposed Programme Budget for 2022 reflects these aims. We hope that it meets with your approval. The Court remains available to engage in dialogue with the States Parties and the Assembly on its proposal, in joint commitment towards the Rome Statute system of international criminal justice. We thank you for your consideration.

Yours faithfully,

*[Signed]*

Piotr Hofmański  
President

*[Signed]*

Karim A. A. Khan QC  
Prosecutor

*[Signed]*

Peter Lewis  
Registrar

# I. Overview of the Proposed Programme Budget for 2022, budget priorities and operating parameters

## A. Introduction

1. The International Criminal Court (“the Court”) was established by the Rome Statute – adopted 23 years ago – as the only independent, permanent international court with jurisdiction over the most serious crimes of international concern and the power to award reparations to victims. The Court’s jurisdiction is complementary to that of domestic criminal courts, meaning that it acts only when a State is unwilling or unable genuinely to exercise its primary jurisdiction over Rome Statute crimes.

2. Unlike domestic courts of law, the Court performs various functions and activities which in national systems are handled by separate offices, ministries or agencies. The functions and activities of the Court include conducting preliminary examinations, investigations, prosecutions and trials; providing protection for victims and witnesses; managing the courtrooms, which encompasses the provision of interpretation, translation, transcription and security services; overseeing participation, reparations and assistance for victims; guaranteeing legal aid and the rights of the Defence; providing general public information, ensuring the publicity of the proceedings, and outreach to victims and affected communities; running the Detention Centre; and managing all Court premises and operations at Headquarters and at the external offices, including in the situation countries.

3. In 2022, the Court expects to operate in 12 “situations”, geographically designated as follows: Afghanistan, Bangladesh/Myanmar, Burundi, the Central African Republic (CAR) II, Côte d’Ivoire (CIV), Darfur (Sudan), the Democratic Republic of the Congo (DRC), Georgia, Kenya, Libya, Mali and Uganda. These situations are currently the subject of investigations or cases at different stages of judicial proceedings (pre-trial, trial, appeals or reparations). In addition, the Office of the Prosecutor (OTP or “the Office”) is currently seized of eight situations under preliminary examinations; some of these preliminary examinations may be concluded during the remainder of 2021 or in 2022. Further details are provided in paragraph 15 below.

4. The Court has prepared its Proposed Programme Budget for 2022 mindful of the exceptional circumstances presented by the COVID-19 pandemic and its impact on the global economy. These extraordinary times continue to test the resilience and adaptability of the systems and structures of organizations and institutions around the world, the Court included. Notwithstanding restrictions inherent in the measures taken by governments, the Court has managed to maintain high productivity throughout the crisis through adaptations to its operations, innovative measures, and the strength and commitment of its staff. The diligent efforts of the Court as a whole to implement its mandate, in cooperation with States Parties and other stakeholders, have concretely translated into a significant increase in the level of courtroom activity.

5. In this context, the Court remains committed to presenting the leanest possible budget proposal for 2022. To respond to its needs and build on the positive developments in its prosecutorial and judicial activities, the Court is proposing a total budget of **€158,760.9 thousand**, representing an increase for 2022 of approximately **€14,087.0 thousand**, or **9.7 per cent**, over the approved budget for 2021. On the recommendation of the Committee on Budget and Finance (“the Committee”) at its twenty-fifth session,<sup>1</sup> the figures for the proposed regular budget are presented separately from interest on the Host State Loan for the Court’s permanent premises. As suggested by the Committee, this is to improve transparency and allow a comparative assessment of the resources needed for the Court’s activities in 2022. Including the interest and capital repayment under the Host State Loan in respect of the Permanent Premises Project of €3,585.1 thousand, the Court’s Proposed Programme Budget for 2022 amounts to €162,346.0 thousand, or an increase of 9.5 per cent.

6. The proposed budget for 2022 has been carefully assessed against the plans of the Court, including the vision of the new leadership for the organization and for the OTP in

<sup>1</sup> *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.

particular; the Court's goals and stakeholder expectations – including those of victims and affected communities of atrocity crimes – regarding its overall performance and effective discharge of its mandate; the complexity of the Court's operating environments (involving matters of security, cooperation and political support); the significant and increasing volume of demands for intervention by the Court; and taking into account the recommendations in the final report of the *Independent Expert Review of the International Criminal Court and the Rome Statute System*, where relevant and appropriate. The proposed budget also factors in the priorities set in the Court-wide and organ-specific strategic plans for the period 2019-2021, in anticipation of the adoption of the strategic plans for the new 2022-2024 cycle. The Court has taken into account the need to contain budgetary increases as much as possible in view of financial constraints on the States Parties and to make sure that funds are requested only after all possible steps have been taken to finance increases through savings and efficiencies.<sup>2</sup> The Court believes that the requested funds will contribute to increasing tangible results and long-term efficiencies, mainly through more expeditious judicial proceedings and enhanced fair-trial safeguards; more effective and focused preliminary examinations, investigations and prosecutions; enhanced impact on the ground; and a more secure information environment for the Court's operations.

7. The impact of the additional requirements to support developments in prosecutorial and judicial activities will result in an increase to the budget for 2022 over the budget for 2021. The budget increase presented is conservative compared to the operational increase and was achieved as a result of careful efforts to absorb new costs where possible, lessons learned from the COVID-19 pandemic and multiple improvement exercises.

8. In line with its response to the COVID-19 pandemic, elaborated on in the budget for 2021, the Court is constantly evaluating its internal processes as part of its commitment to continuous improvement to leverage the current global reality to its advantage and to evaluate the suitability of some of its structures and working methods in the new environment. In the light of the increasing workload of the Court (seen in a greater volume of judicial and prosecutorial activities), the Court needs to retain and reinforce its existing capabilities for the future, the capabilities in which States have invested over the years and which have allowed the institution to show resilience and adaptability in the face of new challenges and ever-increasing demands on its mandate and activities.

9. The decisions confirming the charges in *Abd-Al-Rahman* on 9 July and *Gicheru* on 15 July required a rapid response from the Court in order to include the resources required for these additional trials in this budget proposal. The Court's efforts to react swiftly have enabled it to present resource requests as early as possible in the budget consideration process, while adhering to the principle that it will request resources only for those activities that are certain and can be accurately calculated at the time of the budget submission. It should be recalled that, in accordance with this principle, further resources may need to be requested in future, depending on judicial decisions and the transfer of suspects to the Court.

10. In all, this Proposed Programme Budget for 2022 limits the budgetary increase that is necessary to respond to a number of positive operational developments for the Court as a whole. It reflects a thoroughly considered budget proposal prepared with due regard for responsible and disciplined budget planning and the necessary resource requirements of the Court to effectively undertake its mandate under the Rome Statute.

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<sup>2</sup> *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. I, part III, ICC-ASP/17/Res.4, para. K.1.

**Table 1: Overview of the Proposed Programme Budget for 2022**

		2021	Resource Changes		Proposed
		Approved Budget			2022 Budget
<b>Programme Budget 2022</b>		(thousands of euros)	Amount	%	(thousands of euros)
MP I	Judiciary	11,756.3	1,613.9	13.7	13,370.2
MP II	Office of the Prosecutor	47,334.8	3,994.0	8.4	51,328.8
MP III	Registry	75,784.0	7,794.9	10.3	83,578.9
MP IV	Secretariat of the Assembly of States Parties	2,837.0	338.6	11.9	3,175.6
MP V	Premises	2,270.0	-	-	2,270.0
MP VI	Secretariat of the Trust Fund for Victims	3,199.6	188.6	5.9	3,388.2
MP VII-5	Independent Oversight Mechanism	739.5	134.7	18.2	874.2
MP VII-6	Office of Internal Audit	752.7	22.3	3.0	775.0
<i>Subtotal</i>		<i>144,673.9</i>	<i>14,087.0</i>	<i>9.7</i>	<i>158,760.9</i>
MP VII-2	Host State Loan	3,585.1	-	-	3,585.1
<b>Total Court</b>		<b>148,259.0</b>	<b>14,087.0</b>	<b>9.5</b>	<b>162,346.0</b>

## B. High-level Court-wide strategic budget priorities and main cost drivers for 2022

11. The Court's Principals, through the Coordination Council ("CoCo"), have identified a number of strategic budget priorities for the Court's activities in 2022. It is important to note that these priorities and activities reflect what can reasonably be anticipated for 2022 at the time of writing of this document, taking into account both the recent leadership changes at the Court and the continued impact of the COVID-19 pandemic. The projections may subsequently be affected by the realities and continuously evolving context of the judicial and prosecutorial work of the Court.

12. In formulating the budget priorities and main cost drivers, the Court's Principals have continued to rely on the Court-wide Strategic Plan for 2019-2021 and the strategic goals stated therein as the guiding principles in their commitment to presenting the leanest possible budget. These strategic goals are the cornerstone of the Court's planning approach and feature prominently in its budget planning for 2022. The planning is complemented by the distinct strategic plans for the same period for the OTP, the Registry and the Trust Fund for Victims, and further informed by the vision, strategic direction and independent judgment of the new leadership as well as the Court's early anticipation of the next strategic period. Performance and results will be assessed in the preparation of the new strategic plans. The importance of measuring performance, while insisting on the link between strategic planning, risk management and budgetary planning, will be duly taken into account.

13. The Court's overriding objective is to achieve an effective, efficient and universal system of international criminal justice, under the Rome Statute, in which to independently conduct fair and expeditious investigations and trials when national authorities are unable or unwilling to genuinely do so. The three main strategic areas which encompass all Court activities and are reflected in the respective strategic plans of each organ, continue to be judicial and prosecutorial performance; cooperation and complementarity; and

organizational performance.<sup>1</sup> Additionally, to contribute to its effective functioning, the Court is also committed to continue engaging closely in the Independent Expert Review (IER) process.

14. In this context, the Court has identified the following priorities:

## **1. Conduct and support fair and expeditious judicial proceedings**

15. The conduct of fair and expeditious pre-trial, trial and appeal proceedings before the Chambers remains an essential facet of the Court's mandate. In 2022, the number of active trials with Court hearings is forecast to double, from two trials in 2021 to four trials in 2022.

16. In comparison to most domestic proceedings, proceedings of the Court are exceptionally complex in terms of the cases presented and the procedural rules to be followed. The sheer number of witnesses, volume of evidence and number of languages involved, coupled with the need for security on the ground and cooperation from national jurisdictions, make trials resource-intensive and often lengthy. Delays affecting part of one trial can have a multiplying effect on other aspects of the Court's operations and budget – such as detention or witness costs. Efficiency is therefore crucial, and the Court continues to work tirelessly to expedite proceedings, e.g. through the Chambers' standardized practice manuals and the OTP's resolve to enhance the quality of its investigations, the resilience of its processes and the strength of the cases it actually presents to the Chambers.

17. At the pre-trial level, a decision on confirmation of charges is expected to be handed down in *Said* in the fourth quarter of 2021. If charges are confirmed in this case as well, trial preparations could commence in 2022, triggering additional resource requirements. In addition, if any of the persons for whom warrants of arrest have been issued by the Pre-Trial Chambers are arrested and surrendered to the Court on short notice (as has happened in the past), this would lead to an increase in activity at the pre-trial level and a concomitant increase in the level of required resources.

18. At the trial stage, the number of cases will double. Two cases, Al Hassan and Yekatom and Ngaïssona, are expected to continue at an accelerated pace, while two new cases, Abd-Al-Rahman and Gicheru, will enter the trial stage. This will generate significant additional workload for the Court and will require additional capacity for more courtroom activities.

19. Final appeals on judgments and decisions are expected to continue in Ongwen, while the Appeals Chamber is also expected to hear interlocutory appeals from cases before the Pre-Trial and Trial Chambers.

20. Up to 11 defence teams and up to 8 teams of legal representatives of victims will need to be financed by legal aid in 2022. Judicial developments, including the recently confirmed charges in Abd-Al-Rahman and Gicheru, have automatically increased these costs, as applied according to the existing legal aid framework and enshrined in the Rome Statute, the Rules of Procedure and Evidence and the Regulations of the Court, by which the Court is obliged to abide.

## **2. Conduct at least eight active investigations and support five cases in (pre-)trial, including through operations in the field**

21. Article 53 of the Rome Statute mandates the Prosecutor to initiate investigations in situations where he or she determines that there is a reasonable basis on which to proceed. The jurisdiction of the Court covers the most serious crimes of concern to the international community, and its operations often take place in very challenging security and cooperation environments. In addition, in nearly all cases, local languages and other operating conditions vary. As a result, in comparison to investigations at the national level, the Court's investigations are extremely complex and resource-intensive.

22. Despite the continued impact of the COVID-19 pandemic and limited resources, the Court has demonstrated resilience and flexibility and has continued to deliver on its

<sup>1</sup> In alignment with the Court's strategic plans and main strategic areas, the Trust Fund for Victims complements the Court's activities through the implementation of reparations and assistance activities, striving – as one of its main goals – to maximize the impact thereof on victims, their families and communities.

significant mandate, leading to tangible successes in court as well as consequent increases in the workload in 2022. Activities have been reprioritized and adapted where necessary to enable business continuity and to safeguard the health and well-being of staff and those they interact with on the Court's premises and in the field. Funds have been managed in a responsible and conscientious way, including to limit the financial impact of the new working modalities and conditions, the additional measures necessary to mitigate COVID-19 infection risks and liquidity problems.

23. The newly sworn-in Prosecutor is currently conducting a comprehensive review of all preliminary examinations, investigations and prosecutions, and of the OTP's Policy on Case Selection and Prioritisation and the newly adopted Policy on Situation Completion. This review will ultimately guide the Office's priorities for 2022. The budget that the OTP is presenting is based on current activities in 2021 and has been carefully prepared to present the leanest and most effective proposal that allows the OTP to focus its resources effectively to ensure that it can discharge its statutory duties – including the burden of proof in all cases – to manage the dynamic workload, sustain its operations under challenging circumstances and preserve and strengthen its capacity to do better and deliver results.

24. In this context, in accordance with the Prosecutor's aim to refocus the Office, in 2022 the OTP will prioritize resources in relation to those situations with cases in pre-trial and trial proceedings, namely Darfur, Sudan, Mali, CAR II(a) and CAR II(b), and Kenya (article 70). Additionally, the OTP will conduct investigations in at least eight situations, as follows: Bangladesh/Myanmar, Burundi, Côte d'Ivoire (CIV II), Darfur (Sudan), Georgia, Libya (three cases),<sup>2</sup> in addition to Afghanistan (currently subject to an ongoing deferral request under article 18 of the Rome Statute but nonetheless requiring maintenance activities) and Palestine (currently in the investigation planning phase). Such prioritization is required to ensure and, where possible, increase the speed, efficiency and effectiveness of operations, taking into account the limited resources available to the OTP and the need to avoid spreading those resources too thin. Nevertheless, all situations will continue to be monitored, for example, for new leads or prospects of arrest or to continue engaging with witnesses in cases pending arrests.

25. At the time of the submission of this budget document, the OTP is also seized of eight preliminary examinations (Bolivia, Colombia, Guinea, Nigeria, the Philippines, Ukraine and two situations in Venezuela). Five of these are currently ongoing. The preliminary examinations in relation to Nigeria, Ukraine and the Philippines have been completed; the latter is the subject of an application by the former Prosecutor requesting judicial authorization under article 15 of the Rome Statute. Resource constraints have meant that the Office has not yet sought judicial authorization to proceed to the investigation phase in the situations of Nigeria and Ukraine. This is a matter that would need to see resolution as soon as possible. The Office invites an open and frank discussion with States Parties in this regard. In any further steps across the situations under preliminary examination, the OTP will take into account strategic and operational considerations and challenges, including in particular the Office's resource constraints and the Prosecutor's review of the OTP's activities. Owing to the inherently dynamic nature of the OTP's mandate and activities, it is possible that additional investigations may be opened during the remainder of 2021 or in 2022. At the same time, the OTP has continued to review communications submitted to the Office, some of which are likely to lead to new situations requiring the opening of a preliminary examination.

26. The OTP has carefully reviewed its staff needs in the light of the Prosecutor's vision and plans for the reorganization of the Office. As the Office's ongoing investigative activities and workload continue to remain at a high level, important changes to the structure of the Office are being proposed under the leadership of the new Prosecutor in a considered effort to optimize its performance against ever-increasing workload, rationalize the functioning of the organ and enhance its effectiveness through greater integration. The objective is therefore to make the OTP a bespoke and consistently high-performing organ. The new reorganization of the Office will improve its capacity to conduct its core activities while introducing important changes that aim to enhance not only the way the OTP conducts its work, but also

<sup>2</sup> The Office had planned to focus on one line of investigation in the Libya situation (Libya III) in 2021. However, it has continued to monitor the evolution of all cases in that situation and intends to conduct investigative activities in 2022 in Libya IV and Libya V as well.

the workplace environment in which that work is conducted, thereby elevating performance. As elaborated later in this document (see Major Programme II), the envisaged reorganization is intended to ensure greater efficiency and performance from the Office in the discharge of its mandate while at the same time duly addressing many of the recommendations of the IER in the process. The envisaged reorganisation is designed to make optimal and efficient use of the existing human resources and services of the Office. Only a limited number of new positions are proposed in the OTP budget for 2022. These positions are central to the new Prosecutor's vision, reorganization and approach to prosecutorial performance and are required to enhance OTP capacity.

27. For the mid- and long-term efficiency and viability of its operations, it is critical that the OTP be able to maintain and, where possible and necessary, strengthen its staff capacity. The details of OTP planning are explained in the budget proposal for Major Programme II.

28. The Registry continues to provide the Court with support in administrative and operational matters both at Headquarters and in the country offices. In 2022, there is a notable need for the Registry to provide protection to an increased number of witnesses, which is another important cost driver for the Registry. Mindful of their respective mandates and of the specific security and confidentiality aspects of their operations, the Registry and the OTP continue to optimize their cooperation and synergies both at Headquarters and in the country offices.

### 3. **Reparation activities in five cases**

29. In 2022 the implementation of reparations awards is expected to reach new levels of volume and complexity in the Katanga, Lubanga, Al Mahdi and Ntaganda cases. It is expected that the delivery of reparations in Katanga as well as the process relevant to the eligibility assessment in Lubanga will come to a close in the first half of 2022; while the impact evaluation of *Katanga* will follow. In 2022, up to two thousand beneficiaries will continue to benefit from the multi-annual collective award reparations programme in Lubanga that will then be in its second year. The symbolic reparations measures for child soldiers in Lubanga will also be implemented. In Al Mahdi, it is anticipated that the three multi-annual collective reparations projects (building-related, economic and psychological reparations) will be ongoing as will the evaluation of the individual awards that will be implemented by the end of 2021. In Ntaganda, the victim eligibility assessments that started in 2021 will expand and, subject to the approval of an implementation plan, the process of procuring and contracting partners for the implementation of a collective reparations programme will continue. In Ongwen (Uganda), with the largest expected victim base to date in reparations cases at the Court, an implementation plan will be developed in 2022 following the anticipated order for reparations, which should lead to the approval of processes for the eligibility assessment and the implementation of reparations awards. Such initial activities may start or continue in 2022 in Ntaganda and Ongwen, respectively, contingent on the relevant Chamber's requests for and approval of implementation plans to address the urgent needs of victims.

### 4. **Capital replacement plan for the Court's permanent premises**

30. Following the recommendations of the Committee and the resolution of the Assembly,<sup>3</sup> the Court and the main contractor engaged by the Court for the maintenance of its premises submitted to the Committee for its consideration a medium-term plan for capital replacements (2021-2024) needed to ensure the smooth functioning of the building. Longer-term budgetary needs are reported in the budget narrative of Major Programme V and in Annex XIV of the Court's Proposed Programme Budget for 2022.

## C. **Macroanalysis**

31. The following chart breaks down the Court's Proposed Programme Budget for 2022 by activity. The operations of the Court under "Judicial, Prosecutorial and Investigative

<sup>3</sup> *Official Records ... Eighteenth session ... 2019* (ICC-ASP/18/20), vol. I, part 3, ICC-ASP/18/Res 1, G.1; and ICC-ASP/18/15, para. 115.

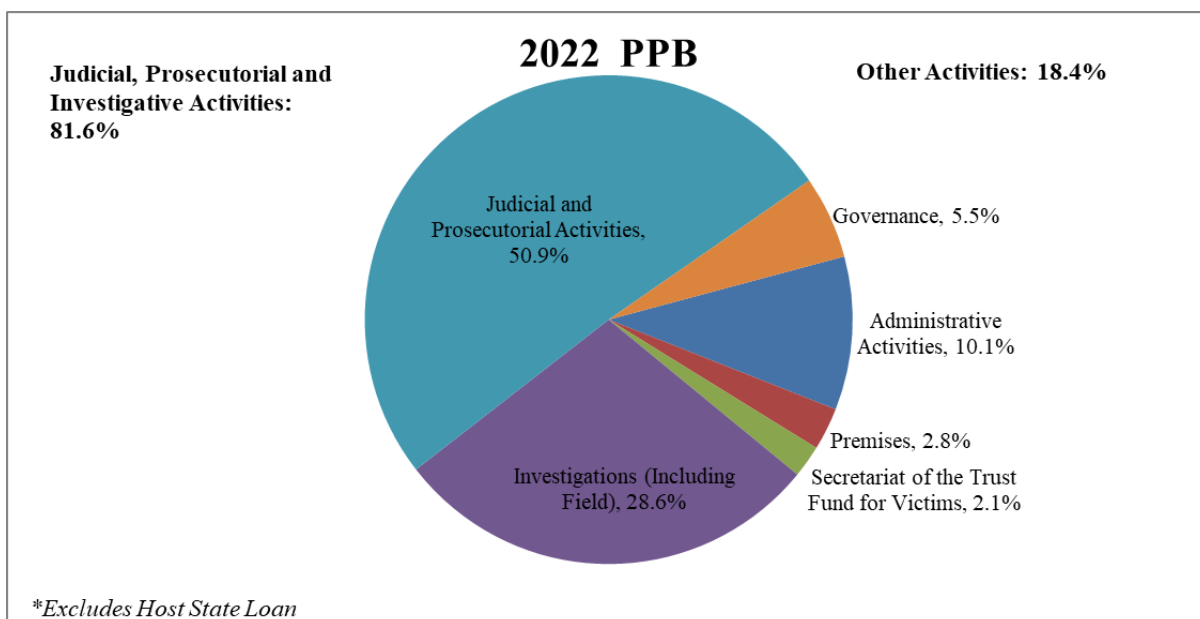
Activities” are the main drivers of the Court’s Proposed Programme Budget for 2022, amounting to 81.6 per cent of the total budget. “Other Activities” (18.4 per cent) comprises administrative functions (10.1 per cent), governance (5.5 per cent) and maintenance costs related to the premises (2.8 per cent). Estimates related to the interest on the Host State Loan for the permanent premises are excluded from the macroanalysis.

## 1. Judicial, Prosecutorial and Investigative Activities

32. Under this category, resources related to “Judicial and Prosecutorial Activities” (50.9 per cent) include, among other items, support to victims and witnesses, legal aid, information technology, language services and support for reparations activities provided by the Registry. These resources are required for the conduct and support of judicial proceedings. Activities under “Investigations (Including Field)” are estimated at 28.6 per cent and relate to the active investigations to be carried out by the OTP, including activities in the field. The remaining activities, under “Secretariat of the Trust Fund for Victims” (2.1 per cent), relate to the enhancement of that body’s organizational capacity to ensure that it can implement its mandate and activities, including during the implementation stage of reparations proceedings.

## 2. Other Activities

33. The activities under this category include administrative functions, governance and maintenance costs related to the premises. The Secretariat of the Assembly of States Parties, the Independent Oversight Mechanism, the Office of Internal Audit and a small part of the Registry (e.g. the Court’s Liaison Office to the United Nations in New York and the funds related to the Gender Equality Focal Point and the ombudsperson) are grouped under “Governance”.



## D. Savings and efficiencies

34. Since its fifteenth session in November 2016, the Assembly has requested the Court to present a sustainable budget proposal for the following year in which proposed increases are requested only after all possible steps have been taken to finance such increases through savings and efficiencies.<sup>4</sup> In addition, the Assembly also requests the Court to present an annex to the programme budget with detailed information about the savings and efficiencies

<sup>4</sup> *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. I, part III, ICC-ASP/15/Res.1, para. L.1.

achieved in the current year and estimates for the following year.<sup>5</sup> Subsequently, savings and efficiencies were reported in the 2018, 2019, 2020 and 2021 programme budgets.<sup>6</sup>

35. At its nineteenth session in December 2020, the Assembly renewed its request for the Court to present an annex to the 2022 programme budget on the achievement of those efficiency targets as well as detailed information clearly distinguishing, to the extent possible, between savings, efficiencies, non-recurrent cost reductions and additional cost reductions achieved in 2021 and estimates for 2022.<sup>7</sup> The following four categories to be employed in the savings and efficiencies report were agreed in previous years and continue to be used:

a) *Savings* (two subcategories): (i) costs incurred in the previous/current financial period and no longer appearing in the following programme budget, resulting in a reduction in the baseline; and (ii) increases in costs avoided through newly introduced policies, procedures and/or negotiations with suppliers or service providers, resulting in the same baseline;

b) *Efficiencies*: activities which limit or avoid requests for additional resources and/or provide increased productivity, resulting in the same baseline but avoiding any increase in costs;

c) *Non-recurrent costs*: one-off decreases in resource requirements due to non-continuation of activities, resulting in a reduction in the baseline; and

d) *Additional cost reductions*: workload-related changes resulting in a reduction in the baseline.

36. As indicated in its strategic plan, one of the Court's main goals remains the promotion of a culture of continuous improvement with a view to engaging staff in the identification and implementation of savings and efficiencies. As this culture continues to develop, it becomes increasingly difficult to differentiate between "savings and efficiencies" initiatives to be reported as one-off efforts in the proposed budget annex and structural good managerial practices leading to long-term improvements for the Court. For example, the close cooperation that has been developed between major programmes has allowed the Registry to identify the possibility of reducing its field presence in some country offices and also of redeploying or abolishing posts, which are measures with the most impact on the Court's baseline. The measures are proposed in the present budget document in response to the Assembly's request that the Court seek to absorb increases in resource requirements for new activities by first redeploying the resources released by savings, non-recurrent costs and additional cost reductions.<sup>8</sup> They are not, strictly speaking, "savings and efficiencies" initiatives to be reported in the requested annex.

37. Accordingly, Table 2 below summarizes savings and efficiencies achieved in 2021 and in preparation for the 2022 Proposed Programme Budget, according to the agreed categories above. All initiatives are described in detail in Annex XVI. The Court has achieved organization-wide savings and efficiencies in the amount of €2,598.0 thousand (1.8 per cent). This is calculated by (1) taking the sum-total of 2022 reductions in the baseline and 2021 costs avoided as a result of savings and efficiencies, and (2) dividing that sum by the 2021 programme budget (excluding the Host State Loan). In total, the Court's reduction to the baseline, including savings indicated earlier but also taking into account non-recurrent costs and additional cost reductions, amounts to €1,551.4 thousand.

38. In addition to these savings and efficiencies, the Court has been able to limit the overall increase with a number of other reductions, such as a notable reduction of €0.9 million in the Court-wide information technology and information management strategy, as detailed in the Registry narrative.

<sup>5</sup> *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. I, part III, ICC-ASP/15/Res.1, para. L.2.

<sup>6</sup> *Official Records ... Sixteenth session ... 2017* (ICC-ASP/16/20), vol. II, part A, paras. 38-51 and annex X; *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part A, paras. 35-41 *Official Records ... Eighteenth session ... 2019* (ICC-ASP/18/20, vol. II, part A, paras 31-36 and *Official records ... Nineteenth session ... 2020* (ICC-ASP/19/20), vol. II, part A, paras. 34-38.

<sup>7</sup> *Official Records ... Nineteenth session ... 2020* (ICC-ASP/19/20), vol. I, part III, ICC-ASP/19/Res.1, para. K.6.

<sup>8</sup> *Official Records ... Nineteenth session ... 2020* (ICC-ASP/19/20), vol. I, part III, ICC-ASP/19/Res.1, para. K.1.

**Table 2: Total savings and efficiencies for 2022 (thousands of euros)**

<i>Major Programme</i>	<i>Category</i>	<i>2021 Costs Avoided (Baseline Maintained)</i>	<i>2021 Efficiencies</i>	<i>2022 Reduction in Baseline</i>
MP I - Judiciary	Non-recurrent costs	-	-	184.7
MP II - Office of the Prosecutor	Efficiencies	10.0	36.2	-
	Savings	364.7	-	206.2
MP III - Registry	Additional cost reduction	10.0	-	484.0
	Efficiencies	177.9	107.8	-
	Savings	332.3	-	676.5
MP VI - Secretariat of the Trust Fund for Victims	Efficiencies	-	7.7	-
<b>Court wide Total</b>		<b>894.9</b>	<b>151.7</b>	<b>1,551.4</b>

Table 3: Total Court: Proposed budget for 2022

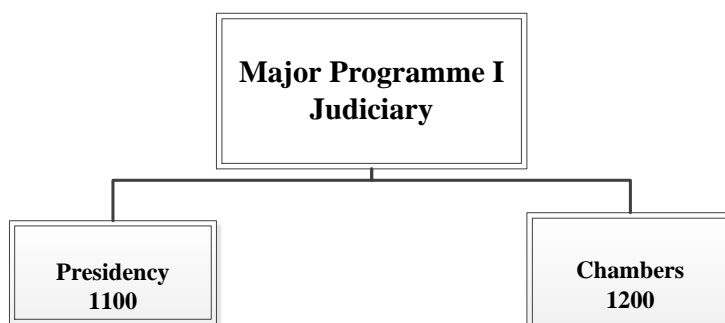
ICC	2020 Expenditures (thousands of euro)			2021 Approved Budget	Resource Changes		Proposed 2022 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
<i>Judges</i>	5,211.6	-	5,211.6	4,711.1	365.0	7.7	5,076.1
Professional staff				64,587.2	1,574.0	2.4	66,161.2
General Service staff				25,005.5	649.2	2.6	25,654.7
<i>Subtotal staff</i>	89,008.8	-	89,008.8	89,592.7	2,223.2	2.5	91,815.9
General temporary assistance	17,055.9	348.6	17,404.5	18,648.3	5,618.3	30.1	24,266.6
Temporary assistance for meetings	446.7	166.3	613.0	511.8	1,241.2	242.5	1,753.0
Overtime	181.9	40.1	222.0	237.2	178.5	75.3	415.7
<i>Subtotal other staff</i>	17,684.6	555.0	18,239.6	19,397.3	7,038.0	36.3	26,435.3
Travel	1,995.4	123.1	2,118.5	4,096.9	650.3	15.9	4,747.2
Hospitality	14.0	-	14.0	28.0	-	-	28.0
Contractual services	3,373.9	177.3	3,551.2	4,056.0	(305.1)	(7.5)	3,750.9
Training	371.2	-	371.2	624.8	47.7	7.6	672.5
Consultants	1,006.9	128.2	1,135.0	627.2	346.7	55.3	973.9
Counsel for defence	2,710.4	921.4	3,631.7	3,943.7	1,629.0	41.3	5,572.7
Counsel for victims	1,211.9	328.8	1,540.7	1,727.1	464.5	26.9	2,191.6
General operating expenses	13,674.2	208.8	13,882.9	14,026.5	856.6	6.1	14,883.1
Supplies and materials	920.1	138.5	1,058.6	1,111.0	20.7	1.9	1,131.7
Furniture and equipment	1,294.2	82.1	1,376.3	731.6	750.4	102.6	1,482.0
<i>Subtotal non-staff</i>	26,572.1	2,108.2	28,680.3	30,972.8	4,460.8	14.4	35,433.6
<b>Total</b>	<b>138,477.1</b>	<b>2,663.2</b>	<b>141,140.3</b>	<b>144,673.9</b>	<b>14,087.0</b>	<b>9.7</b>	<b>158,760.9</b>
<i>Host State Loan</i>	3,585.1	-	3,585.1	3,585.1	-	-	3,585.1
<b>Total Including Host State Loan</b>	<b>142,062.2</b>	<b>2,663.2</b>	<b>144,725.4</b>	<b>148,259.0</b>	<b>14,087.0</b>	<b>9.5</b>	<b>162,346.0</b>

Table 4: Total Court: Proposed staffing for 2022

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
<b>Established Posts</b>														
Approved 2021	1	2	-	9	45	90	184	183	30	544	19	409	428	972
New	-	1	-	-	-	1	5	5	1	13	-	6	6	19
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	(1)	-	(1)	(2)	-	(6)	(6)	(8)
<b>Proposed 2022</b>	<b>1</b>	<b>3</b>	<b>-</b>	<b>9</b>	<b>45</b>	<b>91</b>	<b>188</b>	<b>188</b>	<b>30</b>	<b>555</b>	<b>19</b>	<b>409</b>	<b>428</b>	<b>983</b>
<b>GTA Positions (FTE)</b>														
Approved 2021	-	-	-	-	0.13	9.08	48.92	55.00	12.67	125.79	7.38	57.83	65.22	191.01
Continued	-	-	-	-	1.04	9.04	50.58	57.50	10.00	128.17	3.00	56.25	59.25	187.42
New	-	-	-	-	-	4.42	9.00	21.83	-	35.25	9.48	19.25	28.73	63.98
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	(1.00)	(4.00)	(1.00)	(6.00)	-	(2.00)	(2.00)	(8.00)
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1.04</b>	<b>13.46</b>	<b>58.58</b>	<b>75.33</b>	<b>9.00</b>	<b>157.42</b>	<b>12.48</b>	<b>73.50</b>	<b>85.98</b>	<b>243.40</b>

## II. Proposed Programme Budget for 2022

### A. Major Programme I: Judiciary



#### Introduction

39. Major Programme I is composed of the Presidency and the Chambers.

40. The Presidency's three primary areas of responsibility are: legal, external relations and administrative. In 2022, the Chambers will be managing case work arising from developments that occurred in 2019, 2020, and 2021, including (potential) trial preparations, reparations proceedings, several final and interlocutory appeals, and other situations and cases at the pre-trial level. The Judiciary will continue its efforts to improve the transparency of the International Criminal Court ("the Court"), strengthen the cooperation of States Parties and enhance the flexible and efficient use of available resources.

41. The budget for Major Programme I is based on the judicial activities required under the Court's budget assumptions for 2022, which were determined as part of an inter-organ effort.

42. Major Programme I has prepared its budget for 2022 mindful of the exceptional circumstances presented by the COVID-19 pandemic and its impact on global economies. To demonstrate the sensitivity of Major Programme I to this reality, this budget aims to present only the bare minimum of what is needed, implementing all possible savings and efficiencies, resulting in an increase of €1,613.9 thousand as compared with the approved budget for 2021. It is important to recall in this regard, and in line with the Court's budget practices, that the priorities and assumptions on which this proposal is built reflect what can reasonably be anticipated for 2022 at the time of writing of this document. In the light of the unpredictability of the COVID-19 pandemic, in addition to the usual challenges presented by the uncertainty of judicial proceedings, the resources that will actually be required may subsequently be affected by the realities of the Court's judicial and prosecutorial work. This is especially so in the *Said* case.<sup>1</sup>

43. The sensitivity to the effects of the COVID-19 pandemic described above is balanced by the need for the Presidency and the Chambers to discharge their respective mandates in full. Mindful that this need is paramount, the resources requested are crucial to ensure that the essential operations of the Judiciary, including the conduct of fair and expeditious pre-trial, trial and appeal proceedings before the Chambers, continue without unnecessary delay.

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<sup>1</sup> See, below, para. 76.

**Table 5: Major Programme I: Proposed budget for 2022**

Major Programme I Judiciary	2020 Expenditures (thousands of euro)			2021 Approved Budget	Resource Changes		Proposed 2022 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
<i>Judges</i>	5,211.6	-	5,211.6	4,711.1	365.0	7.7	5,076.1
Professional staff				4,866.0	(34.8)	(0.7)	4,831.2
General Service staff				881.2	19.8	2.2	901.0
<i>Subtotal staff</i>	5,023.4	-	5,023.4	5,747.2	(15.0)	(0.3)	5,732.2
General temporary assistance	929.3	-	929.3	1,179.0	1,263.9	107.2	2,442.9
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	929.3	-	929.3	1,179.0	1,263.9	107.2	2,442.9
Travel	4.9	-	4.9	75.2	-	-	75.2
Hospitality	7.9	-	7.9	11.0	-	-	11.0
Contractual services	0.0	-	0.0	-	-	-	-
Training	16.3	-	16.3	27.8	-	-	27.8
Consultants	-	-	-	5.0	-	-	5.0
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	29.1	-	29.1	119.0	-	-	119.0
<b>Total</b>	<b>11,193.5</b>	<b>-</b>	<b>11,193.5</b>	<b>11,756.3</b>	<b>1,613.9</b>	<b>13.7</b>	<b>13,370.2</b>

**Table 6: Major Programme I: Proposed staffing for 2022**

I	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
<b>Established Posts</b>														
Approved 2021	-	-	-	-	3	3	21	12	-	39	1	11	12	51
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>3</b>	<b>3</b>	<b>21</b>	<b>12</b>	<b>-</b>	<b>39</b>	<b>1</b>	<b>11</b>	<b>12</b>	<b>51</b>
<b>GTA Positions (FTE)</b>														
Approved 2021	-	-	-	-	-	-	4.00	6.00	-	10.00	-	-	-	10.00
Continued	-	-	-	-	-	-	4.00	6.00	-	10.00	-	-	-	10.00
New	-	-	-	-	-	-	4.00	7.00	-	11.00	-	-	-	11.00
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>8.00</b>	<b>13.00</b>	<b>-</b>	<b>21.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>21.00</b>

## 1. Programme 1100: The Presidency

### Introduction

44. The Presidency's strategic priorities, grouped according to its three primary areas of responsibility, are as follows:

a) Legal: to carry out its legal and judicial functions under the Rome Statute, pursuant to its responsibility for the proper administration of the Court. This includes the preparation and approval of Court-wide administrative issuances; judicial review of certain decisions of the Registrar; timely assignment of situations and constitution of Chambers;<sup>2</sup> procedural and substantive coordination of judges' plenary sessions, retreats and meetings; and international cooperation, in particular with regard to enforcement responsibilities under Part X of the Rome Statute, including the negotiation and conclusion of Court-wide cooperation agreements with States and the enforcement of sentences of imprisonment and fines.<sup>3</sup>

b) External relations: to build and maintain relations with States, the Assembly of States Parties ("the Assembly") and its subsidiary organs, intergovernmental organizations, international and regional courts and civil society in order to enhance cooperation with, awareness of and support for the Court.<sup>4</sup> As the public face of the Court, the President (or the Vice-Presidents, on his or her behalf) engages with senior representatives of such entities and delivers speeches, gives interviews and issues public statements on pertinent issues concerning the Court. The Presidency also leads the inter-organ coordination of Court-wide external relations matters and steers the Court's efforts to promote the universal ratification of the Rome Statute.

c) Administrative: as part of the Presidency's overall responsibility for the proper administration of the Court (with the exception of the Office of the Prosecutor), to contribute actively to the governance of the Court, under the Presidency's own strategic leadership; to interact with various oversight bodies on matters related to the supervision of the Court's administration by the Assembly, as provided by the Rome Statute; to discharge the administrative functions of the Judiciary; and to coordinate on Court-wide matters of common concern, including both external and internal governance matters, budget matters, oversight mechanisms, risk management and strategic planning.

### *Presidency objectives*

45. *The Presidency's objectives are:*

(i) Within its areas of responsibility, to contribute to ensuring the efficient conduct of pre-trial, trial and appeal proceedings.

(ii) To engage in effective Court-wide efforts on international cooperation and discharge all its responsibilities related to the enforcement of sentences of imprisonment and fines, as provided under Part X of the Rome Statute.

(iii) To advance the review of judicial processes – focusing on procedures in the trial preparation and hearing stages, victim processes and the conclusion of trials and appeals – and consulting States Parties, participants and other stakeholders, as appropriate.

<sup>2</sup> In line with Strategic Goal 1 of the Court's Strategic Plan for 2019-2021: "Increase the expeditiousness and efficiency of the Court's core activities of preliminary examinations, investigations, trials and reparations, while preserving the independence, fairness and highest legal standards and quality of its proceedings, and protecting the safety and well-being of the persons involved, in particular victims and witnesses."

<sup>3</sup> In line with Strategic Goal 4 of the Court's Strategic Plan for 2019-2021: "Further foster political support and develop the modalities of cooperation and operational support for all parties as regards preliminary examinations, investigations, protection of witnesses, implementation of arrest warrants and judicial proceedings."

<sup>4</sup> In line with Strategic Goal 5 of the Court's Strategic Plan for 2019-2021: "Discuss and devise with States and other stakeholders new strategies to increase the ability of the Rome Statute system to address the shared responsibility to close the impunity gap, including through encouraging domestic implementation of the Rome Statute and other measures of complementarity by States Parties (including providing support and assistance to victims), as well as developing a strategy for the completion of situations under investigation."

(iv) Together with the other organs, to further improve dialogue between the Court, the Assembly and its subsidiary bodies.

(v) To build trust 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 and underscore to non-States Parties the benefits of joining the Court; and to conclude relevant agreements with States.

(vi) To ensure effective resource management, including by identifying and implementing 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.

(vii) To further improve the Court's budget processes as part of a Court-wide effort.

(viii) To ensure effective risk management.

(ix) To fully integrate the relevant strategic goals from the Court's Strategic Plan for 2019-2021 into the functioning of the Presidency, in particular goals 1, 4 and 5 on cooperation and complementarity and goals 6 to 9 on organizational performance.

#### *Judicial priorities – cooperation and transparency*

46. The Presidency will continue working to enhance and encourage the cooperation of States Parties. Robust and effective State support is essential to the effective discharge of the Court's mandate. States give weight and effect to the Court's work by implementing its decisions (for example, executing warrants of arrest), providing financial and logistical support and enforcing sentences.

47. The Presidency will spearhead efforts, rooted in the Court's standards of ethical conduct, to promote a culture of fiscal responsibility, transparency and accountability that inspires trust in the Judiciary and in the Court as a whole, both internally and externally. These efforts will aim to provide States Parties, the public and other key partners and stakeholders with the full picture of how the Court operates – subject to the necessary confidentiality attaching to judicial and prosecutorial work, matters of prosecutorial independence and certain major programmes in the Court's budget.

#### *Judicial Priorities - Review of the Court*

48. The Review process currently being conducted at the Court will continue to feature in the Presidency's work in 2022, particularly given the Presidency's strong commitment to the continuous improvement of the Court.

49. Concrete results are expected in a number of areas in 2022. In other areas, however, it is expected that the assessment and, where appropriate, implementation of recommendations related to Major Programme I contained in the Final Report of the Independent Expert Review (IER) will continue in 2022. As regards recommendations concerning the work of the judicial divisions, the Presidency will perform a coordinating role, while in relation to other recommendations, the Presidency itself will be in charge of the process. These efforts will involve engaging with the concrete, achievable and actionable recommendations provided by the IER report, with a view to enhancing the performance, efficiency and effectiveness of the Court and the Rome Statute system as a whole.<sup>5</sup>

#### **Budget resources**

**€1,609.9 thousand**

50. The requested amount has increased by €267.8 thousand (20.0 per cent) as compared with the 2021 Approved Programme Budget. This increase is due to a request for funding for 24 months of GTA at the P-3 level. The requests for funding of non-staff costs for the Presidency remain identical to those made in 2021.

<sup>5</sup> Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Eighteenth session, The Hague, 2-7 December 2019 (ICC-ASP/18/20), vol. I, part III, ICC-ASP/18/Res.7, para. 6.

*Presidency allowances*

€28.0 thousand

51. The Proposed Programme Budget for 2022 includes €28.0 thousand to cover the special allowance of the President<sup>6</sup> and that of the First or Second Vice-President when acting as President.<sup>7</sup> The regular salaries of the Presidency's three members are included in Sub-programme 1200.

*Staff resources*

€1,484.4 thousand

52. The amount requested for established posts and GTAs has increased by €267.8 thousand (22.0 per cent). The Presidency comprises 11 established posts and 2 GTA positions.

*Established posts: Professional and General Service*

€1,219.8 thousand

53. The Presidency is entrusted with three main functions: legal/judicial review, external relations and administration.

54. The Presidency support staff is led by a Chef de Cabinet to the President (P-5) who is responsible for staff management, strategic planning and guidance, and for representing the Presidency at working, strategic and senior levels at inter-organ and external meetings.

55. The current structure includes the Head Legal and Enforcement Unit (P-4), one Legal Officer (P-3) and one Associate Legal Adviser (P-2) in the Legal and Enforcement Unit, who are responsible for coordinating and providing substantive legal support to the Presidency. The external relations functions of the Presidency are currently performed by one External Relations Adviser (P-3), assisted by one Administrative Assistant (External Relations) (GS-OL). The administrative functions of the Presidency are performed by one Policy and Administration Adviser (P-3) and one Associate Administrative Officer (P-2). 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) assigned to the Chef de Cabinet, who provide wide ranging administrative and logistical support.

*General temporary assistance*

€264.6 thousand

56. *Two Legal Officers (P-3), funded for a total of 24 months. New. Non-recurrent.* In addition to the above staffing complement, which has remained at the same level for a number of years, for the purposes of ensuring a comprehensive Presidency response to the IER report, the Presidency will require GTA support in the form of two Legal Officers (P-3) for 2022 in its Legal and Enforcement Unit.

**Non-staff resources**

€97.5 thousand

57. Non-staff resources are required for travel, hospitality, training and consultants. The proposed amount remains the same as that approved for 2021.

*Travel*

€75.2 thousand

58. The requested amount remains the same as the amount approved for 2021. In 2022, the President (or the Vice-Presidents, on his behalf) will continue working to build confidence in the Court, which requires travel to engage with States Parties, civil society, professional associations and other stakeholders.

59. The Presidency's travel funds are required for all official travel by judges and by staff of the Presidency and Chambers, including the President, the Vice-Presidents and other judges, to represent the Court at important external events. These funds also cover two

<sup>6</sup> *Official Records ... Nineteenth session ... 2020* (ICC-ASP/19/20), vol. I, part III, ICC-ASP/19/Res.3, Annex I, para.1.

<sup>7</sup> *Ibid.*, para. 2.

judicial retreats, the costs associated with the opening of the judicial year and a limited amount of necessary travel by Presidency and Chambers staff to support the Presidency's external role or to provide expert contributions to external events where funding from the organizers is unavailable. These costs are recurrent.

#### *Hospitality*

*€10.0 thousand*

60. The requested amount remains unchanged and is required for goodwill and hospitality costs associated with visits by Heads of State or Government, ministers and other senior representatives of States (including ambassadors) and intergovernmental organizations to meet with the President or the Vice-Presidents. The hospitality budget is also used to cover the Judiciary's contributions to Court events, such as Diplomatic Briefings, the NGO Roundtable and welcome and signing ceremonies, which are jointly funded by all organs. These costs are recurrent.

#### *Training*

*€7.3 thousand*

61. The requested amount remains the same as that approved for 2021. The Presidency continues to require this budget item in 2022, mainly to provide its staff with specific training relevant to their legal and external relations functions and in the areas of management and, to a lesser extent, language skills. These costs are recurrent.

#### *Consultants*

*€5.0 thousand*

62. The requested amount remains unchanged from the amount approved for 2021. The resources are required to cover the costs of external consultants' advice on matters within the mandate of the Judiciary, including enforcement-related matters. These costs are recurrent.

**Table 7: Programme 1100: Proposed staffing for 2022**

<b>1100 The Presidency</b>	2020 Expenditures (thousands of euro)			2021 Approved Budget	Resource Changes		Proposed 2022 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
<i>Judges</i>	-	-	-	28.0	-	-	28.0
Professional staff				910.6	(5.4)	(0.6)	905.2
General Service staff				306.0	8.6	2.8	314.6
<i>Subtotal staff</i>	863.3	-	863.3	1,216.6	3.2	0.3	1,219.8
General temporary assistance	84.1	-	84.1	-	264.6	-	264.6
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	84.1	-	84.1	-	264.6	-	264.6
Travel	4.9	-	4.9	75.2	-	-	75.2
Hospitality	7.4	-	7.4	10.0	-	-	10.0
Contractual services	0.0	-	0.0	-	-	-	-
Training	3.0	-	3.0	7.3	-	-	7.3
Consultants	-	-	-	5.0	-	-	5.0
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	15.3	-	15.3	97.5	-	-	97.5
<b>Total</b>	<b>962.7</b>	<b>-</b>	<b>962.7</b>	<b>1,342.1</b>	<b>267.8</b>	<b>20.0</b>	<b>1,609.9</b>

**Table 8: Programme 1100: Proposed staffing for 2022**

1100	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
<b>Established Posts</b>														
Approved 2021	-	-	-	-	1	1	3	2	-	7	1	3	4	11
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>1</b>	<b>3</b>	<b>2</b>	<b>-</b>	<b>7</b>	<b>1</b>	<b>3</b>	<b>4</b>	<b>11</b>
<b>GTA Positions (FTE)</b>														
Approved 2021	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Continued	-	-	-	-	-	-	-	-	-	-	-	-	-	-
New	-	-	-	-	-	-	2.00	-	-	2.00	-	-	-	2.00
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2.00</b>	<b>-</b>	<b>-</b>	<b>2.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2.00</b>

## 2. Programme 1200: Chambers

### Introduction

63. Pursuant to articles 34(b) and 36(1) of the Rome Statute, the Chambers are composed of 18 judges and organized into three divisions: Pre-Trial, Trial and Appeals. In consultation with the judges, the Presidency decides on the assignment of judges to judicial divisions<sup>8</sup> 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 to workload allocation among the judges will continue to be adopted to allow for the most effective use of resources and to avoid requests for new resources even if the workload in some divisions and Chambers increases. Depending on the workload in a given division, pre-trial judges may be assigned to trial and reparations work and trial judges to pre-trial work, and both pre-trial and trial judges may be assigned to specific appeals where there is a conflict of interest or where other circumstances require the temporary replacement of an appeals judge.

64. The Chambers form the judicial organ of the Court. As mandated by 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”.<sup>9</sup> In discharging their functions, the Pre-Trial, Trial and Appeals Chambers receive support from legal and administrative staff.

### *Chambers’ objectives*

65. The Chambers’ objectives are:

(i) To ensure the expeditious, fair and efficient conduct of pre-trial, trial and appeal proceedings.

(ii) To continue to reduce the length of Court proceedings by implementing reforms (taking under consideration, inter alia, the recommendations made in the IER report), with a focus on streamlining proceedings and avoiding duplication of effort between the pre-trial and trial phases and during the presentation of evidence and the sentencing and reparations stages. This includes updating and improving the Chambers Practice Manual.

(iii) To continue operating in line with the performance indicators developed for judicial processes.

(iv) To continue developing and implementing effective victim application and representation systems in consultation with the Registry.

(v) To ensure effective management of staff and non-staff resources.

(vi) To provide effective and efficient support to the various Chambers by the legal and administrative staff.

(vii) To further improve the management of staff performance through the new Court-wide performance appraisal system.

(viii) To continue to fully integrate the relevant strategic goals from the Court’s Strategic Plan for 2019-2021 into the functioning of the Chambers, in particular goals 1 to 3 on judicial and prosecutorial performance and goals 6 to 9 on organizational performance.

### *Chambers’ priorities – Improving practices to enhance efficiency*

66. In line with Strategic Goal 1 of the Court’s Strategic Plan for 2019-2021, the Chambers have been and will continue to be closely engaged in practice improvements to enhance the efficiency of judicial proceedings. At the conclusion of several cycles of cases, the Chambers have maintained their focus on consolidating judicial practice at the pre-trial, trial (including the reparations phase) and appeals phases. Reparations are essential to the discharge of the Court’s mandate and to furthering Strategic Goal 2 of the Court’s Strategic

<sup>8</sup> Rule 4 *bis* of the Rules of Procedure and Evidence.

<sup>9</sup> Article 64(2) of the Rome Statute.

Plan for 2019-2021.<sup>10</sup> Significant practical experience has been gained from the reparations proceedings in *Lubanga*, *Katanga*, *Al Mahdi* and *Ntaganda*. The judges are carrying on important work to amend and improve practices relating to judicial proceedings generally while already implementing the best practices identified collaboratively at judicial retreats. At the staff level, trial working methods were recently updated with a team-based model to render the provision of support more efficient.

67. While work takes place throughout the year to enhance the efficiency of the Chambers, the judicial retreats organized by the Judiciary provide the ideal forum to concentrate efforts to refine and set out new best practices. For example, at the October 2020 judicial retreat, the judges reached an agreement in principle on a set of important amendments to the Court's Code of Judicial Ethics.

*Judges' costs*

€5,048.1 thousand

68. The Rome Statute requires the Court to have 18 judges. The Proposed Programme Budget for 2021 requested funding for 14 full-time judges, making provision for the calling to full-time service of two of the judges elected at the nineteenth session of the Assembly. Given the increase in the Chambers' workload in 2021 and the further increase forecast for 2022, the Proposed Programme Budget for 2022 provides for the remuneration of 18 full-time judges.

69. At its nineteenth session, the Assembly resolved to amend the conditions of service and compensation of the Court's judges by replacing them with the conditions attaching to the level of Under-Secretary-General in the United Nations common system, including participation in the United Nations Joint Staff Pension Fund.<sup>11</sup> The resources requested herein are calculated in accordance with the provisions of that resolution.

70. As 2022 will be the first year in which only the United Nations Common System is used as the scale for judges' entitlements, Annex VI(a) will be maintained in this budget proposal. The Judiciary, along with its colleagues in the Registry's Budget Section, will carefully monitor the implementation rate for judges' costs in 2021 to determine whether any changes to the budgeting format for judges' costs are appropriate.

### Activity assumptions

#### *Forecast judicial activities*

71. On the basis of the activity assumptions used for this budget proposal, the overall workload of the Chambers in 2022 is forecast to be significantly higher than in 2021. Four trials are forecast to be held in 2022. However, should additional suspects be transferred to the Court or charges in the case currently at the confirmation stage (*Said*) be confirmed, this will result in an additional increase in workload in 2022, necessitating further resources. The ongoing flexible assignment of established and GTA staff is expected to continue, leading to greater synergy between judicial operating requirements and the Chambers' pool of knowledge and expertise, and will be essential to ensuring that the Chambers' workload (with high levels of trial, in particular) can be handled within the requested resource levels. For 2022, the Chambers is requesting an increase in staff resources as compared with those approved for 2021. It must be stressed, however, that this requirement is based on the forecast workload and staffing level. A lower staffing level may cause disruption to workflows and operational delays, which would prevent the expeditious completion of tasks. Similarly, as mentioned in the activity assumptions, should the number of trials before the Trial Chambers increase, in particular if the charges are confirmed in *Said*, additional staff resources will be essential and will have to be requested.

<sup>10</sup> Strategic Goal 2: "Further develop the Court's approach towards victims in all phases of the judicial proceedings, including reparations, the latter in cooperation with the Trust Fund for Victims."

<sup>11</sup> *Official Records ... Nineteenth session ... 2020* (ICC-ASP/19/20), vol. I, part III, ICC-ASP/19/Res.3, para. 1.

### *Pre-Trial Division*

72. The Pre-Trial Division handles all applications made in the course of preliminary examinations or regarding the initiation of an investigation or the preservation of evidence during an investigation. It also deals with the entire first phase of judicial proceedings, up to and including the decision whether to confirm the charges and send a case to trial.

73. Seven judges are currently assigned to the Pre-Trial Division. Five of the seven pre-trial judges are at the same time temporarily attached to the Trial Division and involved in trial hearings and reparations matters. Like trial judges, pre-trial judges have in the past also been temporarily attached to the Appeals Division to hear interlocutory appeals.

74. The Pre-Trial Chambers are currently actively seized of 19 situations, namely: Uganda; the Democratic Republic of the Congo; Darfur/Sudan; 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; Gabon; Burundi; Afghanistan; Palestine, Venezuela I, Bangladesh/Myanmar; Venezuela II and Bolivia.

75. On 9 July 2021, Pre-Trial Chamber II issued a decision confirming all the charges in the *Abd-Al-Rahman* case. Preparations will now commence for the trial phase. In the case of *Paul Gicheru* ("*Gicheru*"), where for the first time proceedings are based on amended rule 165 of the Rules of Procedure and Evidence and regulation 66*bis* of the Regulations of the Court, the parties' Written Submissions, replacing the confirmation of charges hearing, were submitted on 30 April 2021 and the parties' closing arguments on 7 May (for the Prosecutor) and 17 May 2021 (for the Defence). On 15 July 2021, Pre-Trial Chamber A issued a decision confirming the charges. Preparations will now commence for the trial phase.

76. The opening of the confirmation hearing in *Said* is provisionally scheduled for Tuesday, 5 October 2021. A decision on confirmation of the charges is expected in late 2021 or early 2022, and, if the charges are confirmed, trial preparation would take place thereafter, followed by trial hearings possibly before the end of 2022.

77. The nature of proceedings before the Pre-Trial Chambers is such that some major filings and developments, such as applications for the initiation of investigations on the basis of preliminary examinations conducted by the Office of the Prosecutor, applications for warrants of arrest, initial appearances and confirmation proceedings, cannot be predicted. Furthermore, the Pre-Trial Division regularly receives requests and applications which by nature must remain confidential, with the result that their (sometimes considerable) impact on the workload of the Chambers is not immediately visible to the public. The situations currently under investigation or which may come before the Pre-Trial Chambers may result in applications to the Pre-Trial Chambers by parties and participants to the various proceedings in 2022. Moreover, any of the persons for whom warrants of arrest have been issued by Pre-Trial Chambers may be arrested and surrendered to the Court on short notice, as has happened on a number of occasions in recent years, e.g. in the cases of *Al Hassan* and *Yekatom and Ngaïssona* and, in 2021, *Abd-Al-Rahman* and *Gicheru*. When announcing in December 2020 that the statutory criteria for opening an investigation into the situation in Ukraine were met, the Prosecutor reiterated her statement regarding the "high likelihood that several preliminary examinations would progress to the investigative stage".<sup>12</sup> In sum, therefore, it appears safe to assume that the workload in the Pre-Trial Division will not decrease in 2022 in comparison with previous years.

### *Trial Division*

78. 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 Trial 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.

<sup>12</sup> [Statement of the Prosecutor, Fatou Bensouda, on the conclusion of the preliminary examination in the situation in Ukraine](#), 11 December 2020.

79. The Trial Division is currently composed of six judges, assigned in various combinations to Trial Chambers to hear trials or reparations proceedings, and may also be temporarily attached to the Appeals Division to hear interlocutory or final appeals.

80. The budget proposal for Major Programme I assumes that trial hearings will be held in four cases in 2022. The *Al Hassan* case in the situation in Mali, and the *Yekatom and Ngaïssona* case in the situation in the Central African Republic II, are currently at the trial hearing stage and expected to run throughout 2022. Furthermore, following trial preparation in 2021 and early 2022, it is forecast that there will be trial hearings throughout the rest of 2022 in the *Abd-Al-Rahman* case in the Situation in Darfur, Sudan and the *Gicheru* case in the Situation in the Republic of Kenya. These trials will generate a considerable workload given the volume of evidence expected to be presented, the complexity of the cases and, in the case of *Yekatom and Ngaïssona*, the fact that there are two accused. As a result, a significant number of hearings are expected to take place during 2022, engaging the Court's courtrooms and other relevant resources.

81. As discussed in paragraph 79, above, subject to the outcome of the confirmation proceedings, trial preparation and hearings in *Said* may be expected in 2022. This would place increased pressure on the budget of Major Programme I. With four other trials already expected to run concurrently, such an increase in the Trial Division's workload will require additional staff resources. However, in line with the Court's policy of budgeting only for activities that are certain, no request for additional resources has been made in this budget proposal in respect of possible trial proceedings in *Said*. If this case does proceed to trial, additional resources may have to be requested in line with the relevant provisions of the Financial Regulations and Rules.

82. Reparations proceedings will also be ongoing in 2022. The reparations phase in *Ongwen* began in 2021 and is forecast to continue throughout that year, culminating in an order for reparations in late 2021 or 2022, to be implemented in 2022. In *Lubanga*, *Katanga*, *Al Mahdi* and *Ntaganda*, the monitoring and supervision of implementation is expected to continue throughout 2022.

83. In conclusion the Trial Chambers will be dealing with a heavy workload across a number of cases including four trials simultaneously in 2022.

#### *Appeals Division*

84. 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 of acquittal or conviction and sentence, and against decisions relating to reparations, and interlocutory appeals against some decisions of the Pre-Trial and Trial Chambers rendered in the course of proceedings. Final appeals involve a substantial workload, since 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, interlocutory appeals may raise complex and important issues, and their outcome may have a significant impact on the Court as a whole.<sup>13</sup> The Appeals Chamber may also be seized of other matters, such as requests for a review of a sentence.

85. Following decisions on conviction and sentence by Trial Chamber IX in *Ongwen*, it is forecast that the appeals against these decisions will continue into 2022. As final appeals represent years of pre-trial and trial proceedings and the respective decisions of the Trial Chambers deal with vast quantities of evidence, these appeals are likely to be complex and entail a heavy workload in 2022. Any appeal against the eventual order for reparations in *Ongwen* is also likely to come before the Appeals Chamber in 2022, further adding to its workload.

86. The Appeals Chamber is also expected to hear interlocutory appeals from cases which are presently before the Pre-Trial and Trial Chambers, placing several complex matters before the Appeals Chamber at the same time.

<sup>13</sup> 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.

**Budget resources****€11,760.3 thousand**

87. The requested amount has increased by €1,346.1 thousand (12.9 per cent).

**Staff resources (total for three divisions)****€6,690.7 thousand**

88. The requested amount has increased by €981.1 thousand (17.2 per cent). This increase is due to a request for essential GTA resources required in connection with the *Abd-Al-Rahman* and *Gicheru* cases. The staffing structure for the Chambers remains identical to that requested and approved in 2021 and in a number of earlier years.

89. Mindful of Strategic Goal 9 of the Court's Strategic Plan for 2019-2021,<sup>14</sup> 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, which reflects the Court's commitment to the disciplined use of resources. Under this policy of operational flexibility, legal support staff are assigned on a needs basis, taking into account the workload of each team, Chamber and division, and 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 of the Judiciary. To the extent possible, operational staff shortages are addressed with available resources by flexible deployment between the divisions and Chambers and simultaneous assignment to cases or applications at the pre-trial, trial or appeal stages. In line with this flexible approach to staffing, legal staff assigned to a particular division or Chamber have also been simultaneously assigned to cases in other divisions and Chambers, to absorb changing workloads across Chambers, where possible.

90. The ongoing flexible assignment of established and GTA staff is expected to continue, leading to greater synergy between judicial operating requirements and the Chambers' pool of knowledge and expertise, and will be essential to ensuring that the Chambers' workload (with high levels of trial, in particular) can be handled within the requested resource levels. For 2022, the Chambers is requesting an increase in staff resources as compared with those approved for 2021. It must be stressed, however, that this requirement is based on the forecast workload and staffing level. A lower staffing level may cause disruption to workflows and operational delays, which would prevent the expeditious completion of tasks. Similarly, as mentioned in the activity assumptions, should the number of trials before the Trial Chambers increase, in particular if the charges are confirmed in *Said*, additional staff resources will be essential and will have to be requested.

91. The staffing structure of the Chambers comprises 40 established posts and 19 GTA positions, an increase of 9 GTA positions compared to 2021. Staff resources are presented jointly for all three divisions, on the basis of the principle of flexible staff assignment.

*Established posts: Professional and General Service**€4,512.4 thousand*

92. The workload of established staff is expected to increase in relation to 2021, especially in the light of the complexity of pending cases.

93. The Chambers are served by 40 established posts. The Head of Chambers' Staff (P-5) is responsible for strategic planning and work processes in the Chambers. The incumbent oversees and leads coordination and communication between divisions, and provides support to the judges and overall managerial leadership to legal and administrative staff of the Chambers. The Head of Chambers' Staff is assisted by one Senior Legal Adviser (P-5) and two Legal Advisers (P-4), who offer essential division-specific expertise, provide guidance to and manage the pre-trial, trial and appeals staff and coordinate their work on cases. The Chambers are further staffed by: 18 Legal Officers (P-3), who provide high-level legal advice and support to the Chambers to which they are assigned and coordinate the legal support teams of their respective Chambers, as necessary; 10 Associate Legal Officers (P-2), who assist with analysis of submissions, preparation of decisions and judgments, and the day-to-

<sup>14</sup> Strategic Goal 9: "Manage resources in an effective, coherent, transparent, responsible and adaptable manner and further develop the sustainability and resilience of the Court against identified risks."

day logistics of courtroom activities; and 8 Administrative Assistants (GS-OL), who provide wide-ranging administrative and logistical support to the judges and staff.

*General temporary assistance*

€2,178.3 thousand

94. The work of the divisions remains critically dependent on the availability of sufficient GTA support at the P-3 and P-2 levels. The continuation of previously approved GTA resources is therefore 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, the same level of GTA resources is requested as was approved in the 2021 programme budget (and a number of previous years), as follows:

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

b) *Six Associate Legal Officers (P-2), funded for a total of 72 months. Continued. Multi-year.* These staff provide necessary legal support for the judicial work of the Chambers. The requested positions are required, *inter alia*, to provide the following specific support: analysis and summarization of large volumes of evidence and submissions; in-court note-taking and summarization of hearings; liaison with the Registry, parties and participants where needed; analysis of applications for reparations; and performance of any other relevant tasks necessary to ensure the proper functioning of the divisions.

c) *Two Legal Officers (P-3), funded for a total of 24 months. New. Non-recurrent.* Additional experienced legal staff at P-3 level will to be needed to coordinate and supervise teams and to assist with specific assignments in cases, such as in-depth legal research and analysis, preparation of draft decisions on issues emerging during the proceedings and provision of in-court support.

d) *Seven Associate Legal Officers (P-2), funded for a total of 84 months. New. Multi-year.* These legal staff will provide essential, supplementary legal support in Chambers in light of the increased workload resulting from the *Abd-Al-Rahman* trial and the *Gicheru* trial. As with other cases, this support will be needed during trial preparation and trial hearings. As with the existing GTA P-2 resource requests in respect of the other cases at the trial level, these seven positions are required, *inter alia*, to provide the following specific support in *Abd-Al-Rahman* and *Gicheru*, respectively: assisting with trial preparation; analysis of filings in the case and drafting of decisions and orders, analysis of large volumes of evidence and related submissions; in-court note-taking and summarization; liaison with the Registry, parties and participants where needed; analysis of applications for reparations; and performance of any other relevant tasks necessary to adequately support the Chambers.

#### **Non-staff resources**

€21.5 thousand

95. Non-staff resources are required for hospitality and training. The requested amount remains the same as the amount approved for 2021.

#### *Hospitality*

€1.0 thousand

96. The requested amount remains unchanged and is necessary to cover 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. These costs are recurrent.

#### *Training*

€20.5 thousand

97. The requested amount remains the same as that approved for the 2021 budget. Funding is composed of €13.3 thousand for staff training and an additional €7.2 thousand for judges' training. The amount for staff training is required for the development of professional skills, including legal writing and linguistic capacity-building, specialized training on new

developments in international humanitarian law, international criminal law, human rights law and evidence (e.g. digital forensics), and further development of coordination, communication, managerial and leadership skills. The amount earmarked for judges' training will be used to fund language immersion programmes for the judges. These costs are recurrent.

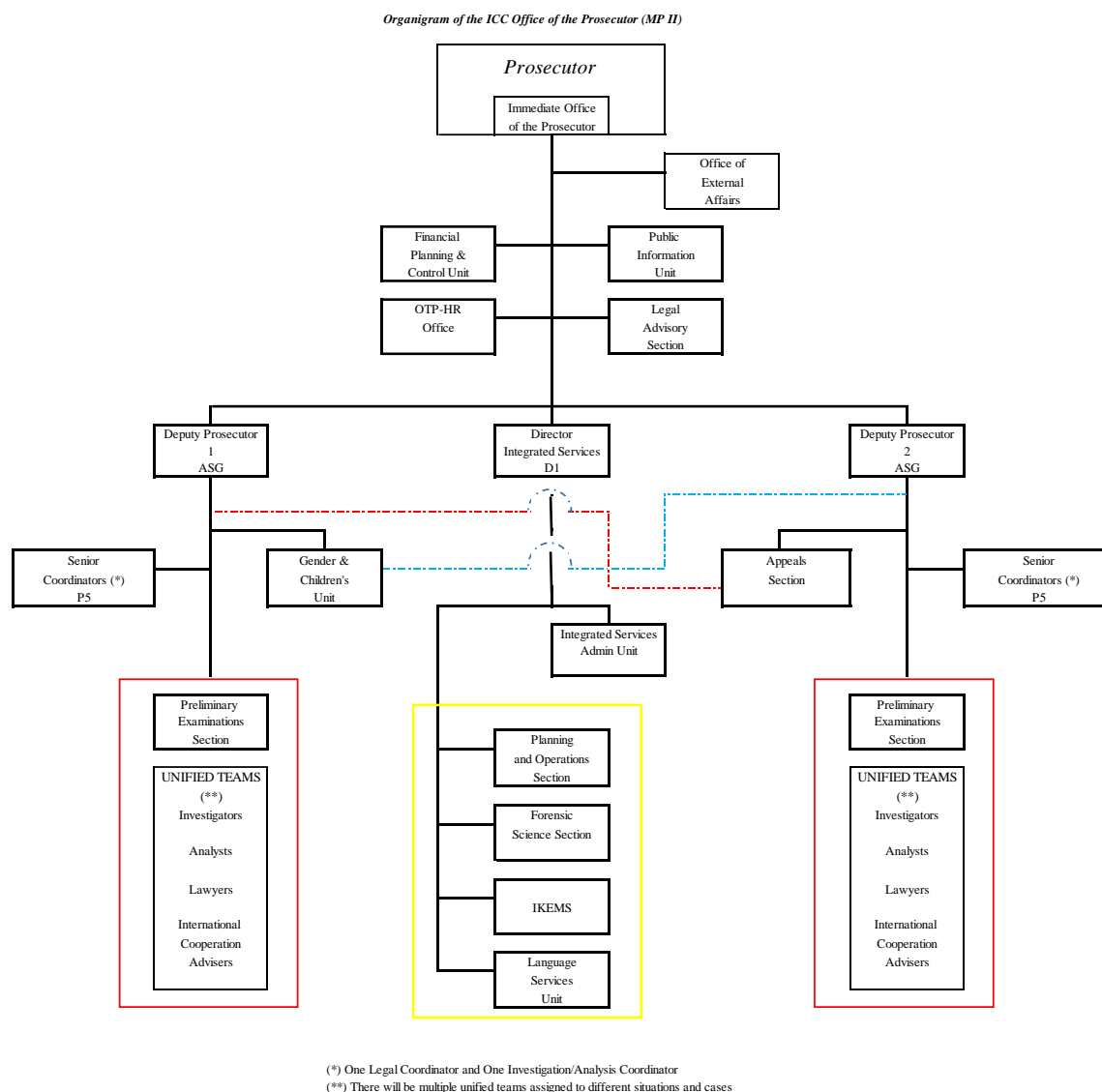
**Table 9: Programme 1200: Proposed staffing for 2022**

1200 Chambers	2020 Expenditures (thousands of euro)			2021 Approved Budget	Resource Changes		Proposed 2022 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
<i>Judges</i>	5,211.6	-	5,211.6	4,683.1	365.0	7.8	5,048.1
Professional staff				3,955.4	(29.4)	(0.7)	3,926.0
General Service staff				575.2	11.2	1.9	586.4
<i>Subtotal staff</i>	4,160.2	-	4,160.2	4,530.6	(18.2)	(0.4)	4,512.4
General temporary assistance	845.2	-	845.2	1,179.0	999.3	84.8	2,178.3
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	845.2	-	845.2	1,179.0	999.3	84.8	2,178.3
Travel	-	-	-	-	-	-	-
Hospitality	0.5	-	0.5	1.0	-	-	1.0
Contractual services	-	-	-	-	-	-	-
Training	13.3	-	13.3	20.5	-	-	20.5
Consultants	-	-	-	-	-	-	-
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	13.8	-	13.8	21.5	-	-	21.5
<b>Total</b>	<b>10,230.8</b>	<b>-</b>	<b>10,230.8</b>	<b>10,414.2</b>	<b>1,346.1</b>	<b>12.9</b>	<b>11,760.3</b>

**Table 10: Programme 1200: Proposed staffing for 2022**

1200	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
<b>Established Posts</b>														
Approved 2021	-	-	-	-	2	2	18	10	-	32	-	8	8	40
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2</b>	<b>2</b>	<b>18</b>	<b>10</b>	<b>-</b>	<b>32</b>	<b>-</b>	<b>8</b>	<b>8</b>	<b>40</b>
<b>GTA Positions (FTE)</b>														
Approved 2021	-	-	-	-	-	-	4.00	6.00	-	10.00	-	-	-	10.00
Continued	-	-	-	-	-	-	4.00	6.00	-	10.00	-	-	-	10.00
New	-	-	-	-	-	-	2.00	7.00	-	9.00	-	-	-	9.00
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>6.00</b>	<b>13.00</b>	<b>-</b>	<b>19.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>19.00</b>

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



### Introduction

98. The mission of the Office of the Prosecutor (OTP or “the Office”) embraces the effective and efficient conduct of preliminary examinations, investigation and prosecution of perpetrators of genocide, crimes against humanity, war crimes and the crime of aggression, in accordance with its mandate under the Rome Statute. The Office will pursue this mission independently, impartially and objectively, consistent with its statutory duties and its core values of *Dedication, Integrity and Respect*.

99. The proposed budget of the OTP for 2022 is based on five main interlinked factors:

- a) the reorganization of the Office’s structure to further unify, integrate and enhance investigative and prosecutorial focus and performance across the board;
- b) the Court-wide Strategic Plan for 2019-2021;
- c) the OTP Strategic Plan for 2019-2021 and related policies, their lessons, as well as early forecasts for the next strategic period;

d) a careful and realistic assessment of the resources needed to properly discharge the OTP's mandate under the Rome Statute, mindful of the continuing challenges posed by the COVID-19 pandemic; and

e) the independent assessment and judgment of the new Prosecutor.

100. Over the past years, the OTP has undertaken a number of managerial, strategic and policy initiatives intended to enhance effectiveness and efficiency in the exercise of its mandate and, in so doing, strengthen public confidence in the OTP. Many of these initiatives have been regularly reported on, such as through the OTP's report on the implementation of its Strategic Plan for 2016-2018.<sup>15</sup>

101. Under the lead of the new Prosecutor, Karim A. A. Khan QC, who commenced his term on 16 June 2021, the Office will further strengthen, rationalize and integrate its functions across the Office, including its investigative and prosecutorial capacity, and enhance output through an internal reorganization intended to streamline workflows and reporting lines, and create greater synergies across all components of the Office. This new organizational structure, as shown above and explained in detail in the various OTP (sub-)programmes below, is informed by the Office's previous experiences; the recommendations of the Independent Expert Review (IER); and the independent judgment of the new Prosecutor. The proposed changes are essential to implementing the Prosecutor's vision and commitment to enhancing the overall effectiveness and governance of the OTP and ensuring that staff expertise and resources are properly allocated and harnessed, and that investigations and prosecutions are conducted in accordance with the highest international standards that will withstand strict judicial scrutiny in the courtroom. The changes will not only result in greater efficiency in the Office's working methods, processes, communication lines and output, but will make more efficient use of the Office's existing resources, while also being largely budget neutral.

102. The OTP has continued to cooperate closely with the Registry and the other Major Programmes to present the leanest possible budget proposal for 2022, mindful of the continuing economic strain on States Parties.

### **OTP activities in 2022: preliminary examinations, investigations and prosecutions**

103. The new Prosecutor is currently conducting an in-depth review of all preliminary examinations, investigations and prosecutions, and this review will ultimately guide the Office's priorities in 2022. Pending this comprehensive review, this budget submission uses the activities conducted in 2021 as a baseline for projection.

104. The planned activities for 2022 and corresponding resources are driven by (1) the increase in workload, in particular in pre-trial and trial activities, (2) the effort of the Office to continue prioritizing activities and allocating resources to maximize the impact and expeditiousness of its activities,<sup>16</sup> and (3) the lessons learned in adapting activities and operations in response to the COVID-19 pandemic. The Office also continues to budget for the capacity and flexibility to take rapid advantage of emerging investigative opportunities, including where sudden limited deployment possibilities arise.

### **Situations under preliminary examination**

105. The OTP is currently seized of preliminary examinations in eight situations: Bolivia, Colombia, Guinea, Nigeria, the Philippines, Ukraine, Venezuela I and Venezuela II. Those in relation to Ukraine, Nigeria and the Philippines have been completed. On 14 June 2021, the previous Prosecutor requested judicial authorization to proceed with an investigation with regard to the latter situation. The remaining preliminary examinations are all in advanced stages of analysis. As noted above in paragraph 5, the new Prosecutor is conducting a comprehensive review of all preliminary examinations as well as of the Office's overall policy on preliminary examinations, and this review will guide the future conduct of preliminary examinations.

<sup>15</sup> See <https://www.icc-cpi.int/itemsDocuments/20190823-otp-report-SP-2016-2018-eng.pdf>.

<sup>16</sup> Strategic Goal 2 of the OTP Strategic Plan for 2019-2021.

106. The OTP has made efforts in recent years to optimize its internal processes and enhance synergies between preliminary examinations and investigations, including by improving integration across the Office's divisions to ensure greater continuity and a smoother transition from the preliminary examination phase to the investigation phase, should that be warranted. The reorganization outlined in this budget submission directly addresses this workflow challenge by fully integrating the Preliminary Examination Section within unified "prosecution pillars" that also incorporate investigators, trial lawyers, analysts and other staff. This model will allow staff not only to develop country, contextual and specific expertise,<sup>17</sup> but will also allow those staff to remain with a specific situation and contribute to the file in its various phases, thereby making the most effective use of resources while streamlining workflows and reporting lines.

### **Situations under investigation, and cases before the Court**

107. The 2022 proposed budget provides for the resources needed to conduct essential and critical investigative, prosecutorial and appellate activities. In line with the Office's strategy, cases pending trial or at the trial stage remain the Office's top priority. At the same time, investigations are often the most resource-intensive activity conducted by the Office, and priority attention and resources are needed to seize critical investigative opportunities that are in line with the OTP's priorities.

108. As with preliminary examinations, the new Prosecutor is conducting a comprehensive review of all investigations and prosecutions as well as of the OTP's Policy on Case Selection and Prioritisation. The result of this review may further define and/or amend OTP priorities in 2022. However, on the basis of current activities in 2021, the OTP will prioritize resources in relation to those situations with cases in pre-trial and trial proceedings, namely Darfur (Sudan), Mali, CAR II(a) and CAR II(b) and Kenya (article 70). Additionally, the OTP will be conducting investigations in at least eight situations: Afghanistan (currently subject to an ongoing article 18 deferral request but nonetheless requiring maintenance activities), Bangladesh/Myanmar, Burundi, Côte d'Ivoire (CIV II), Darfur (Sudan), Georgia, Libya (three cases) and Palestine. Owing to the inherently dynamic nature of the OTP's mandate and activities, it is possible that additional investigations may be opened during the remainder of 2021 or in 2022. The Prosecutor will continue to assess on a rolling basis how best to organize the Office's work taking into account, *inter alia*, considerations relating to prioritization, completion and resource constraints.

#### *Situation in the Islamic Republic of Afghanistan*

109. On 5 March 2020, the Appeals Chamber of the International Criminal Court ("the Court") decided unanimously to authorize the Prosecutor to commence an investigation into alleged crimes under the jurisdiction of the Court in relation to the situation in the Islamic Republic of Afghanistan.

110. The OTP has been authorized to investigate, yet it has also received a request from Afghanistan to defer its investigation pursuant to article 18(2) of the Statute. That process is currently ongoing, with the Office and the Government of Afghanistan engaged in constructive exchange. In view of this ongoing assessment, in addition to practical restrictions due to the world health crisis caused by the COVID-19 pandemic, the Office is not currently taking active investigative steps but meeting its obligations under the Rome Statute. While the investigation will be shown, for budget purposes, as continuing for the whole year, the Office will use its capacity flexibly, pending the outcome of the article 18 process.

#### *Situation in the Republic of Burundi*

111. On 9 November 2017, Pre-Trial Chamber III authorized the Prosecutor to open an investigation into crimes against humanity within the jurisdiction of the Court, allegedly committed in Burundi or by nationals of Burundi outside Burundi, from 26 April 2015 to

<sup>17</sup> A need recognized in the *Independent Expert Review of the International Criminal Court and the Rome Statute System - Final Report*, 30 September 2020. See, for example, para. 743 and R296.

26 October 2017, the day before Burundi's withdrawal from the Rome Statute became effective on 27 October 2017. The Prosecutor was also authorized to extend the investigation into crimes which were committed before 26 April 2015 or which continued after 26 October 2017, as long as the investigation or prosecution relates to the crimes allegedly committed during the time Burundi was a State Party to the Rome Statute.

112. Resources in relation to, *inter alia*, investigations, cooperation and situation-specific languages will continue to be required in 2022. The Office plans to continue its active investigation in the situation with a full unified team and, in that context, to conduct various missions to a number of countries.

#### *Situation in the Central African Republic II ((a) and (b))*

113. Investigations in the CAR II situation focus on crimes allegedly committed during renewed violence in the country from 2012 onwards, with a focus on the crimes allegedly committed by the different parties to the conflict, including by (groups linked to) the Séléka (CAR II(a)) and (groups linked to) the anti-Balaka (CAR II(b)).

114. In relation to the latter, following investigative and cooperation efforts, two suspects were apprehended in 2018: Mr Alfred Yekatom and Mr Patrice-Edouard Ngaïssona. On 11 December 2019, Pre-Trial Chamber II partially confirmed the charges of war crimes and crimes against humanity against both individuals and committed them to trial, which is currently ongoing.

115. In relation to CAR II(a), the warrant of arrest for Mr Mahamat Said Abdel Kani, also known as "Mahamat Said Abdel Kain" and "Mahamat Saïd Abdelkani" ("Mr Said"), was issued under seal on 7 January 2019 for war crimes and crimes against humanity allegedly committed in Bangui (CAR) in 2013. Mr Said was surrendered to the Court on 24 January 2021. Mr Said's first appearance before the Single Judge of Pre-Trial Chamber II took place on 28 and 29 January 2021.

116. A trial team and a pre-trial team will work on CAR II(b) and on CAR II(a), respectively. Investigative activities in support of these cases – including missions to the situation country – will continue to be conducted. The Office will also work with the local authorities and the CAR Special Criminal Court as part of its efforts to encourage accountability efforts at the national level.

#### *Situation in Côte d'Ivoire*

117. Post-election violence erupted in Côte d'Ivoire in 2010-2011 after the results of 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. The OTP's investigations have focused on crimes allegedly committed by both the pro-Gbagbo (CIV I) and pro-Ouattara forces (CIV II).

118. In 2022, the Office will continue to focus its active investigation in relation to those crimes committed during the post-election violence by the side supporting Mr Alassane Ouattara. The Office expects to reach the point where a warrant of arrest is issued.

#### *Situation in Darfur (Sudan)*

119. The United Nations 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.

120. On 6 June 2005, the OTP opened an investigation into the situation in Darfur in relation to crimes within the Court's jurisdiction, committed since 1 July 2002. The OTP's investigation has focused on allegations of genocide, war crimes and crimes against humanity committed in Darfur. Alleged crimes falling under the Court's jurisdiction reportedly continue to be committed in Darfur.

121. One suspect, Mr Ali Muhammad Ali Abd-Al-Rahman (also known as Ali Kushayb), was transferred to the Court's custody on 9 June 2020, after surrendering himself voluntarily

in the Central African Republic. The first appearance of Mr Abd-Al-Rahman before the Court took place on 15 June 2020. The first warrant of arrest delivered on 27 April 2007 and the second warrant published on 11 June 2020 for Mr Abd-Al-Rahman list the charges on the basis of his individual criminal responsibility for war crimes and crimes against humanity allegedly committed in Darfur. The confirmation of charges hearing took place from 24 to 27 May 2021. On 9 July 2021, Pre-Trial Chamber II unanimously issued a decision confirming all the 31 charges brought by the Prosecutor against Mr Abd-Al-Rahman and committed him to trial before a Trial Chamber.

122. The Office considers that, with recent developments in Sudan, investigative opportunities and efforts to engage and galvanize cooperation with the new authorities must continue to be explored. The signing of a Memorandum of Understanding with the Government of Sudan has made the deployment of several missions to the country possible in 2021. The Office has been exploring possibilities of operating in the country by establishing a local field office. Although the focus of the activities will be the support of the case against Mr Abd-Al-Rahman, the Office continues to call for and make efforts aimed at contributing to securing the execution of the pending warrants of arrest, which are the result of the Office's investigations in this situation since the United Nations Security Council referral in 2005. The Office will continue its efforts to secure and explore avenues for cooperation with the Sudanese authorities.

#### *Situation in Georgia*

123. On 27 January 2016, following a preliminary examination of the situation prevailing in Georgia since 2008, and in the absence of effective proceedings at the national level, 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.

124. The OTP has been actively investigating the situation in Georgia and will continue to do so throughout 2021 with a dedicated team and within the limits of the available resources. As part of its investigation and completion efforts, the Office is aiming to conclude the investigation phase, resulting in either pre-trial activities or wrap up the investigation. Resource constraints and the need to reallocate resources have somewhat slowed the pace of progress of investigations in 2021, but tangible progress is expected in 2022.

#### *Situation in Libya*

125. Through resolution 1970 of 26 February 2011, the United Nations Security Council referred the situation in Libya as of 15 February 2011 to the Prosecutor. Libya is not a State Party to the Rome Statute. On 3 March 2011, the OTP opened an investigation into the situation in Libya in relation to alleged crimes within the jurisdiction of the Court allegedly committed since 15 February 2011.

126. Several warrants of arrest remain to be executed for suspects in the situation in Libya: Saif Al-Islam Gaddafi, Al-Tuhamy Mohamed Khaled and Mahmoud Mustafa Busayf Al-Werfalli.

127. Despite the challenging security and political situation in Libya, the OTP has continued to make progress in the existing and potential new cases, and continues to collect, receive and process evidence concerning alleged crimes.

128. Currently, the Office is conducting two active investigations in relation to allegations of continued crimes committed by militias and armed groups in Libya, as well as other alleged crimes, including in relation to prisons and detention facilities. In parallel, the Office continues to conduct a third investigation, in fruitful cooperation with other States and organizations, focusing on crimes committed against migrants.

#### *Situation in the Democratic Republic of the Congo (DRC)*

129. On 3 March 2004, the Government of the DRC referred to the Court the situation prevailing on its territory since 1 July 2002. The investigations in the situation have led to a number of cases, which have involved charges including the crimes against humanity of

murder, rape and sexual slavery; and the war crimes of murder, directing attacks against a civilian population, rape and sexual slavery, pillaging, and conscripting, enlisting and using child soldiers. Most recently, in relation to the proceedings in the *Ntaganda* case, the Appeals Chamber confirmed, on 30 March 2021, the decisions on conviction and sentence of Trial Chamber VI, which found Mr Ntaganda guilty, beyond reasonable doubt, of 18 counts of war crimes and crimes against humanity and sentenced him to a total of 30 years of imprisonment.

130. The OTP has continued to receive information on the situation in the DRC, and will continue to closely follow developments and encourage and assess the measures taken at the domestic level to address them.

#### *Situation in Kenya*

131. 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.

132. In recent years, the Office has encouraged the surrender of individuals subject to warrants of arrest relating to article 70 offences against the administration of justice. As a result, Mr Gicheru, a lawyer formerly based in Kenya, surrendered to the authorities of the Netherlands on 2 November 2020 and was surrendered to the custody of the Court on 3 November 2020, pursuant to a warrant of arrest issued by the Court for alleged offences against the administration of justice. The confirmation of charges procedure was conducted in writing earlier this year and the Office continues to designate dedicated resources in relation to the proceedings.

133. On 15 July 2021, PTC A confirmed the charges against Mr. Gicheru as articulated by the Prosecutor in the Documents Containing Charges and committed him to trial.

134. The Office also continues to receive information on the alleged commission of crimes against humanity during the post-election violence of 2007-2009.

#### *Situation in Mali*

135. On 13 July 2012, the Government of Mali referred to the Court the situation prevailing on its territory since January 2012. After conducting a preliminary examination of the situation, the OTP opened an investigation on 16 January 2013 into alleged crimes committed on the territory of Mali since January 2012.

136. The trial in the case concerning Mr Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud is currently ongoing and expected to continue through 2022.

137. Instances of criminality are rife in Mali, with almost daily reporting. The expectation of the Government of Mali – with little capacity of its own – is that the Court will continue its work following its referral in 2012. The Office's own assessment is that more work is required in Mali. However, in a continued effort to prioritize, the Office expects to limit its activities to trial support in 2022.

#### *Situation in Uganda*

138. On 16 December 2003, the Government of Uganda referred to the Court the situation prevailing on its territory since 1 July 2002 concerning the Lord's Resistance Army (LRA).

139. 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 the perpetrator. On 8 July 2005, Pre-Trial Chamber II issued warrants of arrest under seal for top LRA commanders, namely, Joseph Kony, Vincent Otti, Raska Lukwiya, Okot Odhiambo and Dominic Ongwen, on charges of crimes against humanity and war crimes. The Chamber terminated proceedings against Raska Lukwiya and Okot Odhiambo following their deaths. The warrants of arrest for Mr Kony and Mr Otti remain unexecuted.

140. On 6 May 2021, Trial Chamber IX sentenced Mr Ongwen to 25 years of imprisonment, following the trial judgement in which the Chamber found him guilty of a total of 61 crimes. Further (appellate and reparations) proceedings are anticipated.

#### *Situation in Palestine*

141. On 1 January 2015, the Government of Palestine lodged a declaration under article 12(3) of the Rome Statute accepting the jurisdiction of the Court over alleged crimes committed “in the occupied Palestinian territory, including East Jerusalem, since June 13, 2014”. On 2 January 2015, the Government of Palestine acceded to the Rome Statute by depositing its instrument of accession with the UN Secretary-General. The Rome Statute entered into force for Palestine on 1 April 2015.

142. On 20 December 2019, the former Prosecutor announced that, following a thorough, independent and objective assessment of all reliable information available to her Office, the preliminary examination into the situation in Palestine was concluded with the determination that all the statutory criteria under the Rome Statute for the opening of an investigation were met. However, given the legal and factual issues attaching to this situation, pursuant to article 19(3) of the Rome Statute, the former Prosecutor requested of Pre-Trial Chamber I a ruling on the scope of the Court’s territorial jurisdiction in Palestine under article 12(2)(a) of the Rome Statute.

143. On 28 January 2020, Pre-Trial Chamber I issued an order setting the procedure and the schedule for the submission of observations on the Prosecutor’s request under article 19(3) of the Rome Statute related to the scope of the Court’s territorial jurisdiction in the situation in the State of Palestine.

144. On 3 March 2021, the Prosecutor announced the opening of her investigation into the situation in Palestine. This followed the Chamber’s majority decision on 5 February 2021 that the Court could exercise its criminal jurisdiction in the situation in Palestine, and that the territorial scope of this jurisdiction extends to Gaza and the West Bank, including East Jerusalem.

145. The Office is currently considering its investigative efforts in this situation, taking into account the operating environment and resource capacity.

#### **Strategic and budgetary considerations related to the OTP’s core activities: preliminary examinations, investigations and prosecutions**

146. At present, the OTP is seized of an unprecedented number of cases, numerous investigations and multiple preliminary examinations that are progressively advancing, and all of these efforts translate into the Office’s budget assumptions. While the Office, under the new Prosecutor, will continue to review and set priorities by balancing operational demands against the resources made available by the States Parties, a budget that is not commensurate with its carefully planned and essential resource needs will have a negative impact on the progress of its activities. Ultimately, insufficient resources will lead to reputational risk for the OTP, the Court and the Rome Statute as a whole.

147. In line with standard practice, staff resources at the Office are allocated and deployed flexibly between cases to maximize their effective use and the quality of outcomes while ensuring the completion of ongoing work.<sup>18</sup> This optimization of staff resources underpins the unified teams concept outlined later in this budget.

148. However, some new situations require specific skills, necessitating the recruitment of new staff. For instance, new situation languages require the recruitment of new translators, transcribers and field interpreters. In other circumstances, the intensification of an investigation or prosecution may require additional resources to strengthen existing teams, in particular where all ongoing situations are faced with simultaneous increased workloads. The ability to recruit staff in such circumstances is essential to avoid lost investigative opportunities or delayed results.

<sup>18</sup> See responses provided by the Office of the Prosecutor to the Committee at its thirty-fourth and thirty-sixth sessions, *Report of the Office of the Prosecutor on the Redeployment of Resources*.

149. At the same time, the Office continually seeks ways to reduce costs by reprioritizing and reallocating existing resources, and by identifying savings and efficiencies before requesting any increase. In fact, this is a foundational aspect of the new Prosecutor's vision and internal reorganization. In preparing its proposal for 2022, the Office has incorporated the Prosecutor's vision for change by maximizing flexibility in the use of staff funds and available posts where possible in an effort to both synergize and streamline available resources.

150. Because of the nature of the Office's mandate and operations, the majority of the resources requested are staff-related. In the 2022 proposed budget, total staff costs account for 91.6 per cent of the funds requested by the Office.

151. As the Court-wide savings and efficiencies exercise has been performed for some years already, the possibility of achieving substantial additional material savings is in general limited.<sup>19</sup> The OTP – in the context of its commitment to continuous improvement – constantly reviews its processes with the aim of performing more efficiently while maintaining the required level of quality in its results. These efficiencies are usually quantified in terms of existing staff time freed up, enabling current resources to absorb the largest possible share of the extra work arising from increased activity.<sup>20</sup>

152. The total savings in the form of cost avoidance included in the 2022 budget proposal amount to €206.2 thousand.

153. Identifying areas where the Office can make efficiency gains is an ongoing exercise. Since 2012, results have been documented and communicated to the Committee on Budget and Finance ("the Committee") and the States Parties. Savings and efficiency gains have been integrated into the OTP's approved budget. The table below shows the OTP results since 2016.

	2016	2017	2018	2019	2020
Budget (€ '000)	43,233.70	44,974.20	45,991.80	46,802.50	47,383.4
Savings and Efficiencies (€ '000)	375.52	367.7	240.6	625.5	516.1
Savings + Efficiencies over Budget	0.9%	0.8%	0.5%	1.4%	1.1%

154. Similar to previous budget submissions, the 2022 proposal is based on both estimates for 2022 activities and trends in the implementation of specific budget items in past years.<sup>21</sup>

<sup>19</sup> The output (savings and efficiencies) eventually follows the law of diminishing returns as, over time, the number of processes that have not yet been improved diminishes.

<sup>20</sup> The Court has presented its methodology to the Committee and the following categories have been agreed upon: 1. *Savings* (two categories): (i) costs incurred in the previous/current financial period and no longer appearing in the following programme budget, resulting in a reduction in the baseline; and (ii) increases in costs avoided through newly introduced policies, procedures and/or negotiations with suppliers or service providers, resulting in the same baseline; 2. *Efficiencies*: activities which limit or avoid requests for additional resources and/or provide increased productivity, resulting in the same baseline but avoiding any increase in costs; 3. *Non-recurrent costs*: one-off decreases in resource requirements attributable to non-continuation of activities, resulting in a reduction in the baseline; and 4. *Additional cost reductions*: workload-related changes resulting in a reduction in the baseline.

<sup>21</sup> Using the data prepared by the Financial Planning and Control Unit (FPCU), the Senior Manager provides monthly updates on the OTP budget implementation per budget item and sub-programme, and advises the Prosecutor and senior management on financial matters related to the activities being conducted. Time series of funds requested, approved and spent per year and per budget item are also available on the FPCU intranet page: <http://otp.icc.int/sites/ss/gau/pages/Budget%20and%20Expenditure%20Monitoring.aspx>. Thanks to the project by FPCU with the assistance of the Registry's SAP and Budget teams, the data on budget line implementation are now updated as of midnight of the previous working day.

<i>Parameter</i>	<i>2021</i>	<i>2022</i>
Number of situations	12	13 <sup>22</sup>
Number of active investigations	9	8 <sup>23</sup>
Number of investigations at the planning stage		2 <sup>24</sup>
Unsealed warrants of arrest pending execution	15	13 <sup>25</sup>
Number of preliminary examinations	9	8 <sup>26</sup>
Number of (pre-)trial teams (OTP)	3	5 <sup>27</sup>
Number of final appeals	4	1 <sup>28</sup>

155. The OTP's budget proposal continues to be informed by the implementation of strict budgetary discipline. The OTP has worked on two fronts: (a) careful scrutiny of internal requests in relation to both staff and non-staff resources; and (b) enhancement of synergies and coordination with the Registry's functions. The Office strives to use the available resources as wisely as possible. However, as even the Independent Expert Review highlights, there are areas where the Office needs more resources. While the Office will seek to make use, by more innovative means, of additional voluntary contributions from States, the private sector and other potential contributors to supplement its needs, the Office is obliged to present to the States Parties a sound, transparent and honest assessment of its needs.

#### *Staff and non-staff costs*

156. In its 2021 submission, the OTP committed to leaving a number of previously approved posts unfilled or to fund them for few months only, deliberately delaying recruitment to the last part of the year. These measures have allowed for a reduction in staff costs that partially offset the UNCS changes. For the 2022 proposed budget, however, these measures are not sustainable in the light of the increase in workload. Additional or changed positions are requested to support operations. Wherever possible, the financial impact has been offset by the cancellation of posts in the same area. In the 2022 proposed programme budget (PPB), six (6) new Established posts and eighteen (18) new GTA positions are requested. Nine (9) positions have been discontinued.<sup>29</sup>

157. Similarly, the substantial reductions applied to non-staff costs in the budget cannot be prolonged. The mobility restrictions imposed by the COVID-19 pandemic have had a major impact on the possibility of deploying missions in 2020 and 2021. This was taken into account when the budget proposal was prepared. The OTP, however, had to maintain its capacity to conduct missions to support and progress with investigative and prosecutorial activities.<sup>30</sup> The Office has followed the recommendations of the inter-organ Crisis Management Team (CMT) that has been in contact with the Host State's authorities and other

<sup>22</sup> Afghanistan, Bangladesh/Myanmar, Burundi, CAR II, CIV, DRC, Darfur, Georgia, Kenya, Libya, Mali, Palestine and Uganda.

<sup>23</sup> Eight active investigations: Bangladesh/Myanmar, Burundi, Côte d'Ivoire (CIV II), Darfur, Georgia, Libya III, Libya IV and Libya V.

<sup>24</sup> Afghanistan and Palestine.

<sup>25</sup> CIV I bis(1); Darfur I (1), IV and V (2), III (1); DRC IV (1); Kenya article 70(2); Libya I (1), Libya II (1); Libya III (2); and Uganda (2).

<sup>26</sup> Bolivia, Colombia, Guinea, Nigeria, the Philippines, Ukraine, Venezuela I and Venezuela II.

<sup>27</sup> CAR II(b) (*Yekatom and Ngaïssona*), Darfur (*Abd-al-Rahman*), Kenya article 70 (*Gicheru*) and Mali II (*Al Hassan*). In 2022 these cases are included as trials. At the time of the submission of the 2022 proposed budget, the following case is awaiting confirmation of charges and has been included in the parameters as pre-trial: CAR II.a (*Said*)

<sup>28</sup> The nature of the appeals process is such that, until a judgment is issued by a Trial Chamber, it cannot be said that a final appeal is certain. However, it is highly likely that a judgment of a Trial Chamber (be it a conviction or an acquittal) will result in at least one appeal from one or more of the parties. For 2022 the Court has included one appeal in the *Ongwen* case in its assumptions.

<sup>29</sup> For details on the staffing changes, please refer to the staffing tables in each Programme.

<sup>30</sup> The Office conducts missions in several countries where witnesses and victims are located and evidence can be collected with respect to the investigative and prosecutorial activities it manages. Since 2012, the Office has strived to be "as trial-ready as possible" by the time it seeks confirmation of charges before a Pre-Trial Chamber. The process of collecting and analysing solid evidence is therefore a key factor in the OTP's strategy, making operational missions fundamental to the implementation of that strategy.

UN and international organizations to devise plans concerning the health and safety of the Court and its staff, including providing guidelines and directives on work-related missions. The Office has applied strict and judicious control over its mission planning. Only essential missions have been deployed. However, some of the measures that had to be implemented to safeguard the health of the staff and the people interacting with the teams have led to an increase in the costs incurred (COVID-19 tests, quarantine, medical evacuations when staff get infected, etc.). While the number of missions has been severely limited compared to the pre-pandemic years, the average cost per mission has increased. Regular updates have been provided to the Committee on the COVID-19 situation and its impact on the Court's operations. The latest update was discussed with the Committee at its thirty-sixth session in May 2021.

158. Although the curve of infection has not flattened evenly across the world and some regions still show a high number of cases, the roll-out of vaccination programmes has increased the possibility of travel and a larger number of missions will be feasible. The request for resources for travel in the 2022 budget has been formulated considering several factors and requirements in an attempt to find a balance between the need to safeguard the effectiveness of operations and the desire to minimize their financial impact. The Office has done so, firstly and most importantly, by minimizing the risks for the Office's staff involved in missions and for those interacting with its staff both at Headquarters and in the field; secondly, by ensuring that sufficient progress is made in the Office's operations, in particular in relation to the increased number of cases where a trial will be conducted in 2022 and to the investigations where the prospects of issuing warrants of arrest and moving to the pre-trial stage are promising; and thirdly, by maximizing the value for money of the missions benefitting from the measures devised and implemented during the pandemic. These measures include increased utilization of video-assisted remote interviewing (Audio Video Link or AVL), increased presence of staff in the field, alternative accommodation solutions during missions and increased recourse to Headquarters-based interviews for witnesses who can travel to the Netherlands.

159. The Office has prepared its proposal mindful of the factors mentioned above. Therefore, while the funds allocated to travel show an increase as compared to the 2021 approved budget, the amount requested is lower than the amounts approved in pre-pandemic years.<sup>31</sup>

160. The increase in workload and in the number of activities has an impact on the funds requested for other budget lines. In order to guarantee language support to the unified teams, the capacity of the Language Services Unit (LSU) must be strengthened in a way that maximizes both effectiveness and flexibility. Wherever circumstances allow, synergies with the Registry are sought. However, the volume of evidence and the languages involved often exceed in-house capacity. Recourse to outsourcing through vetted individual contractors is then necessary. This explains the increase in contractual services requested in the 2022 proposal.<sup>32</sup>

161. The Court has made progress in the implementation of a common platform for the administration of training through e-learning tools. All Major Programmes benefit from these positive developments. However, some specific training is still necessary depending on the mandate and type of activities performed by the staff in the different Major Programmes. The OTP collaborates closely with the Registry's Organizational Development Unit in the Human Resources Section to identify opportunities for joint inter-organ training and soft-skill development, where possible. At the same time, the OTP has a centralized training budget to address its annual training needs and make sure that staff receive adequate training to be able to perform their activities.

162. The Office is actively pursuing cooperation with other international organizations and law enforcement agencies to establish joint training sessions to improve capacity and strengthen an informal network of contacts.<sup>33</sup>

<sup>31</sup> The amounts approved in 2018, 2019 and 2020 are €2.92 million, €3.22 million and 3.09 million, respectively.

<sup>32</sup> The amounts approved in 2018, 2019, and 2020 are €579.5 thousand, €579.5 thousand and €527.0 thousand, respectively.

<sup>33</sup> See *Independent Expert Review of the International Criminal Court and the Rome Statute – Final Report*, 30 September 2020, R277.

163. The new tools that the Office is planning to deploy will also require specific training. The analysis and implementation are planned, managed and enacted by the OTP-HR Liaison Office (OTP-HR). In the past, €290.0 thousand was approved for OTP-specific training.<sup>34</sup> A total of €100.0 thousand is requested for the 2022 PPB.

164. The Office collaborates with external experts, hired under consultancy contracts, for expertise not available within the OTP. Funds are requested to obtain specific expert assistance in investigative and trial support activities (exhumations and forensic analysis, digital evidence corroboration, voice and facial recognition analysis for videos to be used as evidence, ballistic reports, etc.). The increase in the number of trials explains the increase in the funds requested for 2022.

165. The investigative and prosecutorial activities of the Office require frequent deployment to situation countries and interaction with victims and witnesses in those and other countries where members of the affected communities are located. The expenses to support victim- and witness-related activities and field operations are charged to general operating expenses. Although the Office is implementing alternative measures to limit the financial impact of its operations (remote interviewing, alternative accommodation solutions, etc.) and has taken the lessons learned from the COVID-19 experience into account when formulating its requests, the increased workload foreseen for 2022 requires additional funds in comparison to the 2021 approved amount.<sup>35</sup>

166. Finally, funds are requested to enhance OTP-specific information management. The proposed programme will define and implement a strategy, which encompasses architectural enhancements, aimed at cloud-driven initiatives that will lay the groundwork for the OTP's transition to a cloud-based environment.<sup>36</sup>

167. In the preparation of the 2022 budget proposal, the OTP and the Registry have continued to pay particular attention to finding the most effective and efficient ways to plan for activities that require the support of the Registry's functions (the service requests). Benefitting from the experience gained in recent years, and from the lessons learned in managing operations differently during the COVID-19 pandemic in particular, the OTP and the Registry have been able to identify alternative ways of performing certain activities, and thus generating savings, such as in relation to the handling of witness testimony at trial by more frequent use of AVL, as mentioned above.

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<sup>34</sup> Since 2017, the training budget has been approved at €290.0 thousand. In the light of liquidity constraints, COVID-19 limitations and budget pressure coming from UNCS increases, training programmes were sharply reduced in 2020 and 2021.

<sup>35</sup> It should be noted that the actual amounts spent in the period 2017-2019 (when the Office managed fewer activities than in 2022) were in the range of €661.1 thousand and €898.3 thousand.

<sup>36</sup> See paras. 240-242 for details on the justifications of funds for equipment.

On the basis of required activities planned for 2022, the OTP proposed budget shows an increase of €3,994.0 thousand (8.4 per cent), from €47,334.8 thousand to €51,328.8 thousand. The table below summarizes the net increase per major budget item.

168. The table below shows the allocation of the 2022 Proposed Programme Budget:

**Table 11: Major Programme II: Proposed budget for 2022**

Major Programme II Office of the Prosecutor	2020 Expenditures (thousands of euro)			2021 Approved Budget	Resource Changes		Proposed 2022 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				27,999.3	872.1	3.1	28,871.4
General Service staff				5,032.6	245.7	4.9	5,278.3
<i>Subtotal staff</i>	<i>32,348.9</i>	<i>-</i>	<i>32,348.9</i>	<i>33,031.9</i>	<i>1,117.8</i>	<i>3.4</i>	<i>34,149.7</i>
General temporary assistance	9,915.5	117.6	10,033.1	11,200.2	1,643.7	14.7	12,843.9
Temporary assistance for meetings	3.0	-	3.0	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>9,918.5</i>	<i>117.6</i>	<i>10,036.1</i>	<i>11,200.2</i>	<i>1,643.7</i>	<i>14.7</i>	<i>12,843.9</i>
Travel	1,212.0	10.5	1,222.5	1,973.7	276.1	14.0	2,249.8
Hospitality	3.0	-	3.0	5.0	-	-	5.0
Contractual services	417.9	-	417.9	370.0	188.4	50.9	558.4
Training	6.6	-	6.6	10.0	90.0	900.0	100.0
Consultants	90.6	19.7	110.3	50.0	100.0	200.0	150.0
General operating expenses	633.1	-	633.1	440.0	237.0	53.9	677.0
Supplies and materials	88.4	7.1	95.5	80.0	35.0	43.8	115.0
Furniture and equipment	141.7	-	141.7	174.0	306.0	175.9	480.0
<i>Subtotal non-staff</i>	<i>2,593.2</i>	<i>37.3</i>	<i>2,630.5</i>	<i>3,102.7</i>	<i>1,232.5</i>	<i>39.7</i>	<i>4,335.2</i>
<b>Total</b>	<b>44,860.6</b>	<b>154.9</b>	<b>45,015.5</b>	<b>47,334.8</b>	<b>3,994.0</b>	<b>8.4</b>	<b>51,328.8</b>

**Table 12: Major Programme II: Proposed staffing for 2022**

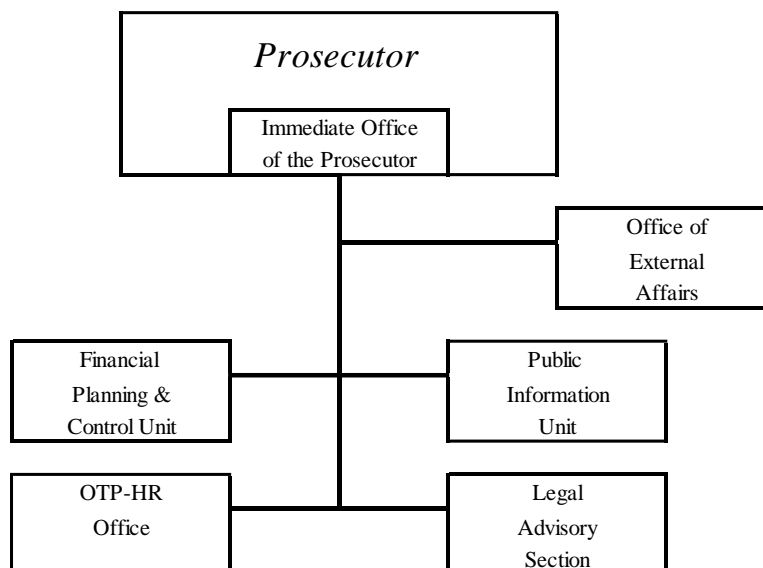
II	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P-Staff and Above	GS-PL	GS-OL	Total GS-Staff	Total Staff
<b>Established Posts</b>														
Approved 2021	1	1	-	3	18	36	77	79	25	240	1	79	80	320
New	-	1	-	-	-	-	1	1	-	3	-	3	3	6
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	(1)	(1)	-	(3)	(3)	(4)
<b>Proposed 2022</b>	<b>1</b>	<b>2</b>	<b>-</b>	<b>3</b>	<b>18</b>	<b>36</b>	<b>78</b>	<b>80</b>	<b>24</b>	<b>242</b>	<b>1</b>	<b>79</b>	<b>80</b>	<b>322</b>
<b>GTA Positions (FTE)</b>														
Approved 2021	-	-	-	-	0.08	7.00	34.58	24.50	9.00	75.17	1.00	28.25	29.25	104.42
Continued	-	-	-	-	1.00	7.00	34.50	24.00	8.00	74.50	1.00	27.17	28.17	102.67
New	-	-	-	-	-	3.42	1.00	6.17	-	10.58	-	4.50	4.50	15.08
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1.00</b>	<b>10.42</b>	<b>35.50</b>	<b>30.17</b>	<b>8.00</b>	<b>85.08</b>	<b>1.00</b>	<b>31.67</b>	<b>32.67</b>	<b>117.75</b>

## 1. Programme A: Prosecutor Pillar

### Introduction

169. Following the reorganization of the Office, the following sub-programmes will now be part of Programme A:

- a) Immediate Office of the Prosecutor
- b) Office of External Affairs
- c) Legal Advisory Section
- d) Public Information Unit
- e) Financial Planning and Control Unit, and
- f) OTP-HR Office.



a) **Immediate Office of the Prosecutor**

170. The Immediate Office of the Prosecutor (IOP) provides support and critical services to the Prosecutor and the Office with marginal resources, facilitating the Office's overall aims of being an effective and efficient organ of the Court. IOP performs a variety of critical support, review and advisory functions, notably providing substantive advice and administrative support to the Prosecutor in the implementation of his functions, while more broadly ensuring quality control and management of the Office. On behalf of the Prosecutor, IOP also acts as an interface with the other organs of the Court ensuring effective inter-organ relations and communication as well as cooperation in the overall administration of the Court, and works closely with all components of the Office to organize and record meetings for senior management, implement the Prosecutor's instructions on any matter so requested and ensure consistency in standards and approach in line with the Prosecutor's vision and lessons learned.

171. IOP supports the Legal Advisory Section in the development and maintenance of the Office's professional and ethical standards and their application in the day-to-day functioning of the Office.

172. In its support functions, IOP also ensures, in close collaboration with OTP-HR, that recruitment processes foster the objective of balanced gender and geographical representation at all post levels in the Office in furtherance of its internal performance targets, Strategic Goal 5 of the OTP Strategic Plan for 2019-2021, Court-wide Strategic Goal 8, the recommendations of the IER report and the Prosecutor's vision for the Office.<sup>37</sup> IOP also supports OTP-HR in processing human resource matters and staff requests addressed to the Prosecutor.

173. IOP works with the Financial Planning and Control Unit to support the Prosecutor's judicious management of the Office's budget by implementing synergies and sound budgetary practices.

174. IOP further ensures coordination on a wide-range of inter-organ institutional matters and harmonization of practices in relation to human resources and public information. In close collaboration with the Office's Public Information Unit, IOP also supports the Office's public information and external messaging.<sup>38</sup>

175. IOP likewise supports the Office of External Affairs to ensure a strategic and unified approach to diplomatic and other external engagements in line with the Prosecutor's vision and instructions.

176. In line with the Independent Expert Review,<sup>39</sup> and to further strengthen the capacity of IOP given the varied nature and complexity of the tasks within its purview and its limited resources, the Prosecutor requests the addition of one Adviser (P-4) to contribute to the extensive responsibilities assumed by IOP, as explained further in the details of the GTA requests in paragraph 210 below. This adviser will work within the existing IOP under a division of labour approved by the Prosecutor.

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<sup>37</sup> See *Independent Expert Review of the International Criminal Court and the Rome Statute – Final Report*, 30 September 2020, paras. 64 and 138, and R15.

<sup>38</sup> See *Independent Expert Review of the International Criminal Court and the Rome Statute – Final Report*, 30 September 2020, R56.

<sup>39</sup> See *Independent Expert Review of the International Criminal Court and the Rome Statute – Final Report*, 30 September 2020, para. 154, which recognizes that IOP does not appear to have the resources to fulfil all of its functions efficiently.

## b) Office of External Affairs

177. Political support and cooperation are vital to ensuring effective and efficient conduct by the Office of its preliminary examinations, investigations and prosecutions, especially considering that the Court has no enforcement powers of its own. This support is also essential for the preventive and complementary functions of the Court, as well as for tracking and facilitating the surrender of suspects. Cooperation in this regard concerns primarily the States Parties to the Rome Statute but extends to international and regional organizations, civil society and other stakeholders.

178. Under the direction of the Prosecutor, the newly established Office of External Affairs (OEA) will guide the diplomatic and external engagements of the Office. OEA, under the supervision of the Director, External Affairs (D-1), will incorporate the following two components that were previously under the Office's Jurisdiction, Complementarity and Cooperation Division (JCCD):<sup>40</sup> (a) general cooperation and external relations; and (b) judicial cooperation. Given the imperative of the above functions and the nuanced, and at times sensitive, nature of such engagements, this function is now placed as a separate Office closer to the Prosecutor in the Office's organizational structure, reporting directly to the head of organ. This reorganization is informed by the importance the Prosecutor attaches to the Office's cooperation needs and related interaction and dialogue with, *inter alia*, States; Court-wide Strategic Goals 1 and 4 on optimizing cooperation with external partners and Strategic Goal 2 of the OTP Strategic Plan for 2019-2021; and the IER report.<sup>41</sup>

179. The general cooperation and external relations team, under the guidance of the Prosecutor and in close collaboration with IOP, supports and conducts 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; and represents the OTP during discussions on various issues under consideration by the Assembly and/or its subsidiary bodies, where those issues affect the work of the OTP.

180. The judicial cooperation team provides strategic, technical and operational advice, guidance, and quality control to all judicial assistance requests and responses sent on behalf of the unified teams. The team also centralizes a judicial cooperation tracking and compliance system and oversees all communications and records related to outgoing and incoming requests for assistance in the database. This function also plays a leading role in developing and overseeing strategies to reinforce and extend the transversal network of cooperation partners, for example by discussing cooperation agreements where needed, by engaging with new States Parties and non-States partners and networks of law enforcement and judicial actors, and negotiating and facilitating access to diversified sources of evidence – including access to technical or financial evidence or information from sensitive sources.

<sup>40</sup> The Preliminary Examination Section and the International Cooperation Advisers, formerly in the International Cooperation Section (ICS) and part of the integrated teams, will be allocated to the prosecution pillars. See OTP Programme B, p. 32.

<sup>41</sup> See *Independent Expert Review of the International Criminal Court and the Rome Statute – Final Report*, 30 September 2020, in particular the recommendations in relation to the importance of maintaining relations with the UN and other organizations (R152 -R153) and the continued development of partnerships, cooperation, raising awareness, etc. (R272 *et seq.*).

**c) Legal Advisory Section**

181. The Legal Advisory Section (LAS), working with other parts of the OTP as necessary, responds to requests for legal advice from the Prosecutor and the prosecution pillars and other components of the Office. These requests may concern the OTP's investigations and prosecutions, core operations, administrative law and other internal matters. LAS also represents the OTP in the development and revision of Court-wide policies and administrative issuances, and other regulatory instruments. LAS has developed an electronic system to assist in identifying and recording lessons learned so as to enhance the quality and efficiency of operations, as also addressed in OTP Strategic Goal 5. LAS also facilitates the development and maintenance of the OTP's professional and ethical standards, and coordinates the development of the OTP's internal regulatory framework. LAS is therefore responsible for coordinating the revision of the OTP's Regulations and Operations Manual and updating the OTP Code of Conduct, as necessary.

182. LAS manages online legal tools for the OTP and provides or facilitates related training as needed, and is responsible for OTP input into the development of a Court-wide case law database. LAS is additionally responsible for the development of a legal-academic network for the OTP, which includes organizing a series of guest lectures by external experts.

183. Finally, LAS is responsible for advising the Prosecutor on staff-related, administrative law matters, including cases involving litigation, the application and interpretation of Staff Regulations and Rules, as well as administrative instructions, in consultation with OTP-HR and IOP, as appropriate.

**d) Public Information Unit**

184. As part of the reorganization of the Office, and in line with the IER recommendations, the Public Information Unit (PIU) has been moved from IOP and now stands as a separate unit that reports directly to the Prosecutor.<sup>42</sup> In the execution of its functions, PIU will work closely with IOP, in addition to OEA and the unified teams, as appropriate, to ensure that the strategic communication of the Office is in line with and of the standard required by the Prosecutor. Under the direction and guidance of the Prosecutor, PIU is responsible for the OTP's strategic communication and public information functions. Under the Prosecutor's leadership, PIU facilitates and prepares public information and messaging; publicizes OTP policies, strategies and activities where appropriate; and advances the OTP's interests in the public domain.

185. In line with the IER recommendations, and to further strengthen the capacity of PIU and develop a new strategic communication strategy for the Office, a Public Information Officer (P-4) is requested to head PIU.<sup>43</sup> Partnership with media outlets and consultants from the private sector will also be sought, possibly on a pro bono basis, to reinforce the Office's communication capacity.

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<sup>42</sup> See *Independent Expert Review of the International Criminal Court and the Rome Statute – Final Report*, 30 September 2020, R56.

<sup>43</sup> See *Independent Expert Review of the International Criminal Court and the Rome Statute – Final Report*, 30 September 2020, R55.

e) **Financial Planning and Control Unit**

186. Through its different sections, the Registry provides the largest part of the administrative common services to the organs of the Court. As shown in the cost ratios report prepared by the Court for the Committee, the Registry manages 97 per cent of all the administrative activities at the Court.<sup>44</sup>

187. The Financial Planning and Control Unit (FPCU) adopts a flexible approach and ensures effective coordination with the Registry to allow the seamless provision of services, within a continuum of activities aimed at meeting client needs with minimum resources.<sup>45</sup>

188. FPCU performs activities which are essential to supporting OTP management and the Office's operations, in accordance with the relevant articles of the Rome Statute that establish the governing framework of the Court.<sup>46</sup>

189. FPCU's main objective is to facilitate the full implementation of legislative mandates and compliance with the Court's policies and procedures with respect to the management of the financial resources of Major Programme II, ensuring the prudent stewardship of funds for the effective delivery of the programme of work and for staff of the Office as foreseen in the budget assumptions.

190. In performing its activities in a professional, effective, efficient and accountable manner, FPCU contributes to the achievement of the Office's Strategic Goal 2 and Strategic Goal 5, and of Court-wide Strategic Goal 6, Strategic Goal 7, Strategic Goal 8 and Strategic Goal 9.

191. FPCU provides the operational functions with the necessary financial and budget support to fulfil their mandates and to ensure that the activities of the unified teams can be carried out.

192. The Senior Manager also represents the OTP in financial, budgetary and resource-related matters before the Assembly of States Parties ("the Assembly"), its Bureau and working groups, the Committee, the External Auditors, the Audit Committee, the Office of Internal Audit and other stakeholders. Lastly, the Senior Manager represents the Office in Court-wide initiatives and projects in this field.

193. In furtherance of the commitment to continuous improvement, FPCU has also looked into existing internal procedures to ensure that they incorporate and reflect any changes that may have come about since their initial promulgation and to seize the opportunity for potential improvements within the Office and in the interface with the Registry functions mandated to finalize the affected processes.<sup>47</sup>

194. FPCU plays a fundamental role, above all, in ensuring that the key functions of monitoring and controlling proper budget implementation and relevant reporting are performed to a high standard.<sup>48</sup> FPCU ensures such controls on all OTP financial transactions

<sup>44</sup> See *Report of the Court on Cost Ratios*, CBF/36/4, 18 March 2021.

<sup>45</sup> In its comments to the External Auditors' report, the Committee "...noted the efforts by the Court to establish efficient procedures within the framework of the Rome Statute through the implementation of the synergies project whose results were shared to the Assembly and the Committee." Indeed, through an inclusive and thorough process of consultation the Court carried out comprehensive inter-organ synergy exercises in 2016 and early 2017, during which it identified areas that work well but also duplications and inefficiencies in its operations. It has proposed and implemented solutions for those areas in need of redress. See *Overall Response of the International Criminal Court to the "Independent Expert Review of the International Criminal Court and the Rome Statute System-Final Report"*, recommendations on unified governance (R1-R11), 8 March 2021, para. 44.

<sup>46</sup> The group of five independent experts which was constituted by UN Secretary-General Mr Kofi Annan to conduct a review of the effective operation and functioning of international tribunals indeed concluded that the Office of the Prosecutor should "assume administrative responsibility with regard to its own budget, its staff, including language staff and public information, and the care and protection of its potential witnesses during investigations and also, if necessary, while trials are in progress." *Report of the Expert Group to Conduct a Review of the Effective Operation and Functioning of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda*, UNGA, A/54/634, 22 November 1999.

<sup>47</sup> For example, the Office of Internal Audit provided advisory services to review the procurement process of IT equipment within the OTP (Review of Procurement process of IT equipment within the OTP - OIA.09.20). The internal standard operating procedure will be updated to better clarify the specific roles of the OTP functions. This will also assist the Registry's Procurement Unit in more effectively managing the requests and finalizing the procurement process under its control.

<sup>48</sup> Policies and procedures developed by FPCU are often used as a standard for the Court. For instance, the Office of Internal Audit suggested that in preparing the Standard Operating Procedure for Miscellaneous Obligor

– whose volume has grown significantly since the last workload assessment in 2018 – before they are transmitted to the Registry’s functions for administrative finalization.<sup>49</sup>

195. In addition, FPCU provides OTP senior management with analyses and evaluations of trends and of the potential financial impact of Office operations during budget implementation, so that the Prosecutor may be promptly and transparently advised on ways to achieve the OTP’s goals in full compliance with the Court’s financial and governance framework.

196. FPCU is engaged in the continuous improvement of the quality of its processes and in the timeliness and accuracy of the information it provides to the Office to assist management in the decision-making process.

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Documents, the Court could use the internal guidelines developed by the OTP as a reference. See Audit on Miscellaneous Obligor Documents (MOD) Usage, OIA.06.19.

<sup>49</sup> For instance, FPCU consolidates requests for equipment and software from business users in an OTP procurement plan, verifies budgetary compliance and coordinates with the Registry’s Procurement Unit to ensure timely and effective delivery of goods and services.

## f) OTP-HR Office

197. The OTP-HR Office (OTP-HR) manages the human resources needs of the OTP in a continuum of services and business partnership with the Human Resources Section (HRS) of the Registry to ensure a well-qualified and motivated workforce as well as the provision of strategic HR advice to the Prosecutor.

198. In line with article 42(2) of the Rome Statute, OTP-HR manages all OTP human resource management matters and staff requests requiring the Prosecutor's consideration and/or approval pursuant to the Staff Rules and Regulations and other applicable instruments. It closely coordinates and liaises with HRS on human resources policy formulation and implementation.

199. The synergies exercise performed by the Court and presented to the Committee and the Assembly<sup>50</sup> found strong coordination and a continuum of services between HRS and OTP-HR. In effect, OTP-HR allows for the direct provision of strategic human resource management advice to the Prosecutor, utilizing an embedded group of human resource professionals with their finger on the pulse of the needs of the OTP and an ability to react to emerging situations and provide critical expertise. While the more transactional aspects of HR administration are firmly rooted in the services of the Registry's HRS, OTP-HR complements the OTP in achieving objectives and allowing for a flexible and engaged workforce with an ability to adapt to changing circumstances.

200. The HR Liaison and Coordination Officer (P-3) is also responsible for consulting and advising the Prosecutor and OTP managers on all matters related to HR management, and presenting a consolidated OTP view for consideration by the Prosecutor on HR-related issues such as draft administrative instructions, reclassification requests and proposed conversions of GTA positions. Lastly, OTP has a centralized training budget. While its annual training needs analysis and implementation is planned, managed and enacted by OTP-HR, close collaboration exists with the Registry's Organizational Development Unit in HRS to identify opportunities for joint inter-organ training and soft-skill development, where possible.

201. In the new reorganization of the Office, OTP-HR has been moved from IOP and now reports directly to the Prosecutor. In the day-to-day fulfilment of its functions, OTP-HR will continue to work closely with IOP in its workflow and delivery of services.

202. The resources of OTP-HR have remained largely stagnant for over a decade while the size and activities of the Office have grown significantly, consequently placing added strain on the Office's limited OTP-HR resources. Given this reality and the increasing complexity of the Office's HR landscape, OTP-HR needs to be adequately resourced, especially in the light not only of the growing and evolving HR issues facing the OTP as a result of the necessary and planned reorganization, but also of the IER recommendations.<sup>51</sup> A properly resourced OTP-HR will result in greater efficiency and effectiveness of the Office as a whole, and more efficient implementation of the annual budget through, *inter alia*, timely recruitments and handling of issues related to human resources. It is recognized that, moving forward, requirements concerning in-house, strategic provision of HR advice will only increase; at the same time, the synergetic relationship with the Registry's HRS for the administrative HR functions is also acknowledged. The additional resources requested for 2022 are indicated and justified further below in this narrative in the section on GTA. OTP-HR currently comprises an HR Liaison and Coordination Officer (P-3) (established post) and a HR Staff Assistant (GS-OL).

### Budget resources

**€4,775.0 thousand**

203. Resources are requested for the continuation of existing GTA positions previously approved in the 2021 budget. These resources are crucial to enabling the Programme to conduct its mandate effectively in 2022. For the same reason, a request is made for five additional GTA positions, as explained below.

<sup>50</sup> See *Report of the Court on Inter-Organ Synergies – CBF/26/13*, *Second Report of the Court on Inter-Organ Synergies – CBF/27/8*, and *Report of the Court on Inter-Organ Synergies – CBF/28/12*.

<sup>51</sup> See *Independent Expert Review of the International Criminal Court and the Rome Statute – Final Report*, 30 September 2020, para. 176.

**Staff resources** **€4,288.7 thousand**

204. Programme A comprises 1 elected official, 30 established posts and 6 GTA positions.

*Established posts: Professional and General Service* *€3,564.6 thousand*

205. The Programme has the following established posts:

<i>Title</i>	<i>Grade</i>	<i>Number</i>
<i>Immediate Office of the Prosecutor</i>		
Senior Adviser <sup>52</sup>	P-5	1
Adviser <sup>53</sup>	P-4	1
Special Assistant to the Prosecutor	P-2	2
Personal Assistant to the Prosecutor	GS-PL	1
Administrative Assistant	GS-OL	1
		<b>6</b>
<i>Office of External Affairs</i>		
Director <sup>54</sup>	D-1	1
Head, International Cooperation Section	P-5	1
International Cooperation Adviser	P-4	1
Judicial Cooperation Adviser	P-4	1
External Relations Adviser	P-3	1
Associate Judicial Cooperation Adviser	P-2	1
Judicial Cooperation Assistant	GS-OL	1
Administrative Assistant	GS-OL	2
		<b>9</b>
<i>Public Information Unit</i>		
Public Information Officer	P-3	2
Public Information Assistant	GS-OL	1
		<b>3</b>
<i>Legal Advisory Section</i>		
Legal Adviser	P-4	1
Associate Legal Adviser	P-2	2
Associate Programme Officer	P-2	1
		<b>4</b>
<i>Financial Planning and Control Unit</i>		
Senior Manager	P-5	1
Administration Officer	P-3	1
Associate Administration Officer	P-2	1
Finance and General Administration Assistant	GS-OL	3
		<b>6</b>
<i>OTP HR Liaison Office</i>		
HR Liaison and Coordination Officer	P-3	1
HR Staff Assistant	GS-OL	1
		<b>2</b>
<b>Total</b>		<b>30</b>

<sup>52</sup> This post is created by repurposing the former Senior Legal Adviser position in LAS. The change is budget neutral. See para. 106 below.

<sup>53</sup> The former title of the post was Chef de Cabinet. The change is consistent with the recommendations of the IER report. See *Independent Expert Review of the International Criminal Court and the Rome Statute – Final Report*, 30 September 2020, para.154 and R54.

<sup>54</sup> This is an existing post. Its title used to be Director, JCCD and it was located in former Programme 2210, JCCD

206. The position of Senior Legal Adviser (P-5), formerly in LAS, is being repurposed to create the Senior Adviser post in IOP. The incumbent will assume, among other functions, responsibility for the overall quality of the management of the OTP and compliance with its regulatory framework. Given the importance of this function, noted in the IER report,<sup>55</sup> this post will move from LAS to IOP.

*General temporary assistance*

€724.1 thousand

207. The Programme continues to require GTA resources to support its activities. The extension of the current resources is therefore necessary. In addition, five new positions are requested to strengthen the functions of the Prosecutor pillar. Details for each requested position are provided in paragraphs 103-108 below.

208. The breakdown of GTA positions<sup>56</sup> is as follows:

<i>Title</i>	<i>Grade</i>	<i>Number</i>	<i>Months</i>	<i>FTE</i>	
<i>Immediate Office of the Prosecutor</i>					
Adviser	P-4	1	12	1.00	New
		<b>1</b>	<b>12</b>	<b>1.00</b>	
<i>Public Information Unit</i>					
Senior Public Information Officer	P-4	1	6	0.50	New
		<b>1</b>	<b>6</b>	<b>0.50</b>	
<i>Office of External Affairs</i>					
Associate External Relations Adviser	P-2	1	12	1.00	New
		<b>1</b>	<b>12</b>	<b>1.00</b>	
<i>OTP HR Liaison Office</i>					
Associate HR Liaison and Coordination Officer	P-2	1	8	0.67	New
HR Staff Assistant	GS-OL	1	12	1.00	New
		<b>2</b>	<b>20</b>	<b>1.67</b>	
<i>Financial Planning and Control Unit</i>					
Associate Administration Officer	P-2	1	12	1.00	Continued
		<b>1</b>	<b>12</b>	<b>1.00</b>	
<b>Total</b>		<b>6</b>	<b>62</b>	<b>5.17</b>	

209. Two GTA positions (1.5 FTE) are requested to meet crucial resource needs for 2022 to address high demands placed on IOP: Adviser and Senior Public Information Officer.

210. The Adviser (P-4) position is requested in IOP to enable it to perform all of its functions efficiently. The IER report expressed concern that IOP does not have the resources required to fulfil all of its functions efficiently.<sup>57</sup> The new Adviser, along with the other Advisers in IOP, will strengthen the legal, policy and organizational expertise and advice available to the Prosecutor. The Advisers will prepare and implement policy decisions on behalf of the Prosecutor, as well as liaise closely with the other components of the OTP to ensure efficient workflows across the Office. The Advisers will further serve as focal points within the OTP for the Deputy Prosecutors and the Director, Integrated Services. Additionally, the Advisers will ensure a coherent approach and common vision with external stakeholders, working in conjunction with OEA, the International Cooperation Advisers and PIU. This Adviser (P-4) will also offset the movement of the Special Assistant (P-3), whose relocation to the prosecution pillars is being proposed.<sup>58</sup>

<sup>55</sup> See *Independent Expert Review of the International Criminal Court and the Rome Statute – Final Report*, 30 September 2020, R43.

<sup>56</sup> The two UN OLA staff whose cost is charged to the OTP are not included in this table. However, details of these positions can be found in para. 117 below.

<sup>57</sup> See *Independent Expert Review of the International Criminal Court and the Rome Statute – Final Report*, 30 September 2020, para. 154 and R53-54.

<sup>58</sup> See detailed staffing tables in the prosecution pillars, para. 176.

211. As recognized by the IER Report, PIU is a strategic function of the Office. The independent experts recommended increasing the in-house capacity to direct the media narrative, increasing involvement with civil society and local media organizations, or the general management of communications.<sup>59</sup> Under the direction of the Prosecutor, the Senior Public Information Officer (P-4) will develop and lead the strategic communication policy of the Office as well as manage all other aspects of PIU. The incumbent will act as dedicated spokesperson for the Office and handle all tasks associated therewith.

212. The Associate External Relations Adviser (P-2) will contribute to addressing longstanding needs to reinforce the limited general cooperation and external relations functions, in accordance with the importance the Prosecutor attaches to enhancing cooperation and dialogue with key stakeholders.<sup>60</sup>

213. Two GTA positions (1.67 FTE) are requested to meet crucial resource needs for 2022 to address high demands placed on OTP-HR. The position of Associate Human Resources (HR) Officer will fill a deputy role, acting as a back-up to the Head, OTP-HR Liaison Office. This position will be responsible, under delegated authority, for the management of the provision of HR guidance to heads of section and unit as well as providing initial review of proposed policy changes and management of staff-related issues. In addition, it is anticipated that this role will perform a supervisory, although not managerial, function over the HR Staff Assistants. The additional HR Staff Assistant position will ensure the continued processing of requests, provision of statistical data, drafting of correspondence and liaison with FPCU for the smooth running of HR operations. Given the anticipated additional requirements on OTP-HR and the expected need for the continued provision of such services, these additional positions are critical for the Office to achieve the vision of the Prosecutor and respond to the challenges faced.

214. One Associate Administration Officer (P-2) position continues to be requested in FPCU.

215. The Legal Officer – UN-based (New York) (P-3) (0.5 FTE), continued in OEA, is retained as a United Nations staff member by the United Nations Office of Legal Affairs (UN OLA) to process and coordinate, within the UN system, all requests for assistance from the OTP. This is an essential component of the efficient and timely execution of all requests. Since the position also handles requests for assistance sent by the Registrar on behalf of Chambers or defence counsel, the remaining costs of the position will be shared by the Immediate Office of the Registrar. On the same conditions, further to an agreement between UN OLA and the Court, a second UN-based GTA position at the P-2 level (0.5 FTE) is requested for 2022 to support the approved P-3 position, in view of the significantly increased workload arising from requests from the Court (both OTP and Registry), including that related to field activities and disclosure obligations, within the framework of the UN-ICC Relationship Agreement. The requested GTA funds include the amounts necessary to cover the costs of these two UN-based positions.

#### **Non-staff resources**

**€486.3 thousand**

216. Non-staff resources are requested for travel, hospitality, contractual services, training and consultants. The requested resources are recurrent unless otherwise indicated.

217. In February 2020, the UN Legal Counsel formally requested, in line with UN General Assembly resolution 58/318 of 13 September 2004, that the Court also include reimbursement for non-staff costs within the costing for the UN-based Legal Officer. The UN Legal Counsel stressed that such costs, including recurrent common services costs, such as office space rent, contribution to centrally provided support to office automation equipment and communication services, are inextricably linked to the incumbent's role.

<sup>59</sup> See *Independent Expert Review of the International Criminal Court and the Rome Statute – Final Report*, 30 September 2020, paras. 158 and 160, and R55-R56.

<sup>60</sup> See also *Independent Expert Review of the International Criminal Court and the Rome Statute – Final Report*, 30 September 2020, in particular the recommendations in relation to the importance of maintaining relations with the UN and other organizations (R152-R153) and the continued development of partnerships, cooperation, raising awareness, etc. (R272 *et seq.*).

*Travel*

€42.9 thousand

218. In order to foster political support and enhance cooperation at the highest levels among States Parties, non-States Parties, international organizations, other cooperation partners and affected communities – in furtherance of the Office’s investigations and efforts to arrest and prosecute individuals sought by the Court, thereby maximizing the impact of the Rome Statute – it is necessary for the Prosecutor to undertake missions abroad. In many instances, personal high-level engagement directly by the Prosecutor has yielded positive results in further advancing investigations and prosecutions, and generally building critical diplomatic and political support, by helping to address concerns and questions at the highest levels of decision-making. The Prosecutor occasionally participates in other international events – although these are kept to a minimum – where strategic benefits for the Office are identified and, with a view to limiting the travel budget, where costs are covered by the organizers independently of the Office. The travel budget also covers limited missions by PIU and travel by external special advisers to the Prosecutor appointed under article 42(9) of the Rome Statute who, by virtue of their mandate, are occasionally required to travel to the seat of the Court.

219. OEA staff conduct missions on transversal cooperation and external relations issues and in relation to situations under preliminary examination or investigation in order to secure and foster cooperation or gather information and attend key meetings with State officials. OEA staff will also continue to accompany the Prosecutor, including on situation-related missions. These missions continue to be targeted and planned so as to use the travel budget as efficiently as possible, and the volume of travel is expected to gradually increase.

220. Other staff of the Programme undertake a limited number of missions in pursuit of their respective functions.

*Hospitality*

€5.0 thousand

221. The requested amount is the same as in previous approved budgets.

222. These limited resources are for hospitality to cater for international delegations, diplomats and high-level dignitaries visiting the OTP. 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 Court principal. The shared portion accounts for about €4.0 thousand (80 per cent of the total amount requested).

*Contractual services*

€188.4 thousand

223. The resources are needed to support independent public information missions in countries of operation, for the rental of appropriate facilities for press conferences and for the production and distribution of informational material. Furthermore, the cost of contractual services related to travel has increased because of safety measures and other COVID-19 related expenses.

*Training*

€100.0 thousand

224. Training is vital to creating a cohesive, shared working culture within the OTP and enhancing the quality of the Office’s deliverables, its overall performance and its efficiency. As part of the measures undertaken to compensate for the UNCS increases not included in the 2021 approved budget, the OTP had already frozen most of the training projects in 2021. In the light of the extraordinary situation and the pressure on the budget caused by the COVID-19 pandemic, the Office has resolved to dramatically reduce its request for training funds for 2022 as well. However, the Office needs to restore at least part of its capacity in this area. Training has been identified by the IER report as a key tool to strengthen and improve the skills of the staff as well as provide motivation and engagement.<sup>61</sup> The requested

<sup>61</sup> See *Independent Expert Review of the International Criminal Court and the Rome Statute – Final Report*, 30 September 2020, paras.133, 172-174, and R67-R68.

amount is €100.0 thousand, which is well below the level of funding that was approved in pre-pandemic years (€290.0 thousand).

225. For general training, the Office will rely on online training courses made available through the Court's HR e-learning platform (LinkedIn Learning, etc.). The Office is however mindful of the fact that it must also provide adequate training, enhancing the skills of its staff as required, and that the e-learning platform does not provide for all the specific training that may be necessary.

226. Moreover, as in many national systems, certain categories of professionals within the Office are required to attend specific training to maintain their qualification or to obtain certification to the requisite standards. These training sessions will have to be postponed.

227. The Office will continue to work with the other organs, organizations and national authorities to ensure maximum cost-effectiveness, for example, by looking for synergies and opportunities to engage in joint training, 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*

*€150.0 thousand*

228. The requested amount is based on the trend of expenditure of the recent year. The amount equates to approximately ten 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 IOP to ensure coordination across operational activities.

229. In accordance with article 42(9) of the Rome Statute, the Prosecutor continues to engage the services of (external) special advisers and consultancy on issues such as sexual and gender-based crimes, crimes against children and cultural heritage. 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.

230. These centralized funds are also used when external consultants are hired to provide specific expert assistance in investigative and trial support activities (exhumations and forensic analysis, digital evidence corroboration, voice and facial recognition analysis for videos to be used as evidence, ballistic reports, etc.). All efforts are nevertheless made to keep such costs to a minimum through planning and scrutiny of such expenses.

**Table 13: Programme A: Prosecutor Pillar: Proposed budget for 2022<sup>62</sup>**

Programme A: Prosecutor Pillar	2021 Approved Budget	Resource Changes		Proposed 2022 Budget
		Amount	%	
Professional staff	2,454.4	379.5	15.5	2,833.9
General Service staff	713.8	16.9	2.4	730.7
<i>Subtotal staff</i>	<i>3,168.2</i>	<i>396.4</i>	<i>12.5</i>	<i>3,564.6</i>
General temporary assistance	307.8	416.3	135.3	724.1
Temporary assistance for meetings	-	-	-	-
Overtime	-	-	-	-
<i>Subtotal other staff</i>	<i>307.8</i>	<i>416.3</i>	<i>135.3</i>	<i>724.1</i>
Travel	251.2	(208.2)	(82.9)	42.9
Hospitality	5.0	-	-	5.0
Contractual services	10.0	178.4	1,784.0	188.4
Training	10.0	90.0	900.0	100.0
Consultants	50.0	100.0	200.0	150.0
General operating expenses	-	-	-	-
Supplies and materials	-	-	-	-
Furniture and equipment	-	-	-	-
<i>Subtotal non-staff</i>	<i>326.2</i>	<i>160.2</i>	<i>49.1</i>	<i>486.3</i>
<b>Total</b>	<b>3,802.2</b>	<b>972.9</b>	<b>25.6</b>	<b>4,775.0</b>

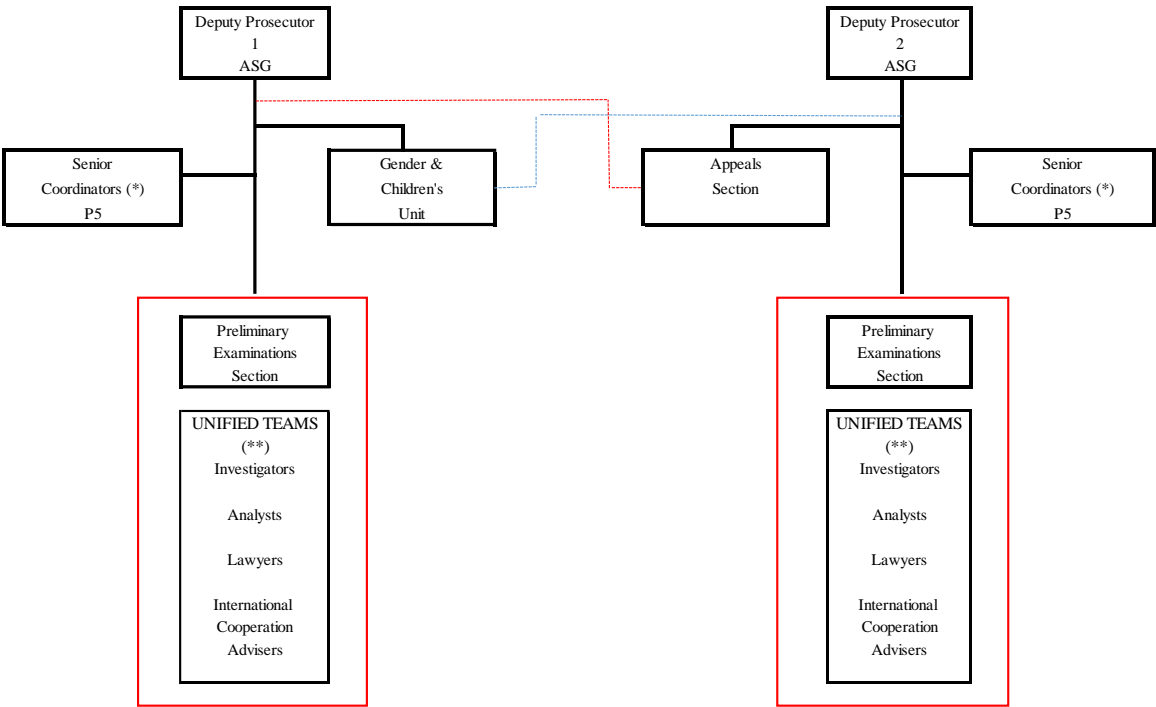
**Table 14: Prosecutor Pillar: Proposed staffing for 2022**

Prosecutor	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
<b>Established Posts</b>														
Approved 2021	1	-	-	1	3	4	5	7	-	21	1	9	10	31
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>7</b>	<b>-</b>	<b>21</b>	<b>1</b>	<b>9</b>	<b>10</b>	<b>31</b>
<b>GTA Positions (FTE)</b>														
Approved 2021	-	-	-	-	-	-	1.58	1.50	-	3.08	-	-	-	3.08
Continued	-	-	-	-	-	-	1.50	1.00	-	2.50	-	-	-	2.50
New	-	-	-	-	-	1.50	-	2.17	-	3.67	-	1.00	1.00	4.67
Redeployed	-	-	-	-	-	-	(1)	-	-	(1)	-	-	-	(1)
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1.50</b>	<b>0.50</b>	<b>3.17</b>	<b>-</b>	<b>5.17</b>	<b>-</b>	<b>1.00</b>	<b>1.00</b>	<b>6.17</b>

<sup>62</sup> The new structure of the Office of the Prosecutor is organized in pillars. In order to allow for a comparison of the 2022 PPB with the approved budget of the previous year, the pillars' tables show how the 2021 APB would have looked like had the OTP been already organized in pillars. However, in order to provide additional clarity on the budget proposal as compared to previous periods, one additional annex (Annex XIX) has been introduced. This Annex shows the figures of the budget series using the former structure by Programme (e.g.: 2100 – Immediate Office, 2200 – JCCD, 2300 – ID, and 2400 – PD). Starting with the 2023 PPB only the pillars' format will be used.

2. Programme B: Prosecution Pillars

Introduction



(\*) One Legal Coordinator and One Investigation/Analysis Coordinator  
(\*\*) There will be multiple unified teams assigned to different situations and cases

**a) The Deputy Prosecutors**

231. The two Deputy Prosecutors, under the delegated authority of the Prosecutor, will manage two newly established prosecution pillars. The two prosecution pillars will manage an equal division of situations and cases based on a unified team concept, detailed below in para 238. The structure will contribute to enhancing contact between the leadership and the teams and narrow the distance between the Prosecutor, Deputy Prosecutors and staff.<sup>63</sup>

232. The Deputy Prosecutors will oversee preliminary examinations, investigations, prosecutions, and where applicable, appeals proceedings; and provide strategic advice and guidance to the Prosecutor on each situation and case under her/his responsibility. This will include recommendations on prioritization and effective use of resources.

233. The Deputy Prosecutors will oversee the drafting, review, revision and implementation of relevant standard operating procedures and guidelines, and ensure quality control within the prosecution pillars; ensure effective coordination within and between the two prosecution pillars, maintaining alignment with the overall vision and strategy of the Prosecutor; coordinate workflows with the Integrated Services Division that will service both prosecution pillars with a view to optimizing further integration and effectiveness; and ensure prioritization and focus, at all stages from preliminary examinations onwards, on sexual and gender-based crimes and crimes against and affecting children. Prioritization may also include crimes against cultural heritage and other strategic priority areas identified by the Prosecutor.

234. Additionally, the Deputy Prosecutors will review filings and briefs before submission to the Chambers of the Court, in consultation with the Prosecutor, to ensure that they are supported by evidence and/or legal authority, and that confidential and sensitive information is properly managed for each submission; ensure compliance with, and adherence to, the budgetary processes of the Office, contributing to discussions on the budgetary allocations and needs of the Office; and nurture an environment conducive to staff well-being, building trust and ensuring managers and other staff are held accountable for a workplace free from discrimination, harassment of any kind or abuse of authority.

235. Each Deputy Prosecutor will be supported by two Senior Coordinators (P-5): one with legal specialization and one versed in investigations/analysis. The Senior Coordinators will be responsible for ensuring coherent workflows within and across the prosecution pillars, and will implement standard operating procedures, best practices, and quality control of the legal, investigative, and analytical work across the two pillars. Under the guidance and direction of the Deputy Prosecutors, the Senior Coordinators will assist in implementing the new unified teams framework, monitoring the effectiveness and efficiency of internal processes and providing feedback and recommendations to the Deputy Prosecutors on ways to continually refine the substantive work and collaborative dynamic of the unified teams. The positions will be repurposed from existing P-5 positions; these changes will not only result in greater efficiency in the Office's working methods and output but are also budget neutral, while making more efficient use of the Office's existing resources.

236. Each Deputy Prosecutor will be assisted by one Special Assistant (P-3),<sup>64</sup> one Personal Assistant (GS) and one Administrative Assistant (GS).

237. The D-1 positions in former Programmes 2310 (Investigation Division) and 2410 (Prosecution Division) will be discontinued and repurposed to respond to the needs of the unified teams structure and other organizational imperatives. Details on these changes can be found further below.

<sup>63</sup> See *Independent Expert Review of the International Criminal Court and the Rome Statute – Final Report*, 30 September 2020, para. 140 and R46.

<sup>64</sup> The two Special Assistants (P-3) are existing positions. One is redeployed from IOP (former post title: Special Assistant to the Prosecutor) and another one was located in former Programme 2410, Prosecution Division (former post title: Special Assistant Prosecution).

## b) Unified teams

238. This new organizational structure represents an evolution to the concept of integrated teams developed over the past several years. The competencies and skills of staff previously allocated to separate divisions will be merged into unified teams within the prosecution pillars. The current structure of the integrated teams will not change in the unified team model, but the teams will operate in the more integrated prosecution pillars with rationalized reporting lines. The unified teams will comprise Appeals Counsel, Trial Lawyers, Trial Support Assistants, Case Managers, Investigators, Legal Officers and Analysts (including those working on preliminary examinations), International Cooperation Advisers and other staff. The International Cooperation Advisers currently assigned to the integrated teams will continue to support their unified teams and report to the Senior Trial Lawyer of the teams to which they have been assigned as their first reporting line, and also to the Deputy Prosecutor(s) in their respective prosecution pillar(s). In carrying out their duties and responsibilities and securing cooperation, the International Cooperation Advisers will also be supported by the OEA, where required.

239. In composing the unified teams and allocating staff to specific situations and cases, priority will be placed on building linguistic and country/region specific knowledge and expertise.<sup>65</sup> The Office will also look to allocate resources, where feasible, to locally hired personnel with a view to further developing field offices, in line with the IER recommendations.<sup>66</sup>

240. The unified teams will encourage and allow staff to work on a situation or case regardless of the stage (preliminary examination, investigation or trial), thereby building situation- or case-specific knowledge that will transition across various stages of work and maintain a continuity of resources and expertise, all while increasing staff mobility. This modality will also ensure enhanced standardization of working methods and workflows to facilitate a more efficient transition of cases from preliminary examination to the investigation and trial phases.

241. Within each unified team, one trial lawyer will be assigned to activities linked to investigating and collecting exonerating evidence. This will be in furtherance of a more robust implementation of the provisions under article 54 of the Rome Statute. In addition, early detection of exonerating evidence will allow the unified teams to better assess the prosecutorial line(s) against possible weaknesses and take corrective action, thus ensuring the case(s) presented in the courtroom are actually trial-ready.

242. The unified teams will look to further improve the management of the information collected at the investigation phase and prepare the collections early for future judicial proceedings in a way that enables timely and complete disclosure in the event of an arrest. However, the sheer volume of information generally collected during the preliminary examinations and then during investigation, the limited resources available to the Office as well as the types of evidence collected may again make it necessary in the future to recruit independent contractors on a short-term basis to help with the timely preparation of disclosure.

243. The teams continue to explore creative means of successfully presenting the Prosecution cases in court, including further developing the use of new techniques and technologies in the courtroom.

244. The teams have created internal coordination mechanisms and working groups and are involved in Office-wide initiatives in priority areas for the Office and the Court, such as standardization of processes, advocacy training, information management and staff well-being. Lastly, the Office has improved the system of internal evidence review – and review of critical instances of presentation of cases in court and review of critical filings – to perform continuous critical assessments of the quality of its work and ensure high-quality output.

<sup>65</sup> A need recognized in *Independent Expert Review of the International Criminal Court and the Rome Statute System - Final Report*, 30 September 2020, see, for example, para. 743 and R296.

<sup>66</sup> See *Independent Expert Review of the International Criminal Court and the Rome Statute System - Final Report*, 30 September 2020, in particular, R270.

Other core processes in the Office, such as charging and disclosure, are being further standardized and optimized.

#### *Prosecutors*

245. Under the overall management of a Deputy Prosecutor, the prosecutors within the unified teams of each pillar are responsible for developing the legal theory of the case, participating in investigative activities (including interviews under article 55(2) of the Rome Statute), preparing disclosures and drafting relevant documents – including all filings – which may be necessary; and litigating cases before the Chambers of all three judicial divisions. The lawyers are assisted by Case Managers and Trial Support Assistants in the management of the evidence, information and filings.

246. The prosecutors will organize and prepare cases during the pre-trial and trial stages. They will marshal incriminating and exonerating evidence; manage witnesses; provide guidance on additional investigations; manage disclosure; draft all filings and briefs before the Pre-Trial Chamber and the Trial Chamber; participate in hearings; and address the Court at the confirmation of charges hearing and at trial, examining and cross-examining witnesses and making submissions.

247. The budget assumptions include three cases at trial for 2022, namely the trial proceedings in the *Al Hassan* case, the *Yekatom and Ngaissona* case and the *Abd-Al-Rahman* case. However, the Court could possibly face up to five simultaneous proceedings in 2022. The team composition (i.e. analysts, investigators and lawyers) may vary as a result of the complexity of the case and/or the number of suspects and accused: teams may be expanded for larger, more complex cases, or downsized for less complex cases.

248. In 2020 and 2021, for two cases with exceptionally large evidence collections, the Office piloted the use of evidence reviewers to provide substantive support to the evidence review and disclosure process at the pre-trial stage of the proceedings as outlined above. The reviewers were enlisted on a short-term basis to assist at this crucial juncture of the proceedings in order to meet judicial deadlines and ensure that proceedings remained fair and expeditious. Typically, these reviewers are junior lawyers with some experience in international criminal law. The evidence reviewers focused on the review of the evidence collections, recommending items for disclosure, preparing the disclosure, including applying redactions and pseudonyms, and populating detailed evidence review templates and drafting summaries. This work is extremely intricate and time-consuming. The reviewers were retained under a temporary contract at the General Service level and worked together with the lawyers supervising the disclosure process. This arrangement allowed the Office to obtain additional support for this specific peak in workload, at a relatively low cost, without having to add substantially to its core structure.

#### *Analysts*

249. The analysts within the unified teams provide assistance in crime pattern analysis of multiple crime allegations via databases, statistics, chronologies, maps and reports, to support management decisions on case selection, investigations and periodic reports to the United Nations Security Council; operation of a Fact Analysis Database in support of investigations to collate and integrate all sources of information and evidence about relevant groups, locations, persons and other entities; systematic evaluation of witnesses and other sources of evidence according to standard criteria of reliability and credibility; analysis of structures and networks, including telecommunications data, military issues (military command and control, operations, weaponry, etc.) and *modus operandi*; gender analysis regarding the relevant crimes and context; trial support in preparation for witness examinations and filings; operational analysis in support of investigators on field missions; and systematic monitoring and collection of online open sources.

#### *Investigators*

250. The investigators within the unified teams are in charge of evidence collection and all other required investigative activities. In consultation with other members of the team, the investigators develop investigative strategies and plan and implement investigative activities,

including the handling and interviewing of witnesses and the collection of all other types of evidence. Investigators conduct field operations where they also interact with local authorities and external partners as required.

251. The investigators continue to face a high workload, contributing to eight active investigations,<sup>77</sup> two investigations at the planning stage<sup>78</sup> and five trials,<sup>79</sup> as well as supporting ongoing preliminary examinations. Investigators continue to explore cost-saving efficiencies by (1) building on the accelerated changes imposed by the COVID-19 pandemic (such as remote screening and interviews and increased online investigations, where appropriate); (2) further optimizing the organization of work internally, with Registry and with external partners; and (3) continuing to increase field presence.<sup>80</sup>

252. A change plan which aims at further improving the effectiveness, quality, efficiency and expeditiousness of the investigative function has been developed. The plan combines the recommendations of the IER report and the findings of the Investigations 3.0 project, as they are similar and focus on common areas for further development.<sup>81</sup> A provisional change plan which will be aligned with the broader change plans of the OTP, the Court and States in the context of the IER has been prepared. On the basis of the vision and decisions of the Prosecutor, the change plan will be further adapted and then implemented. Among other things, it suggests looking into increasing field presence, optimizing the internal use of resources, enhancing cooperation and synergies with the Registry and further developing partnerships with external entities.

### c) Preliminary Examination Section

253. The Preliminary Examination Section (PES), formerly situated within JCCD, will move into the unified teams structure as two separate sections under each Deputy Prosecutor. The two sections will continue to provide advice on complex matters of fact and law regarding jurisdiction and admissibility as well as assessments of the interests of justice. Preliminary examinations are not only crucial to deciding whether to open a new investigation; they also serve to lay a firm foundation for cooperation in situations where such investigations are ultimately opened. Additionally, preliminary examinations can have a preventive effect and may foster domestic efforts to investigate and prosecute, potentially obviating the need for investigation by the Office. Lastly, the vital factual and legal work conducted by PES feeds into the analysis that is essential to successful investigative operations should the Prosecutor decide to open an investigation into a situation.

254. Situating preliminary examinations in the unified teams structure will allow for a more efficient use of resources and greater synergy between the work of preliminary examinations and the work of the unified teams. For example, staff assigned to preliminary examinations who, through the course of their work develop substantive expertise on a specific situation will then stay with that particular situation if it moves on to the investigative stage, allowing for core staff knowledge on a situation to continually develop and have an impact at multiple stages of an investigation. This modality will also allow for greater harmonization between preliminary examination analysts and investigative analysts within the unified teams. This new model may also have a positive impact on reducing the length of preliminary examinations where delays may occur due to resource shortages.

255. The synergetic approach between legal officers, analysts, investigators and trial lawyers arising from the solution envisaged in locating PES within the prosecution pillars is also more likely to lead to preliminary examinations being finalized within a shorter time frame.<sup>82</sup>

<sup>77</sup> Bangladesh/Myanmar, Burundi, Côte d'Ivoire (CIV II), Darfur, Georgia, Libya III, Libya IV, and Libya V.

<sup>78</sup> Afghanistan and Palestine.

<sup>79</sup> CAR II(b) (*Yekatom and Ngaïssona*), Mali II (*Al Hassan*), Darfur (*Abd-Al-Rahman*), CAR.II(a) (*Said*) and Kenya (*Gicheru*).

<sup>80</sup> See *Independent Expert Review of the International Criminal Court and the Rome Statute System - Final Report*, 30 September 2020, paras. 779-784 and R293-R298.

<sup>81</sup> See *Independent Expert Review of the International Criminal Court and the Rome Statute - Final Report*, 30 September 2020, para. 176 and R268-R271.

<sup>82</sup> See *Independent Expert Review of the International Criminal Court and the Rome Statute System - Final Report*, 30 September 2020, para. 716.

#### d) Appeals Section

256. The Appeals Section, headed by a Senior Appeals Counsel (P-5), will report hierarchically to one Deputy Prosecutor but will also report functionally to the second Deputy Prosecutor, thus providing specific expertise to both prosecution pillars.

257. Over the years, the Appeals Section has been conducting an increasing volume of complex appellate work, both in written filings and oral hearings on final and interlocutory appeals before the Appeals Chamber, which is expected to continue in 2022 and beyond. This also extends to post-appellate work such as on reparations, compensation, revision, and enforcement and reduction of sentence proceedings and ancillary litigation such as that relating to article 19 and article 53 of the Rome Statute. The Section is also the primary legal advisory section in the Office, servicing all components of the unified teams. The legal advisory work for trial teams includes providing legal advice on complex issues, drafting and settling charges and documents containing the charges, attending formalized evidence review sessions, drafting on multiple legal and procedural issues in pre-trial and closing briefs and trial filings, and coordinating legal positions among trial teams. As the centre of legal research in the Office, the Section also keeps updated case digests of all decisions of the three Chambers, which trial teams use in their work; analyses Chambers' decisions; provides memos on procedural and substantive issues; and organizes legal training and meetings for prosecutors, investigators and others in the Office.

258. To enable the Appeals Section to perform this ever-increasing legal coordination role and its busy appellate and post-appellate practice, one Appeals Counsel (P-4) is requested in this budget proposal. The second Senior Appeals Counsel (P-5) that has been approved since 2020 is repurposed and redeployed as one of the Senior Coordinators (Legal) in the prosecution pillars.<sup>83</sup>

259. Litigation before the Pre-Trial, Trial and Appeals Chambers has become increasingly voluminous and complex, and therefore trial teams have a major need for coordinated legal advice and positions, and assistance in their written submissions. The Senior Appeals Counsel and the Section's lawyers are ever more called upon by trial teams to assist in those tasks. At the same time, the appeals and post-appeals work conducted by the Section has constantly been growing in volume, size and complexity: in 2021, the Section has handled several final appeals (*Ntaganda* article 74 and article 76 appeals, *Gbagbo and Blé Goudé* article 74 appeal and the appeals in the *Ongwen* case are forthcoming and will continue into 2022) and complex interlocutory appeals and post-appeal matters.

260. The Section also monitors the numerous and often very voluminous Court decisions issued each year, reviews them for possible appeal, brings requests to appeal as necessary and responds to Defence requests. The Appeals Chamber now holds lengthy oral appeal hearings for most final and interlocutory appeals, involving numerous questions raised before and during the hearings, and this also increases the work handled by the Senior Appeals Counsel and Section appeals counsels.

261. The Section drafts and provides significant input on policies and guideline documents produced by the Office. The Section has recently finalized work on developing a comprehensive set of internal guidelines on charging, which was approved and adopted on 9 June 2021. The Section also often takes the lead, in conjunction with colleagues from other areas of the Office (in particular International Cooperation Advisers and LAS), in preparing policy papers of wider importance to the OTP: for example, it has prepared a draft policy on completion of situations before the Court. Additionally, the Senior Appeals Counsel participates in discussions and decision-making in relation to all legal, policy and strategic matters in the Office, and reviews the most significant filings and other documents presented by all trial teams, PES and other sections of the Office. The Senior Appeals Counsel has additional functions that include reviewing filings produced by trial teams and management functions with respect to ensuring provision of training to staff and participating in various working groups designed to improve the performance of the Office, both in cases and in relation to staff development.

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<sup>83</sup> See para. 176 below.

262. The Appeals Section provides support and coordination in organizing extensive training and lectures for prosecutors and staff from other parts of the Office on topics such as written and oral advocacy, international human rights law and international criminal law. This includes, *inter alia*, a legal meeting for all OTP prosecutors, where legal and procedural developments relevant to the Office are discussed, and regular internal advocacy training – encompassing oral motion advocacy and witness examination training – in both English and French.

**f) Gender and Children Unit**

263. As with the Appeals Section, the Gender and Children Unit (GCU) will report hierarchically to one Deputy Prosecutor but will also report functionally to the second Deputy Prosecutor, thus providing specific expertise to both pillars.

264. Sexual and gender-based crimes, and crimes against or which affect children, are not incidental to conflict but are often a calculated and desired means of inflicting harm upon an entire community. The new Prosecutor has outlined an increased imperative to ensure an even more strategic and focused approach to investigating and prosecuting these extremely serious and traditionally underreported crimes.

265. In the previous structure of the Office, GCU was under the Planning and Operations Section in the Investigation Division (Programme 2310). With the reinforced focus on GCU, the Office will strive to ensure that the occurrences and patterns of such crimes are identified at the earliest possible opportunity and incorporated at all stages of the investigative and trial process in line with the relevant policies of the Office and the Prosecutor's strategic priorities.

266. The experts in GCU will help overcome the reluctance of survivors to speak out about their experiences, often because of their unfamiliarity with the process itself. To encourage participation, survivors must therefore be provided with enough information to familiarize themselves with the process, be encouraged to ask questions and receive all the answers. In that way, they will understand the role of GCU, the purpose of its investigations, the manner in which their stories will be used, the possible implications of their cooperation and participation in an investigation/prosecution and, very importantly, the subsequent stages. GCU will be integrated into the prosecution pillars to ensure that staff are properly assisted in all the phases of the Office's activities with specialized knowledge and expertise in this delicate matter. The Office will ensure that staff receive essential as well as specialized training on the subject and that resources are appropriately allocated.

267. Currently, resources for dealing with both sexual and gender-based crimes and crimes against or which affect children are grouped under GCU. The Office, however, is to properly recognize children as a separate class of victims and ensure their effective participation in investigations and prosecutions. The impact of crime on children can be extremely severe and long term. This must be taken into account when assessing support needs during investigations and as a relevant factor in sentencing. Accountability for crimes against and which affect children will be a priority for the Office. Therefore, while in this budget submission no additional established posts are requested, the composition of GCU will be further assessed once the new organizational structure is in place and the unit may be split in two to better cater for the specific nature of the crimes involved.

268. Resources for assisting with psychological support to victims and witnesses who have been previously included in GCU will be allocated to the integrated services pillar.

**Budget resources**

**€ 30,280.1thousand**

269. The Programme's activities are characterized by, and dependent upon, the use of professionals specialized in the field of international criminal law. The vast majority of the budget is therefore concentrated in staff resources. Consequently, the focus is on finding savings and efficiencies by stimulating an increase in productivity, eliminating waste from processes, re-examining internal procedures and streamlining cooperation with other divisions and parties where possible. The lessons learned from the COVID-19 pandemic will contribute to this exercise as well. The Office and its staff members also rely on its robust and wide-reaching network, where practicable.

270. Significant efforts to identify savings and efficiency gains have been made in the past. Savings of around €500.0 thousand are expected to be achieved in 2021. Throughout 2021, savings or efficiency gains have been identified through the deployment of permanent investigative capacity in the field; the increased ability to operate remotely, including the exploitation of information and evidence available in online repositories, the use wherever possible of remote investigative interviews and the development of outreach campaigns engaging with the affected communities from afar; having Europe-based witnesses travel to Headquarters for interviews; and, wherever possible, relying on national authorities to conduct or support some of the investigative activities.

271. All existing resources have been assigned to cases and situations, including to absorb new investigation and prosecution needs to the extent possible.

**Staff resources** **€ 28,378.1 thousand**

*Established posts: Professional and General Service* *€ 21,281.5 thousand*

272. The prosecution pillars are each headed by one Deputy Prosecutor (ASG), assisted by three Administrative Assistants and one Personal Assistant.<sup>84</sup>

273. The posts of Director, Investigation Division (D-1) and Director, Prosecution Division (D-1) will be repurposed. The former, previously in Programme 2310, will be repurposed to create a Director, Integrated Services (D-1), the details of which are provided in paragraph 286. The latter post will be repurposed to create a Principal Trial Lawyer (D-1) within the unified teams. The Principal Trial Lawyer will supplement the existing capacity of the Office in connection with the current and anticipated caseload likely to come before the Court, focusing on the Office's most complex and specialized cases.

274. The prosecution pillars will have the following established posts:

<i>Title</i>	<i>Grade</i>	<i>Number</i>
Deputy Prosecutor	ASG	2
Personal Assistant to the Deputy Prosecutor	GS-OL	1
Senior Coordinator (Investigation/Analysis) <sup>85</sup>	P-5	2
Senior Coordinator (Legal) <sup>86</sup>	P-5	1
		<b>6</b>
<i>Gender and Children Unit</i>		
Head, Gender and Children Unit	P-4	1
Associate Victims Expert	P-2	3
		<b>4</b>
<i>Preliminary Examination Section</i>		

<sup>84</sup> There is one additional Personal Assistant to the Deputy Prosecutor (GS-PL) under a GTA contract.

<sup>85</sup> One Investigations Coordinator post already exists in Programme 2310. Its title will be changed to Senior Coordinator (Investigation/Analysis) to reflect the functions of this role. Another Senior Coordinator (Investigation/Analysis) post will be created by repurposing the post of Head, Investigative Analysis Section (P-5).

<sup>86</sup> The two Senior Coordinator (Legal) posts in the prosecution pillars will be created by repurposing the existing post of Head, Preliminary Examination Section (P-5) (in former Programme 2200) and by redeploying the GTA position of Senior Appeals Counsel (P-5) in the Appeals and Prosecution Legal Coordination Section (in former Programme 2410), approved since 2020.

<i>Title</i>	<i>Grade</i>	<i>Number</i>
Situation Analyst	P-3	3
Associate Situation Analyst	P-3	5
Assistant Situation Analyst	P-2	1
		<b>9</b>
<i>Appeals Section</i>		
Senior Appeals Counsel	P-5	1
Appeals Counsel	P-4	3
Appeals Counsel	P-3	3
Case Manager	P-1	1
Trial Support Assistant	GS-OL	1
		<b>9</b>
<i>International Cooperation Advisers</i>		
International Cooperation Adviser	P-4	1
International Cooperation Adviser	P-3	6
Associate International Cooperation Adviser	P-2	2 <sup>87</sup>
Judicial Cooperation Assistant	GS-OL	1
		<b>10</b>
<i>Analysts</i>		
Analyst (Crime Pattern)	P-4	1
Analyst	P-3	6
Associate Analyst	P-2	6
Associate Analyst (Data Analysis)	P-2	1
Analysis Assistant	GS-OL	2
		<b>16</b>
<i>Investigators</i>		
Team Leader	P-4	6
Senior Investigator	P-4	3
Investigator	P-3	21
Associate Investigator	P-2	25
		<b>55</b>
<i>Prosecutors</i>		
Principal Trial Lawyer <sup>88</sup>	D-1	1
Senior Trial Lawyer	P-5	8
Trial Lawyer	P-4	11
Trial Lawyer	P-3	14
Legal Officer	P-3	1
Associate Trial Lawyer	P-2	19
Assistant Legal Officer	P-1	10
Case Manager	P-1	7
Trial Support Assistant	GS-OL	4
		<b>75</b>
<b>Total</b>		<b>184</b>

*General temporary assistance*

€ 7,096.6 thousand

275. Resources are requested for the continuation of existing GTA positions previously approved in the 2021 budget. Three new GTA positions (2.40 FTE) are requested. These

<sup>87</sup> One vacant P-2 post was transferred within JCCD from PES to ICS taking into account the Section's structure and the need for greater cooperation support in relation to the situations under investigation.

<sup>88</sup> This post will be created by repurposing the existing post of Director, Prosecution Division (D-1) in former Programme 2410.

resources are crucial to enabling the Programme to continue conducting its mandate effectively in 2022.

276. GTA positions are requested on a multi-year basis, as follows:

<i>Title</i>	<i>Grade</i>	<i>NumberMonths</i>		<i>FTE</i>	
Senior Coordinator (Legal) <sup>89</sup>	P-5	1	12	1.0	Continued
Special Assistant (Prosecutions) <sup>90</sup>	P-3	1	12	1.0	Continued
Special Assistant (Prosecutions) <sup>91</sup>	P-3	1	12	1.0	Continued
Personal Assistant to the Deputy Prosecutor	GS-PL	1	12	1.0	Continued
		<b>4</b>	<b>48</b>	<b>4.0</b>	
<i>Gender and Children Unit</i>					
Legal Officer	P-3	1	12	1.0	New
		<b>1</b>	<b>12</b>	<b>1.0</b>	
<i>Preliminary Examination Section</i>					
Situation Analyst	P-3	1 <sup>92</sup>	12	1.0	Continued
		<b>1</b>	<b>12</b>	<b>1.0</b>	
<i>Appeals Section</i>					
Appeals Counsel	P-4	1	5	0.4	New
Associate Appeals Counsel	P-2	1	12	1.0	Continued
		<b>2</b>	<b>17</b>	<b>1.4</b>	
<i>International Cooperation Advisers</i>					
International Cooperation Adviser	P-3	2	24	2.0	Continued
		<b>2</b>	<b>24</b>	<b>2.0</b>	
<i>Analysts</i>					
Analyst	P-3	7	84	7.0	Continued
Analysis Assistant	GS-OL	8	90	7.5	Continued
		<b>15</b>	<b>174</b>	<b>14.5</b>	
<i>Investigators</i>					
Senior Investigator	P-4	1	12	1.0	Continued
Senior Investigator	P-4	1	12	1.0	New
Investigator	P-3	8	96	8.0	Continued
Associate Investigator	P-2	8	90	7.5	Continued
Situation-Specific Investigation Assistant	GS-OL	6	72	6.0	Continued
		<b>24</b>	<b>282</b>	<b>23.5</b>	
<i>Prosecutors</i>					
Trial Lawyer	P-4	1	6	0.5	New
Trial Lawyer	P-4	4	48	4.0	Continued
Trial Lawyer	P-3	2	24	2.0	Continued
Associate Trial Lawyer	P-2	2	24	2.0	Continued
Case Management Coordinator	P-2	1	12	1.0	Continued
Assistant Legal Officer	P-1	4	48	4.0	Continued
Case Manager	P-1	1	12	1.0	Continued
Trial Support Assistant	GS-OL	1	6	0.5	Continued
		<b>16</b>	<b>180</b>	<b>15.0</b>	
<b>Total</b>		<b>65</b>	<b>749</b>	<b>62.42</b>	

<sup>89</sup> Redeployed and repurposed from Senior Appeals Counsel (P-5) in former Appeals Prosecution and Legal Coordination Section in former Programme 2410.

<sup>90</sup> Continued GTA position, formerly in Programme 2410, Prosecution Division.

<sup>91</sup> Redeployed from IOP (previous title: Special Assistant to the Prosecutor).

<sup>92</sup> One vacant GTA position (P-3) was transferred within JCCD from ICS to PES taking into account the Section's structure, the advanced progress in situations under preliminary examination and the need to ensure their continuity towards investigation.

277. The Legal Officer (P-3) position is requested to provide legal and operational support to all unified teams regarding sexual and gender-based crimes (SGBC) and crimes against children, including strategic approaches, interview modalities, legal characterization and gender analysis; provide training to staff on SGBC and crimes against children, to develop/monitor best practice standards and to conduct research on legal developments relating to SGBC and crimes against children; and to represent the Office at external engagements relating to SGBC and crimes against children as well as to maintain networks with experts, civil society and academia.

278. To enable the Appeals Section to effectively carry out the activities provided for in the budget assumptions, it is requested that one Associate Appeals Counsel (P-2) position be continued. One new Appeals Counsel (P-4) position is also requested. The positions are requested at 1.42 FTE on a multi-year basis. To better match the needs of the newly established prosecution pillars, the Senior Appeals Counsel (P-5) position approved in 2020, but unfilled, has been repurposed and redeployed to create the second Senior Coordinator (Legal) to support the Deputy Prosecutors.<sup>93</sup>

279. The continuation of two International Cooperation Adviser positions (equivalent to 1.5 FTE) is requested in the 2022 budget to support the investigations and trials anticipated in 2022, and to provide administrative and operational support for the ever-increasing cooperation workload. One additional GTA position is requested at the P-2 level to sustain capacity in the light of the increased and foreseeable cooperation needs across the situations. The International Cooperation Adviser will be assigned to the unified team.

280. Most of the investigator resources requested under the Darfur Contingency Fund will be absorbed, with the exception of the Senior Investigator (P-4) position. The position's specific requirements (knowledge of the region and proficiency in the required language) make this resource particularly valuable for the progress of the investigative activities. The addition of situation-specific resources is also consistent with the recommendations of the IER report.<sup>94</sup>

281. As far as prosecutors are concerned, the staffing table has been reviewed taking into account the expected workload for 2022, the obligation of the Office to comply with the rules as set under the Rome Statute and the orders issued by Chambers. Considering the high workload for the Office in 2022, the Programme needs to maintain all positions for 2022. The prosecution pillars will however absorb most of the resources requested under the CAR II(a) Contingency Fund, with the exception of one Trial Lawyer (P-4) position that is requested for six months in 2022.

#### **Non-staff resources**

**€1,902.0 thousand**

282. The requested amount is required for travel. Unless otherwise indicated, the resource request is recurrent.

#### *Travel*

**€1,902.0 thousand**

283. The Programme will continue to pay considerable attention to identifying savings and efficiencies related to travel. Unfortunately, despite the restrictions on travel due to the COVID-19 pandemic, the 2021 approved travel budget remains lower than the actual requirements. In 2022 it is envisaged that whatever the evolution of the pandemic and the global response, including a possible global vaccine roll-out, international travel may remain more complicated and possibly more expensive, for example, on account of costs for continued testing and quarantine requirements. The Office will continue to look to reduce accommodation and DSA costs in the situation countries where teams are deployed for missions. The increased field presence and a more flexible approach to the use of resources will help to offset a reduction in the volume of mission deployments. It is anticipated that, by maintaining this approach, operation costs can be saved in 2022. The measures implemented

<sup>93</sup> See footnote 64 above.

<sup>94</sup> See *Independent Expert Review of the International Criminal Court and the Rome Statute – Final Report*, 30 September 2020, paras. 196-199, 225-227 and 245 and R80, R82, R83, R94, R95, R293-R298.

will ensure that 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 the efficiency and progress of investigations and prosecutions.

284. PES staff, supported as needed by OEA, conduct missions in relation to situations under preliminary examination to secure and foster cooperation, or to gather information and attend key meetings with State officials. These missions continue to be targeted and planned so as to use the travel budget as efficiently as possible. At the same time, travel costs have increased owing to safety measures and other COVID-19 related expenses, while the volume of travel is also gradually expected to increase.

285. Prosecution staff regularly go on mission as part of the unified teams to support ongoing investigations. Travel of prosecutors is also required at the pre-trial and trial stages of a case to take article 68 statements, prepare witnesses and support witnesses testifying via video link. Travel costs are recurrent.

**Table 15: Prosecution Pillars: Proposed budget for 2022**

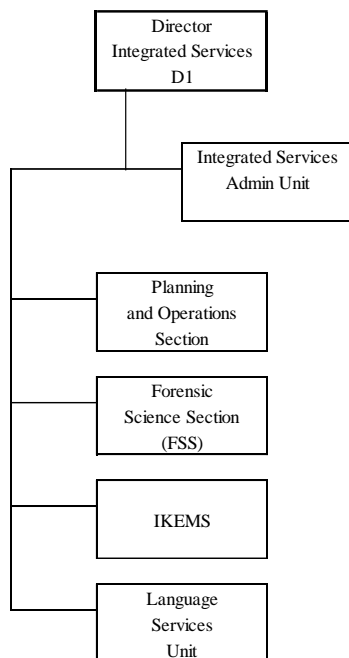
Programme B: Prosecution Pillars	2021 Approved Budget	Resource Changes		Proposed 2022 Budget
		Amount	%	
Professional staff	19,728.6	913.9	4.6	20,642.5
General Service staff	765.6	(126.6)	(16.5)	639.0
<i>Subtotal staff</i>	<i>20,494.2</i>	<i>787.3</i>	<i>3.8</i>	<i>21,281.5</i>
General temporary assistance	6,294.2	802.4	12.7	7,096.6
Temporary assistance for meetings	-	-	-	-
Overtime	-	-	-	-
<i>Subtotal other staff</i>	<i>6,294.2</i>	<i>802.4</i>	<i>12.7</i>	<i>7,096.6</i>
Travel	1,395.9	506.0	36.3	1,902.0
Hospitality	-	-	-	-
Contractual services	-	-	-	-
Training	-	-	-	-
Consultants	-	-	-	-
General operating expenses	-	-	-	-
Supplies and materials	27.5	(27.5)	(100.0)	-
Furniture and equipment	-	-	-	-
<i>Subtotal non-staff</i>	<i>1,423.4</i>	<i>478.5</i>	<i>33.6</i>	<i>1,902.0</i>
<b>Total</b>	<b>28,211.8</b>	<b>2,068.2</b>	<b>7.3</b>	<b>30,280.1</b>

**Table 16: Prosecution Pillars: Proposed staffing for 2022**

Prosecution Pillars	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
<b>Established Posts</b>														
Approved 2021	-	1	-	1	12	26	54	60	20	174	-	9	9	183
New	-	1	-	-	-	-	-	-	-	1	-	-	-	1
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	<b>-</b>	<b>2</b>	<b>-</b>	<b>1</b>	<b>12</b>	<b>26</b>	<b>54</b>	<b>60</b>	<b>20</b>	<b>175</b>	<b>-</b>	<b>9</b>	<b>9</b>	<b>184</b>
<b>GTA Positions (FTE)</b>														
Approved 2021	-	-	-	-	0.08	5.00	21.00	11.50	5.00	42.58	1.00	14.00	15.00	57.58
Continued	-	-	-	-	1.0	5.00	21.00	11.50	5.00	43.50	1.00	14.00	15.00	58.50
New	-	-	-	-	-	1.92	1.00	-	-	2.92	-	-	-	2.92
Redeployed	-	-	-	-	-	-	1.00	-	-	1.00	-	-	-	1.00
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1.0</b>	<b>6.92</b>	<b>23.00</b>	<b>11.50</b>	<b>5.00</b>	<b>47.42</b>	<b>1.00</b>	<b>14.00</b>	<b>15.00</b>	<b>62.42</b>

### 3. Programme C: Integrated Services Pillar

#### Introduction



286. Essential to the reorganization of the Office's structure is the creation of an integrated services pillar that will centralize the specialized support functions that provide cross-cutting support to the Office. This pillar will be headed by a newly established Director, Integrated Services (D-1) and supported by an Integrated Services Administrative team.

287. The following sections/units will comprise this integrated services pillar:

- Planning and Operations Section (POS)
  - Protection Strategies Unit
  - Operational Risk and Support Unit
  - Mission Planning Centre
  - Field Offices
- Forensic Science Section (FSS)
  - Forensic Unit
  - Imagery Unit
  - Cyber Unit
- Information Knowledge and Evidence Management Section (IKEMS)
  - Business Solutions Development Unit
  - Information and Evidence Unit
- Language Services Unit (LSU)

288. In order to ensure the success of the Office's reorganization, and its current and future operations, adequate staff and non-staff resources must be provided to the components of this pillar. The Information, Knowledge and Evidence Management Section and the Forensic Science Section will need updated applications and systems to strengthen disclosure

processes and to conduct advanced cyber and open-source investigations. These enhancements will support the entire Office in performing its activities.

289. Where possible and appropriate, the Office will seek to leverage partnerships with academia and the private sector to offset costs. This cost-sharing approach is consistent with the findings and recommendations of the IER report, which stresses the need for the Office to make use of a combination of increased in-house capacity, and increased cooperation with national authorities, intergovernmental organizations and other stakeholders with the capacity to assist the OTP with specialized collection of evidence.<sup>95</sup>

**a) Planning and Operations Section**

290. The Planning and Operations Section (POS) consists of three units:<sup>96</sup> (1) the Operational Risk and Support Unit (ORSU), which ensures the confidentiality and security of field deployments and provides operational support for missions, including those of the Prosecutor; (2) the Protection Strategies Unit (PSU), which is responsible for witness management and guarantees that the Office's investigative strategy is developed in such a way that foreseeable risks to persons interacting with the OTP are properly managed; and (3) the Psycho-Social Support Unit (PSSU), which provides specialized psychosocial services to witnesses as well as other vulnerable populations with which the OTP interacts. This unit complements the physical protection to witnesses and victims provided by the PSU.

291. Both ORSU and PSU work closely and in a complementary manner with the Registry, sharing responsibility along a continuum of services, within the separation of powers under the Court's governance structure as laid down in the Rome Statute.

**b) Forensic Science Section**

292. The Forensic Science Section (FSS) provides scientific support to investigations and prosecutions as well as preliminary examinations. It is composed of three units: (1) the Forensic Unit (crime scene examinations, exhumations, autopsies, clinical examinations, criminalistics, etc.); (2) the Cyber Unit (computer forensics, mobile and telecommunications forensics, cyberinvestigations, etc.); and (3) the Imagery Unit (geographic information systems and satellite image analysis, photo/video analysis, 3D mapping and reconstruction, drone imagery, etc.). In addition, FSS maintains the Executive Secretariat of the OTP Scientific Advisory Board and develops standard operating procedures and guidelines relating to scientific activities. The Scientific Advisory Board, composed of the sitting presidents of the 18 most representative institutions of the international scientific community, meets annually and advises the Office on recent developments in new and emerging technologies, scientific methods and procedures that could potentially enhance the collection, management and analysis of testimonial, documentary and scientific evidence.

**c) Information Knowledge and Evidence Management Section**

293. The Information, Knowledge and Evidence Management Section (IKEMS), headed by an Information Management Coordinator, combines the OTP's information, knowledge and evidence management operations into one consolidated section. IKEMS aims to maintain a coordinated, flexible and operationally responsive IKEM support capacity throughout the OTP, in order to support the full spectrum of OTP information, evidence, disclosure and archiving operations.

294. The Information Management Coordinator leads both IKEMS units: the Information and Evidence Unit (IEU) and the Business Solutions Development Unit (BSDU) and, by extension, acts as the Office's focal point for all IKEM issues.

295. BSDU is responsible for:

<sup>95</sup> See *Independent Expert Review of the International Criminal Court and the Rome Statute System - Final Report*, 30 September 2020, para. 750 and R272.

<sup>96</sup> In the new organizational structure of the Office, GCU - previously under POS - has moved to the prosecution pillars, while the psychosocial support component of GCU remains as a distinct unit within POS.

- a) conducting business analyses, process mapping, requirements gathering and needs assessments on behalf of the Prosecutor, for all OTP business streams;
- b) managing OTP business development initiatives through in-house programme and project evaluation, as well as intra- and inter-organ collaboration; and
- c) maintaining direct (embedded) information management support to OTP unified teams, from preliminary examinations to the pre-trial stage.

296. IEU is responsible for:

- a) evidence management, including registration, chain-of-custody, physical and digital storage, custodianship and digital evidence support services, and disclosures;
- b) provision of advice to the OTP on the collection and handling of evidence, including eDiscovery and Technology Assisted Review;
- c) management of administrative processes surrounding material collected and submitted under article 15; and
- d) witness interview and mission support services, including centralized equipment management and distribution, safe storage and transfer of evidence.

**d) Language Services Unit**

297. The Language Services Unit (LSU) supports all language support needs of the Office, with the majority of its work focused on translation and interpretation for investigations and prosecutions, while also assisting PIU and IOP with translation services.

298. LSU provides services in a broad spectrum of languages, be they official, cooperation or situation languages. English, French and Arabic continue to see high levels of activity (driven by, among other factors, the *Abd-Al-Rahman* case and investigations in multiple Arabic-speaking situations), while other language needs are fluid based on the ebb and flow of the different situations and specific lines of investigation pursued by the Office. In the past 12 months, LSU has introduced a fresh initiative to urge more accurate recording of language metadata.

299. Despite the challenging operating circumstances engendered by the COVID-19 pandemic, LSU continues to judiciously measure the effort needed to source, test and recruit language professionals and to maximize the various contractual options available to determine the specific resources and timing required to effectively deliver services. Of particular focus at this time is a fresh assessment of the opportune moment to initiate translation of witness statements into the language of the suspect(s). This requires a delicate balancing exercise in determining the language that any given suspect would likely fully speak and understand, evaluating the probability of arrest, and closely assessing the evidence that will be used and therefore need translation, all while remaining mindful of the judicious application of the available funds. In so doing, the Unit continues to exploit the options for recruiting locally in-country where possible and resorting to freelance resources where information security considerations allow.

300. In 2021, LSU has continued to seek improvements to its processes and systems, both with IKEMS and the unified teams, including by automating the translation of lists of evidence in the working languages, extending the exploitation of editable original formats when translating and seeking to further automate word counts in multilingual documents. In addition, with the requested integration of electronic registration of translations and transcripts completed in 2021, LSU will limit the workload recently encountered in this area. Further, by 2022 at the latest, LSU anticipates that the existing contacts management interface and refreshed interpretation request and planning system will have been added.

**Budget resources**

**€16,273.7 thousand**

301. The requested resources are the result of the reallocation of existing sections into the integrated services pillar. In particular, the staff perimeter has not changed. The adjustments to some posts have been designed to be budget neutral while addressing the need to have profiles that more closely match the mandate of this pillar.

302. The non-staff cost resources have been evaluated and estimated on the basis of the level of support needed to service the Office's planned and anticipated activities. Details are provided in the paragraphs below concerning non-staff costs.

### Staff resources

**€14,326.8 thousand**

303. The post of Director, Integrated Services (D-1) will be created in a budget neutral way by repurposing the post of Director, Investigation Division (former Programme 2310). Within delegated authority and under the direct supervision of the Prosecutor, the Director, Integrated Services is responsible for managing the reliable and cost-effective delivery of integrated services within the Office. The Director leads in ensuring that the Office is adequately supported through all relevant service functions, technologies and equipment, and that appropriate services are available to support the implementation of the Office's mandate. The Director, Integrated Services will define, implement and manage a large number of services that are needed to achieve the defined goals of high quality and cost efficiency within the categories of planning and operations, information knowledge and evidence management, forensic science and language support. The Director will work with the heads of section to develop new approaches and strategies that promote the use of modern tools and advanced technology as mechanisms to strengthen the effectiveness of the Office.

304. In 2022, the Programme will comprise 108 established posts and 55 GTA positions (including Field Interpreters).

305. In order to meet its operational needs, reduce staff costs, as well as address some of the requirements highlighted in the IER report,<sup>97</sup> the creation of the following posts in IKEMS is requested: Knowledge Management Officer (P-3), Associate Business Solutions Officer (P-2), Archive and Vault Manager (GS-OL), Project Coordination Assistant (GS-OL) and Senior Information Management Assistant (GS-OL).

306. The cost of these posts is entirely offset by the discontinuation of the following four established posts: one Assistant Information Officer (P-1), one Evidence Assistant (GS-OL), one Data Processing Assistant (GS-OL) and one Information Management Assistant (GS-OL), and the following two GTA positions: one Information Management Assistant (GS-OL) and one Disclosure/Search Assistant (GS-OL). The net budgetary impact is €30.0 thousand. The posts affected have been left vacant to ensure the planned organizational improvement has no impact on any incumbent staff.

307. The internal reorganization project, which also entails change of titles and work surveys for some posts,<sup>98</sup> has been presented to the Classification Advisory Board and all the positions affected have been reviewed by an external classifier in compliance with the existing regulations of the Court.

*Established posts: Professional and General Service*

*€9,303.6 thousand*

308. The Programme has the following established posts:

<sup>97</sup> See *Independent Expert Review of the International Criminal Court and the Rome Statute System - Final Report*, 30 September 2020, paras. 203, 231 and 250 and R104.

<sup>98</sup> For example, the posts of Archive and Vault Manager (GS-OL), Project Coordination Assistant (GS-OL) and Senior Information Management Assistant (GS-OL) are created by repurposing existing posts and not by requesting new ones.

<i>Title</i>	<i>Grade</i>	<i>Number</i>
Director, Integrated Services <sup>99</sup>	D-1	1
Administrative Assistant	GS-OL	1
		<b>2</b>
<i>Integrated Services Administrative Team</i>		
Administrative Assistant	GS-OL	7
		<b>7</b>
<i>7Planning and Operations Section</i>		
Head, Planning and Operations Section	P-5	1
Head, Protection Strategies Unit	P-4	1
Protection Strategies Officer	P-3	1
Associate Protection Strategies Officer	P-2	1
Protection Strategies Assistant	GS-OL	5
Head, Operational Risk and Support Unit	P-4	1
Operations Officer	P-3	2
Operations Officer (Security)	P-3	1
Operations Risk and Field Officer	P-3	4
Information Analyst	P-2	2
Assistant Analyst	P-1	1
Field Operations Coordinator	GS-OL	5
Field Operations Assistant	GS-OL	2
Operations Assistant	GS-OL	2
Witness Management Assistant	GS-OL	1
Administrative Assistant	GS-OL	3
		<b>33</b>
<i>Information Knowledge and Evidence Management Section</i>		
Information Management Coordinator	P-5	1
Systems Architect	P-4	1
Knowledge Management Officer	P-3	1
Information Officer (Evidence and Analysis Systems)	P-2	2
Associate Business Solutions Officer	P-2	1
Project Coordination Assistant	GS-OL	1
Senior Information Management Assistant	GS-OL	1
Information Management Assistant	GS-OL	6
Head, Information and Evidence Unit	P-3	1
Associate Information and Evidence Officer	P-2	1
Data Processing Manager	P-2	1
Database Coordinator	P-1	3
Data Processing Assistant <sup>100</sup>	GS-OL	7
Information Storage Assistant	GS-OL	2
Disclosure/Search Assistant	GS-OL	1
Senior Evidence Assistant	GS-OL	2
Evidence Assistant	GS-OL	3
Archive and Vault Manager	GS-OL	1
		<b>36</b>
<i>Forensic Science Section</i>		
Head, Forensic Science Section	P-5	1
Forensic Officer	P-3	2
Cyber Forensic Investigator	P-3	3
Associate Analyst (Geographic Information Systems)	P-2	1
Associate Analyst	P-2	1

<i>Title</i>	<i>Grade</i>	<i>Number</i>
Information Storage Assistant	GS-OL	1
		<b>9</b>
<i>Language Services Unit</i>		
Language Coordinator	P-4	1
Reviser (one English and one French)	P-4	2
Interpretation Coordinator	P-3	1
Translator (English)	P-3	1
Translator (French)	P-3	1
Translator (Arabic)	P-3	1
Associate Translator (English)	P-2	1
Associate Translator (French)	P-2	1
Associate Translator (Arabic)	P-2	1
Language Services Assistant	GS-OL	3
Senior Transcript Coordinator	GS-OL	1
Transcript Coordinator and Reviewer	GS-OL	1
Transcript Reviewer	GS-OL	4
Transcription Assistant	GS-OL	1
		<b>20</b>
<b>Total</b>		<b>107</b>

*General temporary assistance*

€5,023.2 thousand

309. The Programme continues to require GTA resources to support the Office's activities. The extension of most of the current resources is therefore necessary. Wherever possible, the changes that are requested have been made budget neutral by discontinuation of existing approved posts. Details of each requested position are provided in paragraphs 311-321 below.

310. The breakdown of requested GTA positions for 2022 is as follows. Unless otherwise indicated, GTA resources are recurrent and multi-year:

<sup>99</sup> Repurposed from the post of Director, Investigation Division (D-1) in former Programme 2310.

<sup>100</sup> Three Data Processing Assistants reallocated to IKEMS from IAS.

<i>Title</i>	<i>Grade</i>	<i>Number Months</i>		<i>FTE</i>	
<i>Integrated Services Administrative Team</i>					
Project Officer	P-3	1	12	1.00	Continued
Assistant Planning and Control Officer	P-1	1	12	1.00	Continued
		<b>2</b>	<b>24</b>	<b>2.00</b>	
<i>POS-PSU</i>					
Associate Protection Strategies Officer	P-2	4	48	4.00	Continued
Associate Protection Strategies Officer	P-2	3	36	3.00	New
		<b>7</b>	<b>84</b>	<b>7.00</b>	
<i>POS-ORSU</i>					
Operations Risk and Field Officer	P-3	1	12	1.00	Continued
Field Operations Coordinator	GS-OL	4	48	4.00	Continued
		<b>5</b>	<b>60</b>	<b>5.00</b>	
<i>Psycho-Social Support</i>					
Psycho-Social Expert <sup>101</sup>	P-2	1	6	0.50	Continued
		<b>1</b>	<b>6</b>	<b>0.50</b>	
<i>IKEMS-IEU</i>					
Associate Electronic Evidence Officer	P-2	2	24	2.00	Continued
Assistant Information and Evidence Officer	P-1	2	24	2.00	Continued
Evidence Assistant	GS-OL	1	12	1.00	Continued
		<b>5</b>	<b>60</b>	<b>5.00</b>	
<i>IKEMS-BSDU</i>					
Data Management Officer	P-3	1	12	1.00	Continued
Associate Database Coordinator	P-2	1	12	1.00	Continued
Information Officer	P-2	1	12	1.00	Continued
eLearning Officer	P-2	1	12	1.00	Continued
Technical Assistant (Information Systems)	GS-OL	1	12	1.00	Continued
		<b>5</b>	<b>60</b>	<b>5.00</b>	
<i>Forensic Science Section</i>					
Head, Cyber Unit	P-4	1	12	1.00	Continued
Forensic Officer	P-3	2	24	2.00	Continued
		<b>3</b>	<b>36</b>	<b>3.00</b>	
<i>Language Services Unit</i>					
Reviser (Arabic)	P-4	1	12	1.00	Continued
Translation Officer	P-3	1	12	1.00	Continued
Translator <sup>102</sup>	P-3	6	72	6.00	Continued
Associate Translator	P-2	1	12	1.00	Continued
Associate Interpretation Coordinator	P-2	1	12	1.00	Continued
Associate Interpretation Coordinator	P-2	1	12	1.00	New
Transcript Reviewer	GS-OL	3	36	3.00	Continued
Transcript Reviewer	GS-OL	2	18	1.50	New
Transcription Assistant	GS-OL	1	12	1.00	New
Language Services Assistant	GS-OL	1	12	1.00	Continued
Language Services Assistant	GS-OL	1	12	1.00	New
Field Interpreter	GS-OL	8	38	3.17	Continued
		<b>27</b>	<b>260</b>	<b>21.67</b>	
<b>Total</b>		<b>55</b>	<b>590</b>	<b>49.17</b>	

311. POS uses external experts to provide psychosocial support to victims and witnesses. The resources are hired through individual contractor agreements. The level of expertise required is equivalent to a P-2 professional. The total estimated duration of the engagement is six months for 2022. For budgetary purposes, the request is presented as one line. The funds requested are at the same level as in previous budget submissions.

312. In IKEMS, the Knowledge Management Officer ensures that the OTP has a dedicated staff member to address knowledge management issues such as lessons learned, standards management and standards libraries, process mapping, improvement identification and process re-engineering, and to institutionalize the concept of a “learning organization” into the OTP through a systematic and dedicated approach to applying lessons learned. Given the findings of the Information Management Coordinator’s report, the IER report<sup>103</sup> and the audit reports of the Office of Internal Audit, the development of this capacity within the OTP should be prioritized.

313. The Associate Business Solutions Officer supports both specialized (investigation or forensic) systems as well as specialized OTP core business processes through business development initiatives. The post is expected to support the development of in-house solutions, including automation, integration and streamlining of systems and tools, engage in research and development initiatives to identify new or alternative solutions to streamline existing software and processes, as well as support the System Architect and Information Management Coordinator in formulating requirements for in-house and other solutions, and by technically assessing commercially available alternative options to ensure the highest levels of efficiency are attained and maintained, when selecting, developing or implementing IT solutions for the OTP.

314. In keeping with its continuous assessments of resource needs framed against the constantly evolving service demands as preliminary examinations and situations cycle through the phases, LSU has reviewed its current posts and determined that the following changes should be introduced. The proposed changes will also address and resolve the issue of the utilization of unapproved GTAs. These changes also come in response to the commentary contained in the IER report (paragraphs 178-180), the increased workload at the preliminary examination phase and the lessons learned, and operational changes ensuing from the COVID-19 pandemic.

315. It is proposed that the following posts be created:

- One P-2 Associate Interpretation Coordinator
- One G-5 Language Services Assistant
- One G-4 Transcription Assistant
- Two G-4 Transcript Reviewers.

316. In order to achieve effective budget neutrality, the following four posts will be discontinued:

- One P-3 Translator
- Two P-1 Assistant Translators
- One G-4 Administrative Assistant.

317. By January 2022, both the P-2 Associate Interpretation Coordinator and G-4 Transcription Assistant posts will have existed for almost three years as non-approved posts. It would now be timely for these posts to be regularized within the budget.

318. With respect to the P-2 Associate Interpretation Coordinator, this post will continue to be needed long into the foreseeable future in order to keep pace with the demand for interpretation resources through sourcing, testing, training and recruiting field interpreters (especially in situation-country languages) both at the outset and also throughout the duration

<sup>101</sup> Indicated as 1 in the table. However, this line is used to request funds for multiple individual contractors working up to six months in total.

<sup>102</sup> One Translator, two Assistant Translators and one Administrative Assistant posts are discontinued.

<sup>103</sup> See *Independent Expert Review of the International Criminal Court and the Rome Statute – Final Report*, 30 September 2020, para. 203 and R104.

of the preliminary examinations and situations, as language needs shift and interpreters drop off the accredited roster. Depending on the decision of the Prosecutor with regard to the opening of new investigations, a further resource may be needed in this area but is not yet requested pending further clarity in the course of 2021.

319. Similarly, the G-4 Transcription Assistant will continue to remain a critical post in the years ahead in processing all aspects of transcription requests, including outsourcing; traditionally there has been little opportunity for this post to perform transcription duties even if this remains an inherent part of the post, offering broader versatility and flexibility. As with the other new General Service posts requested here, this post will ensure that clerical/processing functions are performed at the appropriate level rather than having supervisors and P-level staff performing such duties. As with the two requested GS-4 Transcript Reviewer posts, this Transcription Assistant post also contributes to the most timely delivery of transcription services possible in support of the Office's core activities.

320. The two G-4 Transcript Reviewer posts are requested to further improve the turnaround time of transcription services in support of frontline investigative and prosecutorial activities, with a mind, specifically, to internal surge capacity when faced with last-minute transcription demands submitted shortly before critical courtroom deadlines. In addition, these posts are designed to be as linguistically versatile as possible (i.e. the working languages of the Court: English and French, but also Arabic) in order for the posts to respond to the different needs of the various situations.

321. Finally, the additional GS-5 Language Services Assistant post is introduced to ensure the support needed across all translation- and interpretation-request processing phases and recruitment, as well as again ensuring that P-level staff are not drawn away from core responsibilities. While operating flexibly across both the translation and interpretation work areas, this post will provide critical support to the LSU management team in its complex and lengthy recruitment processes for keeping its freelance rosters sufficiently populated to support the unified teams appropriately and avoid the need to resort to overtime, as has been an increasing trend.

#### **Non-staff resources**

**€1,946.9 thousand**

322. Non-staff resources are used for travel, contractual services, general operating expenses, supplies and materials, and furniture and equipment. This last category includes items in relation to information management projects, and low-cost evidence collection equipment such as pen drives, recorders, external drives, dongles and similar items. All office furniture, such as tables, cabinets and desks, are managed by the Registry's Facilities Management Unit and budgeted under Major Programme III. Unless otherwise indicated, the resources requested are recurrent.

#### *Travel*

*€304.9 thousand*

323. POS will continue to look to reduce accommodation and DSA costs in the situation countries where teams are deployed for missions. The increase in field presence and a more flexible approach to the use of resources will help to reduce the volume of mission deployments. It is anticipated that, by maintaining this approach, savings can be made in operation costs in 2022. The measures the Office has implemented will ensure that the OTP will continue to be as efficient as possible, adapting travel arrangements to maintain the most effective balance between flight and DSA costs and the efficiency and progress of the investigations.

324. Missions in the field require local and international travel by interpreters recruited by LSU to provide the necessary support for investigation- and prosecution-related activities during the preliminary examination, investigation, pre-trial and trial phases. This budget item further includes funds for a number of missions to situation countries to assess and recruit field interpreters.

325. The requested amount also provides for a limited number of missions for technical staff to provide support to field deployments, manage, repatriate or write off IKEMS equipment and supplies currently located in field offices and to participate in professional symposiums and conferences.

326. Finally, FSS will continue to require resources to deploy with the teams when forensic missions are needed.

*Contractual services*

*€370.0 thousand*

327. Contractual services are needed to supplement internal projects or provide resources for special requirements and peaks in activity that cannot be effectively and promptly handled in-house through additional recruitment. For example, translation and transcription outsourcing remains critical to supplement the Office's in-house capacity where confidentiality constraints allow, to ensure that the most effective blend possible of internal and external resources is exploited with a mind to financial responsibility in dealing with activity peaks due to case-specific, time-bound workloads that must be transcribed in, or translated into or out of, languages for which no in-house capacity exists or is required.

*General operating expenses*

*€677.0 thousand*

328. This budget item is a recurrent cost necessarily incurred by witnesses' attendance at interviews and the Office's fulfilment of its duty of care to witnesses during all phases of activities (preliminary examinations, investigations, trials and remaining residual cases).

329. The requested increase in general operating expenses is based on a number of factors: the need to interact with new witnesses in ongoing investigations while satisfying a continuing duty of care to existing witnesses, and longer-term rental of accommodation for staff during missions.

330. Part of the general operating expenses is for the contract related to accommodation in the Central African Republic, which provides an economical solution compared to expensive hotel accommodation for ongoing operations. The accommodation also provides a safe and healthy controlled environment for staff members in a location with very limited medical facilities.

331. The funds requested include €10.0 thousand for annual maintenance of one OTP-specific software application used to support investigative analysis.

*Supplies and materials*

*€115.0 thousand*

332. An amount of €27.0 thousand is requested for the renewal of annual subscriptions to OTP-specific journals and other professional subscriptions (e.g. International Association of Prosecutors) and for purchasing key reference volumes necessary to support the Office's core activities. The amount for this budget line has been assessed with a view to providing the goods/services needed by the Office, while limiting the financial impact wherever possible. However, the unit cost of the subscriptions that have been identified as necessary for 2022 has increased and the amount requested reflects market prices. Subscriptions to online databases, services and journals shared by the entire Court are centralized by the Court library and the Information Management Services Section (IMSS).

333. The funds requested are needed to renew OTP-specific software subscription licenses. A portion of this budget item is allocated for purchasing digital and electronic consumables for the purposes of evidence collection (e.g. memory cards, encrypted hard drives) and for equipment used by investigators, such as cameras, recording devices and batteries.

334. A smaller part of the funds is requested to replace and integrate specific materials and supplies (e.g. human remains pouches, rubber gloves, consumables and instruments) needed for the forensic investigation of crime scenes and to purchase satellite imagery needed for pre- and post-incident analysis of crime scenes.

*Furniture and equipment*

*€480.0 thousand*

335. The requested amount for furniture and equipment relates to the portion of IT investments funded through the OTP budget. These expenditures relate to OTP-specific items which form part of agreed investments in key initiatives, including inter-organ initiatives, aimed at achieving prosecutorial goals.

336. These initiatives relate to increasing in-house efficiencies through meticulous business process reviews and the development and/or identification of solutions aimed at investigation and witness management, language service request management, interpretation coordination and project management workflows within OTP. These initiatives directly support investigative and prosecutorial needs as well as the OTP's overall service and support capacity for core business activities.

337. The second group of initiatives consists of the broad-scope implementation of forensic capture, triage and storage of digital materials requiring additional processing, analysis and review before registration; and development and enhancement of OTP tools and abilities to collect and process specialized and/or digital or open-source information and/or evidence, as well as to conduct online investigations in support of its core investigative and prosecutorial activities.

338. Finally, the Office is requesting funds for modernization projects to strengthen and sustain its activities. With these funds, the OTP embarks on its boldest modernization effort since its inception. The proposed project will define and implement a strategy, which encompasses architectural enhancements, aimed at cloud-driven initiatives that will lay the groundwork for the OTP's transition to a cloud-based environment. This will not only drive its future technological advancement, modernization and development by leveraging the use of leading-edge cloud-based innovations in artificial intelligence, but it will also lead to increasing efficiencies in the areas of evidence ingestion, processing, analysis, review and disclosure, while also expanding the OTP's ability for seamless collaboration in a hybrid work environment. This initiative will also inoculate the OTP, both procedurally and financially, against future, planned or unanticipated remote work-related challenges, whether similar to those experienced during the COVID-19 epidemic or as part of its core business operations and presence in situation countries. The amount requested for the portion to be implemented in 2022 is €300.0 thousand.

339. The plan will be multi-annual. It fits with the strategy discussed with the Information Management Governance Board (IMGB) to transition the Court's systems to the cloud. The funds are vital to lay the foundations needed for the Office to modernize sufficiently, so as to properly develop and implement the Court-wide IT strategy (2023-2025).

340. The necessary supporting infrastructure is estimated to cost €60.0 thousand of the aforementioned total of €300.0 thousand for (a) computers €25.0 thousand, (b) storage/databases €15.0 thousand, and (c) I/O €20.0 thousand.

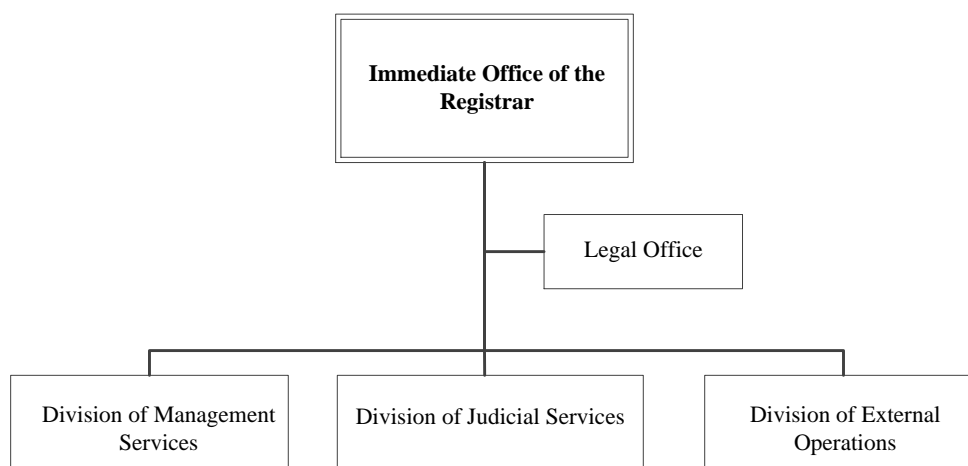
**Table 17: Integrated Services: Proposed budget for 2022**

Programme C: Integrated Services Pillar	2021 Approved Budget	Resource Changes		Proposed 2022 Budget
		Amount	%	
Professional staff	5,816.3	(421.3)	(7.2)	5,395.0
General Service staff	3,553.2	355.4	10.0	3,908.6
<i>Subtotal staff</i>	<i>9,369.5</i>	<i>(65.9)</i>	<i>(0.7)</i>	<i>9,303.6</i>
General temporary assistance	4,598.2	425.0	9.2	5,023.2
Temporary assistance for meetings	-	-	-	-
Overtime	-	-	-	-
<i>Subtotal other staff</i>	<i>4,598.2</i>	<i>425.0</i>	<i>9.2</i>	<i>5,023.2</i>
Travel	326.6	(21.8)	(6.7)	304.9
Hospitality	-	-	-	-
Contractual services	360.0	10.0	2.8	370.0
Training	-	-	-	-
Consultants	-	-	-	-
General operating expenses	440.0	237.0	-	677.0
Supplies and materials	52.5	62.5	119.0	115.0
Furniture and equipment	174.0	306.0	-	480.0
<i>Subtotal non-staff</i>	<i>1,353.1</i>	<i>593.7</i>	<i>43.9</i>	<i>1,946.9</i>
<b>Total</b>	<b>15,320.8</b>	<b>952.8</b>	<b>6.2</b>	<b>16,273.7</b>

**Table 18: Integrated Services: Proposed staffing for 2022**

Integrated 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
<b>Established Posts</b>														
Approved 2021	-	-	-	1	3	6	18	12	5	45	-	61	61	106
New	-	-	-	-	-	-	1	1	-	2	-	3	3	5
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	(1)	(1)	-	(3)	(3)	(4)
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>3</b>	<b>6</b>	<b>19</b>	<b>13</b>	<b>4</b>	<b>46</b>	<b>-</b>	<b>61</b>	<b>61</b>	<b>107</b>
<b>GTA Positions (FTE)</b>														
Approved 2021	-	-	-	-	-	2.00	12.00	11.50	4.00	29.5	-	14.25	14.25	43.75
Continued	-	-	-	-	-	2.00	12.00	11.50	3.00	28.50	-	13.17	13.17	41.67
New	-	-	-	-	-	-	-	4.00	-	4.00	-	3.50	3.50	7.50
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2.00</b>	<b>12.00</b>	<b>15.50</b>	<b>3.00</b>	<b>32.50</b>		<b>16.67</b>	<b>16.67</b>	<b>49.17</b>

## C. Major Programme III: Registry



### Introduction

341. 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). Within the Office of the Registrar, the Immediate Office helps the Registrar provide strategic leadership, coordination and guidance to all Registry divisions and sections, while the Registry Legal Office is responsible for supporting the performance of the Registrar’s legal functions.

342. Judicial proceedings form the core of the Court’s work and cannot be undertaken without the necessary services and functions provided by the Registry. As a neutral support platform, the Registry is responsible for supporting judicial proceedings through functions such as court and records 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, security, management of the detention facilities, facilitation of judicial cooperation and assistance, ensuring the public nature of the proceedings, communication (in particular with affected communities) and field operations in support of the work of the judges, parties and participants. Without these Registry functions, judicial proceedings would not be possible, as the participants in the proceedings – including the judges, the Office of the Prosecutor (OTP), the defence, and victims and witnesses – would not have the necessary technical, operational and language support or, where applicable, the necessary financial support structures to ensure fair and expeditious judicial proceedings. The Registry’s resource requirements with regard to these functions are directly driven by judicial and prosecutorial developments.

343. The administrative and managerial services provided by the Registry are crucial to the smooth functioning of the Court as a whole. The Registry manages human resources, budgeting, finance, procurement, facilities, travel, security and staff well-being, and coordinates Court-wide executive functions such as risk management, reporting to governing bodies, audit and compliance. In addition, the Registry’s administrative services support the expeditious conduct of judicial proceedings with regard to witness transport, courtroom security and courtroom equipment required by the parties. While resource requirements in relation to these Registry functions directly depend on the service needs of all areas of the Court, the Registry has over the years maintained a relatively stable capacity to cope with emerging needs.

## Overview of Registry budget requirements for 2022

344. The proposed 2022 budget for the Registry amounts to €83,578.9 thousand, representing an increase of €7,794.9 thousand (10.3 per cent) over the Registry's approved budget for 2021. This is the first proposed increase for the Registry in four years, with overall decreases introduced in the 2019, 2020 and 2021 budgets. The approved budget of the Registry has decreased by €1.4 million since 2018. Additionally the Registry has absorbed additional costs, such as those resulting from the application of the UN Common System, of €3.9 million (€2.5 million in 2021 and €1.4 million in 2020) through savings, efficiencies and cost reductions.

345. Being fully aware of the continuing serious effects of the COVID-19 pandemic on the economies of the Court's States Parties, the Registry has redoubled its efforts to present a budget for 2022 that ensures that the essential judicial and prosecutorial operations can take place within the most sensible, efficient and minimal budget possible.

346. In preparing its proposed budget for 2022, the Registry was guided by the underlying principles of the current Registry Strategic Plan for 2019-2021, and in particular the strategic goal of continuous improvement, which is to feature prominently in the Registry's next strategic plan for the next cycle. The Registry's approach is also enshrined in the Court-wide Strategic Plan for 2019-2021, in particular Court-wide Strategic Goal 9 concerning Organizational Performance, which is to: "Manage resources in an effective, coherent, transparent, responsible and adaptable manner and further develop the sustainability and resilience of the Court against identified risks." In other words, the proposed budget for 2022 is driven by measures aimed at adapting the Registry's operations, processes and systems to the requirements of enhanced flexibility and scalability, with a view to ensuring the sustainability and resilience of the organization.

347. The Registry's proposed increase of 10.3 per cent is directly linked to judicial and prosecutorial activities. It is dictated by the duty of the Registry to provide support to the other organs while fulfilling its own obligations of, among others, legal aid management, victim support, witness protection, public information and outreach. All support activities have been carefully reviewed and reduced to a level that raises their profile in the risk register of the Court, while being deemed an acceptable risk at this time. With this proposal, the Registry has therefore sought to strike a balance whereby the increased workload can be addressed with a minimum of resources.

### Three main cost drivers of the proposed increase

348. The proposed increase is attributable to three main cost drivers:

- i. Increase in judicial activity, which includes the scaling up from one courtroom team to two and a half courtroom teams in 2022 (€4.8 million) as well as the accompanying increase in legal aid (€2.1 million), and greater requirements to support victim-related activities (€0.5 million);
- ii. New investigative activities which entail, among others, additional costs for witness protection (€1.9 million); and
- iii. Introduction of the established post of Focal Point for Gender Equality as well as the consultancy costs for an ombudsperson (€0.3 million).

349. These requests for additional resources are presented only where strictly necessary for the purposes of the Registry's mandated activities in the context of 2022 budgetary assumptions and priorities and only after all efforts have been made to fund the additional requirements through internal savings and reductions, such as through the defunding of a number of established posts in the field and the introduction of new, more efficient working methods. **The total savings and reductions, as detailed below, amount to €1.8 million, reducing the total overall proposed increase from €9.6 million to €7.8 million.**

### **Support for judicial activities – two and a half courtroom teams, support for victim-related activities and legal aid**

350. In 2022, the Registry is required to support four trials through two and a half courtroom teams. In 2021, two trials took place with only one courtroom team budgeted for.

351. The proposed budgetary increase for courtroom support from one to two and a half courtroom teams is attributable to three factors:

- a) increase from two to four trials and the need to provide support to the new trials;
- b) increased pace of trials ongoing in 2021 and continuing into 2022; and
- c) expected changes in the pandemic-induced environment.

352. In addition to the trials of Al Hassan and Yekatom and Ngaïssona ongoing in 2021, following the confirmation of charges in the *Abd-Al-Rahman* case and the *Gicheru* case in July 2021, the Registry will need to support four trials in the course of 2022. This, in simple terms, means that additional courtroom capacity to support the doubling the number of trials is unavoidable.

353. Secondly, the pace of the already ongoing trials, *Al Hassan* and *Yekatom* and *Ngaïssona*, will intensify in 2022. In 2021, these trials did not always take place simultaneously and not throughout all of 2021. This meant that the same staff members were sometimes able to service both trials at different times, especially in the first quarter of 2021. The limited number of staff members to cover two trials has meant an extremely heavy workload on the current staff and has frequently stretched Registry capabilities to the maximum. In 2022, these two trials are scheduled to continue at a more intensive pace, in different courtrooms and throughout the entire year. This translates into a significant increase in anticipated workload in 2022, compared to 2021. By reprioritizing activities and redeploying resources, the Registry has hired some additional staff required for the second courtroom for these two trials on a temporary basis. It is now requested that these resources be funded in 2022 in order for the trials to continue, while accounting for their accelerated pace.

354. And thirdly, the expected return to pre-pandemic operating environment in some respects in the course of 2022 implies that the Registry will not be able to continue to benefit from certain redeployments in order to support courtroom activity to the extent that it did in 2021. For instance, the Registry has been able to provide security services for two trials in 2021, even when they took place simultaneously, only because the Court's premises are still not fully open, which means there is a need for fewer security officers at the various entrances to the building. As the measures implemented during the pandemic-induced environment are expected to be lifted by 2022, the Registry will not be able to benefit from these redeployments of security staff since the Court's entrances will have to be fully guarded, leaving security capacity for only one courtroom, which is clearly insufficient to cater for four trials.

355. In brief, the provision of two and a half courtroom teams in 2022 is essential in order for the two new trials to take place and for two current trials to continue at an accelerated pace. This is in line with the Registry's statutory obligations to ensure that trials can take place expeditiously. For 2021, only one courtroom team was budgeted for, and the temporary solutions put in place in 2021 to cover the trials are neither sustainable, nor entirely applicable for 2022, and are in any event insufficient to cater for all four trials.

356. The total Registry increase in staff costs to support increased judicial activity for four trials amounts to €4.4million, comprising €4.1 million in GTAs, TAM and overtime and the remaining amount in established posts, as detailed in the division narratives. The fact that the vast majority of staff costs is assigned to temporary staffing solutions indicates the Registry's commitment to a flexible workforce that can be scaled up and down in years to come, as dictated by future judicial developments.

357. Wherever possible, numerous innovative solutions have been sought and introduced to facilitate the Registry's support for the increased judicial activities by limiting resource increases. When it comes to security, instead of the ten and a half full-time equivalent posts that would normally have been requested to secure the hearings planned for 2022, the

Registry has proposed only four and a half full-time equivalent posts (GTA), and is covering the remaining workload through the flexible use of resources such as overtime. **The Registry's total reduction in costs as a result of such solutions amounts to €0.4 million, reducing the effective increase for the second and a half courtroom from €4.8 million to €4.4 million.**

358. It must be underlined that no innovative solution can completely replace the physical need for the second courtroom team. Put simply, the same courtroom officers, interpreters, audio-visual technicians and security officers, among others, cannot physically service multiple full-time trials in different courtrooms simultaneously. Taking into account the planned number of hearing days of the four trials, and benefiting from the economies of scale, the Registry has judged that two and a half courtroom teams are the minimum necessary to support these four trials.

359. In the past when the number of trials had decreased, such as from 2019 to 2020, the Registry's budget also decreased. In the same vein, the proposed increase from 2021 to 2022 is a direct result of increased judicial activity planned for 2022.

360. There is also an increase in required support for victim-related activities in the amount of €0.5 million. This is for an additional position in the Office of Public Counsel for Victims (OPCV) and three temporary positions in the Victims Participation and Reparations Section (VPRS), whose workloads have significantly increased, as detailed in the Division of Judicial Services narrative below.

361. Likewise stemming directly from the increase in judicial activity is the corresponding increase in legal aid. An increase of €1.6 million is requested for the provision of legal aid for the defence for Mr Ongwen, Mr Al Hassan, Mr Ngaïssona, Mr Yekatom, Mr Ntaganda, Mr Abd-Al-Rahman, Mr Gicheru and Mr Said, alongside reduced funding in the cases of Mr Al Mahdi, Mr Banda and Mr Gaddafi.

362. An increase of €0.5 million is requested for legal aid for victims' counsel as a result of the application of the assumptions on which the 2022 budget is based.

363. The costs of legal aid are applied according to the existing legal aid framework, as enshrined in the Rome Statute, the Rules of Procedure and Evidence and the Regulations of the Court, by which the Registry is obliged to abide. As such, these costs are mandated and obligatory for the Registry.

### **Provision of support for active investigations and witness protection activities**

364. The second main underlying factor in the Registry's proposed increase is the support required for the OTP's investigations.

365. The Registry's resources are heavily affected by the evolution in OTP investigations, leading to shifts in regional support requirements. The improved coordination between the organs has allowed the Registry to carefully plan for the transition and redeployment of activities. This is illustrated in the number of established posts in the field proposed for defunding, i.e. eight posts in total from three country offices (DRC, CAR and Côte d'Ivoire). The Registry is also carefully reviewing the set-up of its country offices in the light of new security requirements and developing flexible solutions based on the principle of a regional hub, which reduces additional set-up costs in new situations.

366. The increase in the Registry as a result of these activities is €1.9 million, in large part due to the need to provide witness protection to an increased number of witnesses and to a smaller extent due to increased outreach activities mandated by judicial orders.

367. In terms of witness protection, there has been a 300 per cent increase in referrals for witness protection by the OTP, including in the *Said* and *Abd-Al-Rahman* cases during their pre-trial stage, which will lead to a corresponding increase in the services required of the Registry, irrespective of whether the charges are also confirmed in the *Said* case. That is because a confirmation decision has no bearing on the number of referrals for witness protection already received. The workload of the Registry in relation to protection activities starts becoming heavy at the pre-trial stage before the confirmation hearings when witnesses at risk are being identified by the OTP. The risks remain acute (sometimes for years) after the charges are confirmed and even after the trial stage is concluded, and the continuous and

long-term involvement of the Registry in the protection and case management of its beneficiaries is thus required. The additional resources needed to provide support to witnesses in the situations under investigation, such as Bangladesh/Myanmar, also justify an increase in staff resources to cater for the beneficiaries' needs and related activities.

368. In this area, the Registry has also managed to find reductions, including by defunding the aforementioned posts in the field. For instance, to offset a €0.2 million increase in travel related to witness protection and witness appearances before the Court, decreases in travel were made in other DEO sections, producing an overall travel increase in DEO equivalent to only about half total travel costs needed for witness-related travel alone. These genuine, determined and rigorous efforts have led to a **total reduction of €0.5 million, reducing the effective increase for the purpose of supporting investigative activities from €1.9 million to €1.4 million.**

### **Focal Point for Gender Equality and ombudsperson**

369. The Focal Point for Gender Equality and the ombudsperson are two major Court-wide initiatives but are currently budgeted formally under the Registry budget.

370. For the 2022 budget, the Court proposes an established post of Focal Point for Gender Equality (FPGE) (P-4). The pressing and compelling need to address gender issues and gender equality at the Court has been underlined multiple times, including in the last staff engagement survey, the Independent Expert Review report (Recommendation 15) and recent staff barometers. It was also a joint commitment expressed by the heads of organs as well as an essential element within the Registry Strategic Plan for 2019-2021 in the context of the strategic goal of improving geographical representation and gender balance at the Court. It was also reflected in the Court-wide Strategic Plan for 2019-2021 (Goal 3: Further develop mainstreaming of a gender perspective in all aspects of the Court's judicial and prosecutorial work) as well as that of the OTP. The States Parties have likewise frequently underlined the urgency of improving gender equality at the Court.

371. The Focal Point for Gender Equality is envisaged as an independent function, with the incumbent reporting directly to the principals of the Court. For administrative purposes (leave requests, coordinating the performance appraisal process, etc.), the Focal Point will report to the Chief, Human Resources Section. The Focal Point's primary role is to provide support to the principals in strengthening gender equality at the Court through five main functions: (i) advocating for women's and gender issues; (ii) providing individual counselling; (iii) monitoring the Court's progress in strengthening gender equality; (iv) raising awareness through training programmes, workshops and events; and (v) advising on gender parity targets.

372. Given the repeated calls for action from multiple stakeholders, the Court's own commitments and the need for urgent change, the Court appointed a staff member through an open and competitive recruitment process in March 2021 to act in this function in the interim for an initial period of one year, pending the decision of the Assembly of States Parties ("the Assembly").

373. Through the Focal Point, the Court will be developing and implementing its first "Strategy on Gender Equality and Workplace Culture", in line with what many other international organizations have done in recent years. For this strategy and relevant action plans to be implemented, monitored and reviewed, and by a dedicated person, modest resources are requested for training and travel in order to ensure the steps taken are meaningful, impactful and sustainable, bringing forth actionable and sustainable change. The total staff and non-staff resources required are €0.2 million.

374. The need for the function of an ombudsperson at the Court has similarly been highlighted on a number of occasions including by the Independent Expert Review (Recommendation 118). The purpose of an ombudsperson would be to resolve disputes and conflicts in an informal, amicable and effective way, as a preliminary, non-compulsory instance. The experience of other international organizations has demonstrated that this approach may significantly reduce potential litigation costs for the organization, while also improving staff morale.

375. In the proposed budget for 2022, the Court is requesting consultancy fees (€70.2 thousand) for an ombudsman on a temporary basis, while a more permanent solution will be put to the Assembly in the proposed budget for 2023.

### **Reductions, savings and efficiencies**

376. The Registry has proactively sought to mitigate the impact of the aforementioned surges in resource needs by implementing a series of measures aimed at increasing flexibility and scalability, and by reassessing the required level of support for projected activities in 2022.

377. The proposed increase would have been higher had it not been for reductions, savings and efficiencies across the Registry. This is illustrated in an unprecedented effort to reduce long-term costs of established posts in 2022, not only by defunding posts in the field but also by abolishing some posts at Headquarters, as well as by introducing a flexible workforce to limit long-term financial commitments. As recommended by the Committee on Budget and Finance (“the Committee”) on many occasions, and most recently at its thirty-sixth session<sup>104</sup>, the Court is to use resources based on actual workload requirements and redeploy or discontinue posts that are unfilled and considered not to be needed. The careful review of requirements has led to the abolishment of three established posts and one GTA position, while converting five GTAs to established posts and requesting five new posts.

378. These efforts illustrate the continuous effort of the Registry to implement the leanest possible operations. The Registry continues to focus on efficiencies and savings improvements, the details of which are provided in the annex to the budget.

379. In addition to the reductions already indicated, the Registry has been able to limit the overall increase with a reduction of €0.9 million in the information technology and information management strategy, as detailed in the DJS narrative.

380. To recall, the Registry’s proposed budget for 2021 presented an increase in its vacancy rate from 10 to 12 per cent, which led to a reduction of approximately €1,100.0 thousand. The Registry also applied cross-cutting reductions of 15 per cent to travel and training, resulting in reductions of €260.0 thousand and €120.0 thousand, respectively. Mindful of the continuing financial difficulties of many of the Court’s States Parties, the Registry has decided to continue with these reductions for the proposed budget for 2022. These are not counted formally towards reductions but should nonetheless be taken into account in the context of the Registry’s long-term budgetary self-restraint.

381. The table below provides an overview of the main cost drivers for the requested increases in 2022 as well as the main reductions, savings and efficiencies. Other increases and decreases are more minor and have the effect of cancelling each other out for the purpose of the macro analysis.

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<sup>104</sup> ICC-ASP/20/5

**Calculation of net increase based on approximate increases and reductions in the Registry budget**

	<b>Additional costs</b>	<b>Reductions</b>	<b><i>Effective total</i></b>
From one to two and a half courtroom teams	€4.8 million	- €0.4 million	€4.4 million
Support for victim-related activities	€0.5 million		€0.5 million
Legal aid for defence	€1.6 million		€1.6 million
Legal aid for victims	€0.5 million		€0.5 million
Support for investigative activities	€1.9 million	- €0.5 million	€1.4 million
Focal Point for Gender Equality and ombudsperson	€0.3 million		€0.3 million
Reductions – IT strategy		- €0.9 million	- €0.9 million
<i>Subtotal</i>	€9.6 million	- €1.8 million	
<b>Net increase</b>	<b>€7.8 million</b>		

**Conclusion**

382. The proposed budget of the Registry for 2022 is the result of a rigorous approach, with full awareness of the difficult economic conditions faced by many of the Court's States Parties and with deep appreciation for the financial support the Court and the Registry have received thus far. Although the Registry is proposing an unavoidable increase for 2022, it has continuously reduced the level of its proposed programme budgets in recent years, and the proposed budget for 2022 is the first budget since the 2018 budget with a proposed increase as compared to the approved budget of the preceding year.

383. With the total of €9.6 million in additional costs to support four trials – two new trials and two ongoing trials continuing at an accelerated pace – through two and a half courtroom teams and legal aid for defence and victims, provide support for victim-related activities and investigations, and enable two important Court-wide initiatives, namely the Focal Point for Gender Equality and the ombudsperson, the Registry has nonetheless managed to produce a significantly reduced total increase of €7.8 million thanks to its utmost efforts to find reductions, savings and efficiencies in its continuous aim for budgetary self-discipline.

**Table 19: Major Programme III: Proposed budget for 2022**

Major Programme III Registry	2020 Expenditures (thousands of euro)			2021 Approved Budget	Resource Changes		Proposed 2022 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				28,931.9	547.2	1.9	29,479.1
General Service staff				18,390.0	460.7	2.5	18,850.7
<i>Subtotal staff</i>	<i>48,302.9</i>	<i>-</i>	<i>48,302.9</i>	<i>47,321.9</i>	<i>1,007.9</i>	<i>2.1</i>	<i>48,329.8</i>
General temporary assistance	4,149.2	231.0	4,380.2	3,725.4	2,618.9	70.3	6,344.3
Temporary assistance for meetings	338.7	166.3	505.0	361.8	1,321.2	365.2	1,683.0
Overtime	164.5	40.1	204.6	223.2	183.5	82.2	406.7
<i>Subtotal other staff</i>	<i>4,652.4</i>	<i>437.4</i>	<i>5,089.8</i>	<i>4,310.4</i>	<i>4,123.6</i>	<i>95.7</i>	<i>8,434.0</i>
Travel	557.0	112.7	669.6	1,498.8	265.5	17.7	1,764.3
Hospitality	2.3	-	2.3	4.0	-	-	4.0
Contractual services	1,863.8	177.3	2,041.1	3,083.4	(965.6)	(31.3)	2,117.8
Training	327.6	-	327.6	524.7	(38.6)	(7.4)	486.1
Consultants	533.1	108.4	641.5	506.8	254.9	50.3	761.7
Counsel for defence	2,710.4	921.4	3,631.7	3,943.7	1,629.0	41.3	5,572.7
Counsel for victims	1,211.9	328.8	1,540.7	1,727.1	464.5	26.9	2,191.6
General operating expenses	10,762.9	208.8	10,971.6	11,293.1	632.0	5.6	11,925.1
Supplies and materials	825.4	131.4	956.9	1,019.5	(14.3)	(1.4)	1,005.2
Furniture and equipment	1,152.2	82.1	1,234.3	550.6	436.0	79.2	986.6
<i>Subtotal non-staff</i>	<i>19,946.4</i>	<i>2,070.8</i>	<i>22,017.3</i>	<i>24,151.7</i>	<i>2,663.4</i>	<i>11.0</i>	<i>26,815.1</i>
<b>Total</b>	<b>72,901.7</b>	<b>2,508.2</b>	<b>75,410.0</b>	<b>75,784.0</b>	<b>7,794.9</b>	<b>10.3</b>	<b>83,578.9</b>

**Table 20 Major Programme III: Proposed staffing for 2022**

III	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
<b>Established Posts</b>														
Approved 2021	-	1	-	3	22	44	82	90	5	247	15	312	327	<b>574</b>
New	-	-	-	-	-	1	3	2	1	7	-	3	3	<b>10</b>
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	(3)	(3)	<b>(3)</b>
<b>Proposed 2022</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>3</b>	<b>22</b>	<b>45</b>	<b>85</b>	<b>92</b>	<b>6</b>	<b>254</b>	<b>15</b>	<b>312</b>	<b>327</b>	<b>581</b>
<b>GTA Positions (FTE)</b>														
Approved 2021	-	-	-	-	-	1.00	6.25	12.50	2.67	22.42	6.38	25.92	32.30	<b>54.72</b>
Continued	-	-	-	-	-	1.00	8.00	16.50	1.00	26.50	2.00	25.00	27.00	<b>53.50</b>
New	-	-	-	-	-	1.00	1.50	8.00	-	10.50	9.48	14.25	23.73	<b>34.23</b>
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	(1.00)	(2.00)	(1.00)	(4.00)	-	(2.00)	(2.00)	<b>(6.00)</b>
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2.00</b>	<b>8.50</b>	<b>22.50</b>	<b>-</b>	<b>33.00</b>	<b>11.48</b>	<b>37.25</b>	<b>48.73</b>	<b>81.73</b>

## 1. Programme 3100: Office of the Registrar

### Introduction

384. The Office of the Registrar (OTR) encompasses both the Immediate Office of the Registrar (IOR) and the Legal Office (LO).

385. 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 Court and external stakeholders. The IOR supports the Registrar in the performance of his executive functions and coordinates the remaining executive functions delegated to the Directors of Registry divisions.

386. The LO is responsible for performing the legal functions arising from the duties assigned to the Registrar under the legal framework of the Court, both as a criminal court and an international organization. The LO ensures the quality and consistency of legal approaches throughout the Registry and across a range of subject matters. In so doing, it coordinates the Registry legal network. Its practice areas, which broadly correspond to the Registry's three divisions, are regulatory and compliance, judicial matters, and external operations. Thus, for example, the LO handles staff litigation issues and advises on procurement matters and administrative issuances. It also coordinates Registry submissions in judicial proceedings and advises on detention and counsel matters. Furthermore, the LO negotiates and prepares agreements and arrangements between the Court and third parties, and advises on the interpretation and application of the Headquarters Agreement and other agreements.

### Operating environment and priorities

387. The IOR will continue to ensure that the Registry as a whole is able to successfully perform the administrative and operational tasks demanded of it in 2022. In this regard, the IOR ensures appropriate inter-organ coordination, provides the required support for the work of the Registry Management Team (RMT), enables the Registrar to ensure that high-quality services are delivered to the organs of the Court and that he is able to discharge his substantive responsibilities on matters such as witness protection, legal aid and support to counsel, and outreach. In addition to these tasks, the main priority in the work of the IOR in 2022 will be to support the Registrar in preparing for and implementing the Registry Strategic Plan for 2022-2024.

388. The LO's strategic priorities for 2022, apart from providing routine legal services across the Registry, will include continuing to revise the administrative legal framework of the Court with regard to, for example, the amicable settlement of disputes.

### Budget resources

**€1,680.5 thousand**

389. The proposed amount represents an overall increase of €14.3 thousand (0.9 per cent) as compared to the approved budget of €1,666.2 thousand for 2021. The proposed amount is still below the OTR's approved budgets for 2020, 2019 and 2018, which were €1,698.0 thousand, €1,720.4 thousand and €1,726.6 thousand, respectively.

390. In other words, after three years of consecutive decreases that have led to a cumulative total reduction of €60.4 thousand over the 2019-2021 period, the OTR is now proposing a modest increase of €14.3 thousand. This is directly attributable to the increase in travel for the Legal Office, required for the implementation of judicial decisions.

**With Staff resources****€1,627.7 thousand**

391. The OTR comprises 13 established posts.

*Established posts: Professional and General Service*

392. The proposed amount for established posts represents an overall decrease of €3.2 thousand (0.2 per cent) as compared to €1,630.9 thousand approved for 2021, as a result of the application of the UNCS. There are no changes in the number of established posts in the OTR.

**Non-staff resources****€52.8 thousand**

393. The overall amount requested for non-staff resources for the OTR has increased by €17.5 thousand (49.6 per cent) as compared to the approved budget for 2021. Non-staff resources are required for travel, hospitality, training and consultants.

394. The increase is exclusively attributable to the unprecedentedly high number of missions the LO is expected to conduct for the implementation of judicial decisions regarding the certification of prior recorded testimony pursuant to rule 68(2)(b) of the Rules of Procedure and Evidence in the cases that are expected to be at the trial stage in 2022.

*Travel**€37.0 thousand*

395. The proposed resources for travel for the OTR have increased by €17.5 thousand (89.7 per cent) as compared to the approved budget for 2021. The OTR's travel budget for 2021 had been reduced by €14.7 thousand as compared to 2020. The proposed increase from 2021 to 2022 therefore brings the OTR's overall travel budget to a level comparable to that for 2020.

396. This increase is entirely attributable to the LO's travel needs. The LO's proposed travel budget of €25.9 thousand will cover travel and related expenses incurred in the performance of its mandate, including (i) attendance at an annual meeting of legal counsel of specialized agencies of the United Nations system and related organizations; and (ii) implementation of judicial decisions regarding the certification of prior recorded testimony pursuant to rule 68(2)(b) of the Rules of Procedure and Evidence.

397. The proposed travel resources for the IOR have decreased by €0.6 thousand (5.1 per cent) as compared to the approved budget for 2021. The requested amount of €11.1 thousand is €9.9 thousand less than the 2020 approved budget. Due consideration has therefore been given to the likelihood that the Registrar's travel needs will still be significantly below the pre-pandemic levels. These resources are non-recurrent.

398. Resources are required by the Registrar to travel for the purpose of increasing support and cooperation at the highest levels among State Parties and key external partners such as the United Nations, other IGOs and NGOs. The Registrar also plans to visit one country office as part of his staff engagement strategy and to strengthen the Court's relationship with situation countries and local authorities so as to ensure smooth cooperation with the Court. These resources are recurrent.

*Hospitality**€4.0 thousand*

399. The amount requested for hospitality remains unchanged. The Registrar has proposed limited hospitality efforts aimed at increasing support and cooperation among States Parties and key external stakeholders. These resources are recurrent.

*Training**€6.8 thousand*

400. The amount requested for training has remained unchanged compared to the 2021 approved budget. This amount is a reduction of €1.2 thousand compared to the 2020 approved budget.

401. The proposed amount is required to cover the training needs of LO staff. In the light of the LO's complex and broad mandate, it is imperative to invest in both substantive and skill-based training. These resources are recurrent.

*Consultants*

*€5.0 thousand*

402. 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, in particular 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. These resources are recurrent.

**Table 21: Programme 3100: Proposed budget for 2022**

3100 Office of the Registrar	2020 Expenditures (thousands of euro)			2021 Approved Budget	Resource Changes		Proposed 2022 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				1,480.7	(8.6)	(0.6)	1,472.1
General Service staff				150.2	5.4	3.6	155.6
<i>Subtotal staff</i>	<i>1,628.1</i>	-	<i>1,628.1</i>	<i>1,630.9</i>	<i>(3.2)</i>	<i>(0.2)</i>	<i>1,627.7</i>
General temporary assistance	130.2	-	130.2	-	-	-	-
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	0.9	-	0.9	-	-	-	-
<i>Subtotal other staff</i>	<i>131.2</i>	-	<i>131.2</i>	-	-	-	-
Travel	7.7	-	7.7	19.5	17.5	89.7	37.0
Hospitality	2.3	-	2.3	4.0	-	-	4.0
Contractual services	5.3	-	5.3	-	-	-	-
Training	-	-	-	6.8	-	-	6.8
Consultants	7.1	-	7.1	5.0	-	-	5.0
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>22.4</i>	-	<i>22.4</i>	<i>35.3</i>	<i>17.5</i>	<i>49.6</i>	<i>52.8</i>
<b>Total</b>	<b>1,781.6</b>	-	<b>1,781.6</b>	<b>1,666.2</b>	<b>14.3</b>	<b>0.9</b>	<b>1,680.5</b>

**Table 22: Programme 3100: Proposed staffing for 2022**

3100	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
<b>Established Posts</b>														
Approved 2021	-	1	-	-	2	2	4	2	-	11	1	1	2	13
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>2</b>	<b>2</b>	<b>4</b>	<b>2</b>	<b>-</b>	<b>11</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>13</b>
<b>GTA Positions (FTE)</b>														
Approved 2021	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Continued	-	-	-	-	-	-	-	-	-	-	-	-	-	-
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

## 2. Programme 3200: Division of Management Services

### Introduction

404. The Division of Management Services (DMS or “the Division”) 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, 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).

405. OD-DMS is responsible for the overall direction 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, risk management and reporting on organizational performance. OD-DMS coordinates audit compliance throughout the Court as well as Court-wide efforts to meet the reporting requirements of oversight bodies including the Committee on Budget and Finance (“the Committee”), the Audit Committee and the Hague and New York Working Groups. It provides the strategic framework and operational support for the use of the Court’s Enterprise Resource Planning (ERP) system, SAP, through its SAP team, and supports the delivery of SAP-related projects aimed at automating work processes. OD-DMS also promotes and maintains a duty of care by implementing policies and programmes to ensure the physical, mental and emotional well-being of staff through the Occupational Health Unit (OHU).

406. 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, staff grievances, recruitment, post management, administration of contracts (staff and non-staff), benefits, entitlements and payroll, insurance and pension matters. Emphasis is also placed on performance management, staff training and managerial development. 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, forecasting and reporting on budget implementation.

407. 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, including cash flow projections to monitor liquidity risk, and accounting and financial reporting. In addition, DMS provides assistance and guidance in relation to financial policies and processes across the Court.

408. In the area of general services, the Division is responsible for daily operations at the Headquarters premises, including the management of soft services such as catering, cleaning, utilities and services to the conference cluster, in addition to hard services such as building maintenance, repairs and replacements. In the field, DMS is responsible for assessing and adapting premises. Through its Procurement Unit, it provides value for money on goods and services required by the Court and other services in the following areas: fleet management, shipping, transport (including support for the transport of witnesses to and from 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.

409. DMS provides a safe and secure working environment at Headquarters and protects all persons to whom the Court owes a duty of care, along with the Court’s tangible and intangible assets. DMS is responsible for policy development related to security and safety, both for the field and Headquarters, and liaises with the host State on security-related matters. At Headquarters, the Division provides uninterrupted, round-the-clock security and safety services, including for the safe and undisturbed conduct of court hearings.

## Operating environment

410. The Division has been able to adjust effectively to a dynamic environment and evolving operational needs. Adjustments made by DMS have enabled it to contain the impact of an increased workload (need for two and a half courtroom support teams), unavoidable cost increases such as rises in the price indices for Court-wide goods and services falling under the Division's remit, and the limited contractual impact of the application of the United Nations Common System (UNCS) in 2022.

411. DMS will continue providing services in the areas of budget, finance, human resources, general services, occupational health, security and safety, and SAP support. It will also continue coordinating the provision of information to oversight bodies and other stakeholders throughout the year, including the Hague Working Group, the Committee, the Audit Committee, the External Auditor and the Office of Internal Audit, so that they can discharge their mandates efficiently and effectively. At the same time, the Division will carry on streamlining processes and procedures and reinforcing internal controls, *inter alia* for activities planned in the context of the Registry's Strategic Plan for 2019-2021. Those planned activities have informed the preparation of the 2022 budget proposal in this period of transition.

## Strategic priorities in 2022 and link to the 2022 Proposed Programme Budget

412. The Division's overarching objective is to provide the necessary administrative and operational services to the entire Court, having regard to the request of the Assembly of States Parties that budget increases be sought only "after all possible steps have been taken to finance such increases through savings and efficiencies".<sup>105</sup> To that end, in 2022, DMS will continue to focus on solutions that enhance its services with a view to efficiently supporting the entire Court in achieving its high-level priorities as regards the conduct of both judicial and prosecutorial activities. That will include the continuation of projects to improve Court-wide processes such as procurement, travel and recruitment. DMS will likewise support the Registry's priorities with regard to the mandates of the Court and the Registry and the continuous improvement and promotion of staff engagement, geographical distribution and gender balance.

### *Judicial and prosecutorial activities in 2022 and focus on the mandates of the Court and the Registry*

413. In addition to providing management services to the entire Court (Headquarters and country offices) as described in the introduction above, DMS will provide direct support for both judicial and prosecutorial activities. The Division will support the expected increase in courtroom activity including with respect to final appeals and trial proceedings in five cases. Increases in the volume of services required are expected in 2022 in several areas: security 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 hearings; and facilities management at Headquarters and in the field. Furthermore, reparations in the *Lubanga*, *Katanga*, *Al Mahdi* and *Ntaganda* cases will continue to be implemented in 2022, requiring DMS to provide support both at Headquarters (e.g. travel-related services, financial services and procurement) and in the field (e.g. local transportation and facilities management), for the TFV and others. The 2022 budget proposal for DMS absorbs the expected increase in support services for courtroom activities, with the exception of security and safety services, which require a limited increase partially offset by decreases in other areas.

414. Similarly, the OTP's ongoing active investigations in 2022 will require DMS support for the arrangement of official travel and medical services (expected to continue posing particular challenges post-pandemic) for investigators, analysts and others; shipping services; and management of the Court's vehicles at country office locations to ensure the safety and

<sup>105</sup> *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Nineteenth session, The Hague, 14-16 December 2020 (ICC-ASP/19/20/AV)*, vol. I, part III, ICC-ASP/19/Res.1, section K, para. 1.

efficiency of Court operations in difficult environments. Other stakeholders such as the TFV will also rely on assistance from DMS to conduct their operations. Direct support from DMS will be required to respond to the volatile security environment of the situation countries in which the Court operates.

*Court-wide information technology projects and continuous improvement*

415. DMS will continue to play a leading role in identifying and implementing proposals aimed at achieving savings and efficiencies in various administrative service areas, mainly through process streamlining, automation and control. In this regard, DMS will make the most of the Court's management software (SAP).

416. To support the implementation of this strategy of continuous improvement, DMS will continue working on improving administrative processes and putting in place automation initiatives. The Division's objectives will be to continue reviewing, streamlining and digitizing paper-based administrative processes; to build efficiency through greater automation; and to strengthen internal control. Particular focus will continue to be placed on the implementation of recommendations from the review of Court-wide processes in the areas of procurement, travel and recruitment, as specified in the Registry's Strategic Plan for 2019-2021.

417. In 2022, DMS will continue to assist with the implementation of automation projects through an ongoing review of several administrative processes which is aimed at improving the information systems used for human resources, financial and budget purposes. In 2021, DMS pursued several projects and changes aimed at further automating and digitizing administrative processes. The Division is also analysing available options and preparing a roadmap for a substantial upgrade, planned to take place between 2025 and 2027, to the current version of SAP. With the current version being phased out by 2027, the transition to the latest version, SAP S/4HANA, requires a detailed impact analysis and a clear roadmap for implementation. The upgrade will not only affect the administration of the Court but will also require replacing the SAP hardware and databases which are managed by the Information Management Services Section.

*Promotion of staff engagement and organizational culture*

418. The steps to be taken in this area include activities to improve team cohesion and communication; implementing training, including training programmes for managers, required for the effective delivery of tasks; and addressing welfare issues to improve staff motivation, productivity and work-life balance. The objective is to motivate staff to perform at their best. Communication and ongoing feedback will play a key role in identifying achievements, strengths, areas for development and, consequently, action plans to help the Registry and the Court continuously enhance their organizational performance. Emphasis will be placed on the Court's corporate leadership development programme, in line with the Registry's Strategic Plan for 2019-2021, which will continue in 2022, and on the initiation of the transition to more generic job profiles and competency mapping, so as to support the workforce planning and mobility required for a flexible workforce. Initiatives related to staff engagement and staff well-being will also include the Secondary Trauma Survey (STS) prevention project and the creation and implementation of human resources policies.

**Budget resources**

**€18,756.3 thousand**

419. By identifying more efficient solutions and consolidating the structure of the Division as described below under the relevant budget headings, DMS has found a way to adapt to changes in operational needs, support the increased workload of concurrent proceedings for four trials, using a flexible and efficient approach and provide for other unavoidable costs, achieving a limited net increase of €604.6 thousand (3.3 per cent). As detailed in Annex XVI, savings, efficiencies, and previous-year non-recurrent costs amount to €393.7 thousand.

420. As detailed below under the heading of staff resources, DMS proposes several revisions to the structure of the Division to achieve savings that partially absorb certain unavoidable costs. As regards non-staff resources, DMS has managed, through continued reprioritization and the search for efficiencies, to keep its request below the 2020 pre-pandemic approved budget by €962.8 thousand.

421. The overall proposed increase in DMS is mainly due to (i) the provision of additional security services to support the expected increase in judicial activity, which will be conducted in at least two courtrooms instead of in one courtroom, (ii) the unavoidable price index increases concerning goods and services for which DMS is a Court-wide service provider, and (iii) the implementation of strategic priorities, such as those concerning leadership development and the transition to more generic job profiles to support workforce planning and mobility, in line with the objectives set out in the Registry's Strategic Plan.

#### Staff resources

**€14,977.5 thousand**

422. For 2022, DMS proposes 180 established posts and 10 GTA positions (8.5 FTE). The overall proposed amount of €14,590.8 thousand for Established Posts and GTA positions represents an increase of €268.1 from the 2021 baseline of €14,322.7 thousand. As explained in the following paragraphs, the increase would have been €409.3 thousand had DMS not proposed staffing changes resulting in efficiency gains and corresponding savings of €141.2 thousand.

423. The Committee has recommended on a number of occasions, and most recently at its thirty-sixth session, that the Court use resources on the basis of actual workload requirements and redeploy or discontinue posts that are unfilled and considered not to be needed.<sup>106</sup> DMS has analysed its staffing structure accordingly and proposes the changes described below. Those changes include the conversion of one P-2 position; the abolishment of one GS-PL (GTA) position and the creation, in its stead, of an established post at GS-OL level; the conversion of one GS-OL position; the abolishment of three established posts at GS-OL level; and the creation of one new established post at P-3 level. Conversions result in cost reductions since the vacancy rate applies to established posts. As noted above, the proposed staffing changes, including abolishment of positions, result in savings of €141.2 thousand and provide for a more efficient and flexible approach to the delivery of services in response to evolving operational needs.

424. Those savings have allowed DMS to partially offset two unavoidable increases: (i) €171.1 thousand in respect of the application of the UNCS; and (ii) six new GTA positions (4.5 FTE) needed to manage the expected increase in judicial activity in 2022. As explained below, the latter represents a more efficient solution than previously envisaged to meet the additional security and safety needs of several courtrooms.

#### *Established posts: Professional and General Service*

**€13,875.0 thousand**

425. The requested staff costs represent an increase of €312.5 thousand (2.3 per cent). However, as explained in paragraphs 416, 417 and 418, this increase is to be considered in conjunction with the reduction in GTA. The proposed changes in the staffing structure are described below.

426. *Request to convert one Associate Administrative Officer (P-2) GTA position into an established post, which will generate minor savings.* The current GTA position, serving OD-DMS, was initially proposed as a new established post in the Proposed Programme Budget for 2019 but was approved on a GTA basis because the structure of the Registry was still quite recent. Previously, the functions of this position had been performed by a Junior Professional Officer. These resources have therefore been made available for the last five years, and the need is expected to continue. The request for conversion responds to the need to continue supporting the Director in the day-to-day running of the Office and in the management of the Division from a budgetary, financial, general services, human resources and security and safety perspective, and to the year-round need to address requirements from external stakeholders such as the Committee, the Hague Working Group, the Assembly of States Parties, the External Auditor and the Audit Committee. Support is also needed for the coordination, guidance and oversight of audit compliance; strategic planning initiatives; and assessment and implementation of the Independent Expert Review recommendations within the Division. Finally, the post would also contribute to assisting the Director on various intra-organ matters and Registry-specific requirements.

<sup>106</sup> ICC-ASP/20/5/AV, para. 46.

427. *Request to abolish one Senior Nurse (GS-PL) GTA position and replace it with a new established post of Occupational Health Nurse (GS-OL); request to convert one Field Paramedic (GS-OL) GTA position into an established post (GS-OL); these changes will generate minor savings.* The positions of Occupational Health Nurse and Field Paramedic were created pursuant to a pilot project carried out by the Court in 2018 after the decision not to renew a medical services contract with an external vendor. The insourcing of those positions generated savings of €22.2 thousand<sup>107</sup> and met a permanent operational need. It enhanced the Division's ability to provide required medical and welfare services and resulted in new efficient workflows (which have proven all the more effective amid the challenges of the COVID-19 pandemic). The Occupational Health Nurse will address pressing health issues and implement preventive programmes and measures, while providing backup when the Court's medical staff are on leave or attending mandatory training to maintain certifications. The Field Paramedic will maintain and manage medical equipment, pharmaceuticals and relevant infrastructure for field operations; assist with remote (high-risk) missions; train field staff on first aid and emergency protocols; write and maintain standard operating procedures for field medical support; and write reports and situation updates as needed. The Field Paramedic is based in The Hague and can be dispatched quickly and efficiently to deal with medical emergencies in the field or support critical missions.

428. *Request to abolish three established posts: two Handyman (GS-OL) posts and one Facilities Technician (Buildings) (GS-OL); request for one new established post of Facilities Contracts and Resources Officer (P-3); these changes will generate savings.* These changes are in line with the professionalization of the Court's facilities management operations. Vacancies are used to fund the requested staffing changes. The Facilities Contracts and Resources Officer will prepare, manage, coordinate and oversee the delivery of soft and hard building services contracted out to external partners. The incumbent will be responsible for financial control and invoicing in accordance with the Court's Financial Regulations and Rules, monitoring of contractor performance and coordination of building services at the Court's Headquarters, including replacement of building components that have reached the end of their useful lives (capital replacements).

*General temporary assistance*

*€715.8 thousand*

429. Despite the increased operational needs expected in 2022 in respect of judicial activities and Court hearing days, the requested amount represents a net decrease of €44.4 thousand (5.8 per cent). This reflects the expected reduction of €283.4 thousand in GTA costs, made possible by the proposed changes to consolidate the current Division's staffing structure; the need for six new Security Officer GTA positions (4.5 FTE) to support courtroom increased activities, at a cost of €238.2 thousand; and the costs associated with the application of the UNCS to GTA positions, amounting to €0.8 thousand. New GTA requirements and those that DMS proposes to continue in 2022 are described below.

430. *One Human Resources Officer (Legal and Policy) (P-3), 12 months. Continued. Multi-year.* The Human Resources Officer (Legal and Policy) is required to continue supporting the Court's policy developments, act as Secretary to the Advisory Board on Compensation Claims and support early resolution of contract disputes.

431. *One Associate ERP Systems Officer (P-2), 12 months. Continued. Multi-Year.* The position continues to be required to assist with implementing SAP enterprise resource planning projects and changes under the 2017-2022 information technology/information management strategy endorsed by the Information Management Governance Board. This includes the completion of ongoing projects and changes initiated in previous years, such as the SAP staff cost management project (SAP PCP/PBC), the implementation of the United Nations pension fund financial interface and support in preparing and developing a Court-specific roadmap for the transition to the new SAP S/4HANA platform. The transition is recommended for all SAP customers as the current ERP system reaches its end of life between 2025 and 2027, after which it will no longer be supported by the supplier. SAP S/4HANA is expected to better support administrative business processes with increased usability and performance. The position is also required to assist with the implementation of SAP automation projects and SAP knowledge management and training, including the

<sup>107</sup> *Official Records ... Sixteenth session ... 2017* (ICC-ASP/16/20), vol. II, part A, Annex X, table A.

publication of SAP training materials in the new learning management system to facilitate online and remote SAP learning. Considering the volume of SAP service requests and the increasing demands for system changes as a consequence of the travel and procurement process reviews, the position is also required to cope with the SAP Team's high workload.

432. One *Associate Procurement Officer (P-2)*, 12 months. *Continued. Multi-year.* This position is needed to track contracts and to accommodate the transfer of the role of Secretary to the Procurement Review Committee from the Registry Legal Office, the expansion and improvement of the vendor database, and the increase in the amount of complex procurement.

433. Three *Security Officers (GS-OL)* 12 months and Three *Security Officers (GS-OL)* 6 months *New. Multi-year* The expansion to concurrently operating courtrooms in 2022 would ordinarily require a total of fourteen GTA Security Officers to escort defendants and ensure the safety and security of hearing participants and public observers. However, on the basis of a revised business model and careful consideration of the activities expected in 2022, DMS proposes a flexible and more efficient approach whereby staffing needs can temporarily be covered by a combination of six GTA Security Officers (4.5 FTE) and overtime in the amount of €183.5 thousand. This proposed approach would allow DMS to achieve savings of approximately €257.4 thousand (as measured against the cost of seven GS-OL positions and the cost of needed overtime to cover for extended courtroom hours) while ensuring the required flexibility and enabling the provision of security and safety services in line with the development of judicial proceedings and courtroom requirements. The Division previously had seven GTA Security Officers to support simultaneous hearings, but some of those resources were temporarily removed from the budget once only a single courtroom was being used.

434. One *Staff Counsellor (P-3)*, 12 months. *Continued. Multi-year.* The position is needed as additional staffing for the OHU to deliver on the Secondary Trauma Survey prevention project. In carrying out their duties and responsibilities, many staff members are directly or indirectly exposed to evidence or stories of crimes committed in cases before the Court. Studies have shown that intense exposure to potentially traumatizing material can lead to the development of psychological or physical symptoms similar to those of Post-Traumatic Stress Disorder (PTSD), such as numbness, sadness, anxiety, sleep and concentration problems or muscular pain and headaches. In January 2019, the Coordination Council and the Staff Wellbeing and Engagement Committee endorsed a three-year project on Secondary Trauma prevention ("the STS project"). Owing to the COVID-19 pandemic, the STS project was suspended in March 2020 and will be relaunched in the second half of 2021. Finalization of the project will require the continued services of the Staff Counsellor.

#### *Overtime*

*€386.7 thousand*

435. The requested amount has increased by €183.5 thousand (90.3 per cent) to support the increased number of Court hearing days planned for 2022 (421 days). Overtime resource requests are recurrent and fluctuate to cope with operational needs. Overtime requirements are reassessed annually.

436. In total, an amount of €306.7 thousand in overtime is required to cover: (i) security and safety services for additional hours of Court hearings in courtrooms in 2022; (ii) security and safety services during official Court holidays; and (iii) night differential for GS-OL staff working evenings and nights. Overtime is the preferred and most cost-efficient option for providing these services.

437. In the area of general services, despite the expected increase in workload to support more courtrooms hearing days, overtime requirements remain unchanged in the amount of €74.0 thousand, mainly to accommodate out-of-hours driver services, facilities staff, travel assistants and, occasionally, procurement buyers. Overtime will be needed for the local transport of some of the 131 witnesses expected to appear at Court hearings in 2022.

438. An amount of €6.0 thousand also continues to be required for time-bound activities such as the preparation of the annual proposed and approved programme budgets, and for periods of accounting close, financial reporting and external auditing.

**Non-staff resources****€3,778.8 thousand**

439. Non-staff resources are required for travel, contractual services, training, consultants, general operating expenses, supplies and materials, and furniture and equipment. The non-staff budget proposal for DMS represents an overall net increase of €153.0 thousand (4.2 per cent) but remains below the approved 2020 pre-pandemic budget of €4,741.6 thousand by €962.8 thousand. This shows the continued efforts made by DMS to consolidate the savings already achieved. The limited increase is mainly due to (i) contracts for goods and services to the entire Court that are subject to consumer price index adjustments, reflected under general operating expenses; (ii) implementation of the Court's strategic priorities concerning mobility (to facilitate flexibility and staff development) and well-being (to enhance staff engagement), pursuant to the Registry's Strategic Plan for 2019-2021, reflected under consultants; and (iii) software licensing fees for the online learning management system and the newly implemented digital personnel files and HR service platform, reflected under general operating expenses, in line with the Division's continuous improvement initiatives. DMS has also achieved reductions in training costs thanks to a more efficient approach to training adopted during the COVID-19 pandemic.

440. Through continued reprioritization and the search for efficiencies, DMS has been able to contain its overall non-staff costs for 2022 to the lowest level in the last five years (2016-2020), during which the average approved budget for non-staff costs was €5,033.4 thousand. Restrictions related to the COVID-19 pandemic made 2021 an exceptional year.

*Travel**€129.7 thousand*

441. Despite the increased workload, the requested amount, which supports recurrent operational needs, has remained unchanged.

442. The proposed amount of €45.5 thousand will cover travel to attend relevant United Nations system conferences on finance (accounting standards/IPSAS, treasury services, etc.) and budget matters, medical and staff welfare matters, and management and human resources developments, and to attend meetings with relevant UN bodies to keep abreast of the latest inter-agency developments on ERP projects, SAP initiatives and efficiency efforts, which are especially important given the Court's upcoming transition to the new SAP S/4HANA platform. The amount will also cover HR-related travel to the field and General Service staff travel to field locations for physical inventory of the Court's country office assets and assessment of the maintenance status of facilities and vehicle fleets for purposes of capital replacement planning and to ensure that vehicles are maintained to standard and used appropriately.

443. In the area of security, an amount of €84.2 thousand is requested to ensure security support for the Presidency, the Prosecutor and the Registrar during official travel to situation countries and other locations. These resources will also cover travel to the country offices by the Field Security Coordinator to provide operational support for inspections, compliance verification and policy assurance, and for participation in security management and coordination meetings with UNDSS, the Inter-Agency Security Management Network and INTERPOL.

*Contractual services**€272.4 thousand*

444. The requested amount has increased by €32.0 thousand (13.3 per cent), reflecting overall savings achieved by a more efficient and flexible approach to facilities management services. Under this approach it is requested that three established posts be abolished and that a conference and logistics support contractor be engaged to accommodate the expected resumption of conference services after the COVID-19 pandemic.

445. An amount of €33.7 thousand is required for the following: highly specialized services to support the design of, and reporting on, travel-related key performance indicators and to assess the feasibility of implementing SAP Concur travel and expense management pursuant to the recommendations generated by the review of the travel process; external expertise to assess the SAP S/4HANA-readiness of the Court's current SAP landscape and the Court's deployment options upon transitioning to SAP S/4HANA; support, maintenance and

development of the existing SAP ERP/BW/BO systems which are more than 15 years old and reaching their end of life: and support, maintenance and development of the SAP SuccessFactors cloud application. The required resources are non-recurrent.

446. An amount of €43.3 thousand is requested to cover United States tax reimbursement administrative fees, the mandatory actuarial valuation for IPSAS-compliant financial statements and yearly membership fees for the Finance and Budget Network, the United Nations system Task Force on Accounting Standards and the Working Group on Common Treasury Services.

447. The remaining resources are requested to cover United Nations laissez-passer renewal, building management software maintenance; external printing and postage costs, the annual fee for the formal agreement between the Court and INTERPOL; key-holding services for the residences of elected officials; rental of the shooting range to conduct firearms training and certification; consulting services provided for the STS project, and related debriefing of the Head of OHU and the Staff Counsellor; and the yearly mandatory cost-sharing contribution to the United Nations system network of medical officers, which works on implementing best practices and international guidelines within the United Nations system and its affiliated agencies. These resource requirements are recurrent.

#### *Training*

*€314.7 thousand*

448. The requested amount has decreased by €49.6 thousand (13.6 per cent) thanks to a more efficient approach to training whereby the majority of the Court's corporate training and knowledge sharing is provided online, and thanks to the lessons learned from the COVID-19 pandemic. The Court's online learning platform offers a library of flexible, cost-effective tutorials in several languages on personal and professional goal achievement and performance management. It also includes language courses and the Court's onboarding programme for new staff.

449. An amount of €183.8 thousand is requested mainly to cover the Court's corporate training programmes, including the Court's corporate leadership development programme, in line with the commitment made in the Registry's Strategic Plan for 2019-2021 to agree and disseminate a Court-wide leadership framework and make available the relevant training.

450. In the area of security, an amount of €93.6 thousand is required to ensure the provision of mandatory training for security staff and other staff involved in emergency response, in full compliance with Court and host State regulations. The mandatory training includes first aid, fire and emergency response and (in the case of Security Officers) firearms training and specialized topics such as transport of defendants and close protection. Training on safe and secure approaches in the field environment will continue to be delivered in collaboration with the host State military.

451. An amount of €22.6 thousand is required for medical training. The Medical Officer, the Senior Nurse and the Occupational Health Nurse/Paramedic are required to maintain their accreditations, authorizations, skills and BIG registration in the Netherlands, for which they must attend mandatory specialized training courses.

452. An amount of €14.7 thousand is required mainly for technical training related to the upcoming transition to the new SAP S/4HANA system, specialized training in financial reporting, mandatory training for drivers and management training. Training resource requirements are recurrent.

#### *Consultants*

*€51.5 thousand*

453. The requested amount has increased by €26.0 thousand (102.0 per cent). The increase is due to the need to engage an expert to initiate the transition to more generic job profiles and competency mapping to support the planning and mobility required for a more flexible workforce. This is also expected to increase efficiency in the recruitment process. These resources are non-recurrent.

454. Limited resources are also required mainly for an expert consultant to provide support on the administration of the Court's insurance programmes.

*General operating expenses**€2,748.2 thousand*

455. The proposed amount has increased by €124.6 thousand (4.7 per cent). All resource requirements below are recurrent.

456. The requested amount has increased to cover (i) the Court's software licensing fees for its online learning management system, which have been more than offset by the reduction in training costs, and the newly implemented digital personnel files and HR service platform, the cost of which is estimated at €62.0 thousand; and (ii) the increased cost of utilities due to the 2.8 per cent increase in the local consumer price index. This index increase has been offset by reductions in other general operating expenses. Cleaning costs in particular have not returned to 2019 levels despite the projected resumption of ordinary office operations. The Court will attempt to control cleaning costs through a different approach, despite the increased cost of sanitization due to COVID-19.

457. The bulk of general operating expenses are related to general services in the amount of €2,098.0 thousand and include cleaning at Headquarters (€715.0 thousand); electricity and electrical transmission (€443.6 thousand); heating and cooling (€353.0 thousand); adjustments to premises in The Hague and in situation countries (€75.0 thousand); grounds maintenance (€35.0 thousand); waste management (€35.0 thousand); freight forwarding (€55.0 thousand); vehicle and equipment maintenance at Headquarters (€20.0 thousand); water (€60.0 thousand); and commercial insurance policies (€157.0 thousand). The remainder is made up of smaller items such as furniture repair, sewage charges, pest control, parking permits and other sundries (€149.4 thousand).

458. An amount of €332.2 thousand is required to cover maintenance fees for SAP licenses, fixed costs related to SAP software maintenance and SAP SuccessFactors cloud service subscription fees. These costs are fixed and directly related to the number of users at the Court. They are optimized by retaining the most economical license type according to user needs.

459. An amount of €22.0 thousand is required to cover license costs and data maintenance for the digital medical filing system (healthcare management software) that allows the Court to perform health risk assessments, recommend prevention programmes and provide management with validated up-to-date information.

460. An amount of €164.0 thousand is required for the following security-related services: (i) the United Nations Security Management System membership fee; (ii) mandatory inspections and preventative and corrective maintenance of security screening equipment (X-ray machines, walkthrough metal detectors and handheld metal detectors); (iii) maintenance of firearms and other security and training equipment; (iv) maintenance and update of the computer-based X-ray training system (Quadratica) required for the recertification of Security Officers; (v) and maintenance and upgrades of the SCAAN (Security Communications and Analysis Network) application, which provides a comprehensive, reliable digital solution to deliver timely, effective and efficient communication and assistance to staff members in any situation, especially during an emergency or crisis.

461. An amount of €70.0 thousand continues to be required to cover banking service fees and charges.

*Supplies and materials**€232.3 thousand*

462. The proposed amount remains unchanged. All resource requirements are recurrent.

463. An amount of €169.0 thousand remains unchanged and is required to cover items under the framework contract for supplies, stationery, toner and paper; building management supplies; building management hardware and electrical supplies; uniforms for drivers and other General Service staff; fuel and supplies for vehicles; supplies for building management operations; and Court robes. The amount of resources requested for security and safety purposes, €63.3 thousand, remains unchanged. These resources are required for first aid kits, maintenance of emergency equipment (evacuation chairs, etc.) and replacement of protective equipment (concealed body armour for personnel involved in liaison/close protection services at Headquarters and in situation countries) that is reaching the end of its useful life.

464. Resources are also required to cover the Pass and ID Office's essential needs for the issuance of passes; supplies and materials for firearms training; and replacement of uniforms, safety footwear and other materials and equipment used by Security Officers.

*Furniture and equipment*

*€30.0 thousand*

465. The requested amount has increased by €20.0 thousand (200 per cent). The increase reflects the need for limited repair and replacement of furniture and other items at Headquarters and in the field.

466. The following items need to be replaced on account of ordinary wear and tear: certain furniture moved from the temporary premises to the permanent premises in 2015; some newer but frequently used conference furniture; certain equipment, such as pallet movers used in the warehouse. The required resources are non-recurrent.

**Table 23: Programme 3200: Proposed budget for 2022**

3200 Division of Management Services (DMS)	2020 Expenditures (thousands of euro)			2021 Approved Budget	Resource Changes		Proposed 2022 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				4,116.3	198.1	4.8	4,314.4
General Service staff				9,446.2	114.4	1.2	9,560.6
<i>Subtotal staff</i>	<i>13,549.9</i>	<i>-</i>	<i>13,549.9</i>	<i>13,562.5</i>	<i>312.5</i>	<i>2.3</i>	<i>13,875.0</i>
General temporary assistance	548.3	-	548.3	760.2	(44.4)	(5.8)	715.8
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	142.6	40.1	182.7	203.2	183.5	90.3	386.7
<i>Subtotal other staff</i>	<i>690.9</i>	<i>40.1</i>	<i>731.0</i>	<i>963.4</i>	<i>139.1</i>	<i>14.4</i>	<i>1,102.5</i>
Travel	61.6	9.1	70.7	129.7	-	-	129.7
Hospitality	-	-	-	-	-	-	-
Contractual services	246.9	-	246.9	240.4	32.0	13.3	272.4
Training	288.2	-	288.2	364.3	(49.6)	(13.6)	314.7
Consultants	132.0	-	132.0	25.5	26.0	102.0	51.5
General operating expenses	2,436.6	-	2,436.6	2,623.6	124.6	4.7	2,748.2
Supplies and materials	209.0	-	209.0	232.3	-	-	232.3
Furniture and equipment	106.6	-	106.6	10.0	20.0	200.0	30.0
<i>Subtotal non-staff</i>	<i>3,480.9</i>	<i>9.1</i>	<i>3,489.9</i>	<i>3,625.8</i>	<i>153.0</i>	<i>4.2</i>	<i>3,778.8</i>
<b>Total</b>	<b>17,721.6</b>	<b>49.2</b>	<b>17,770.8</b>	<b>18,151.7</b>	<b>604.6</b>	<b>3.3</b>	<b>18,756.3</b>

**Table 24: Programme 3200: Proposed staffing for 2022**

3200	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
<b>Established Posts</b>														
Approved 2021	-	-	-	1	5	9	11	6	-	32	8	139	147	179
New	-	-	-	-	-	-	1	1	-	2	-	2	2	4
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	(3)	(3)	(3)
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>5</b>	<b>9</b>	<b>12</b>	<b>7</b>	<b>-</b>	<b>34</b>	<b>8</b>	<b>138</b>	<b>146</b>	<b>180</b>
<b>GTA Positions (FTE)</b>														
Approved 2021	-	-	-	-	-	-	2.00	3.00	-	5.00	1.00	1.00	2.00	7.00
Continued	-	-	-	-	-	-	2.00	3.00	-	5.00	-	1.00	1.00	6.00
New	-	-	-	-	-	-	-	-	-	-	-	4.50	4.50	4.50
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	(1.00)	-	(1.00)	-	(1.00)	(1.00)	(2.00)
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2.00</b>	<b>2.00</b>	<b>-</b>	<b>4.00</b>	<b>-</b>	<b>4.50</b>	<b>4.50</b>	<b>8.50</b>

### 3. Programme 3300: Division of Judicial Services

#### Introduction

467. The Division of Judicial Services (DJS or “the Division”) is responsible for providing support for the judicial proceedings of the International Criminal Court (“the Court”) and corporate information technology/information management and language services. 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).

468. 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 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 proceedings, and facilitates the appointment of reparations experts where appropriate. The Division strives to increase the effectiveness of the process of collecting victim applications, e.g. with the help of information technologies. Through CSS, it also manages legal aid for indigent victims and defendants and coordinates all assistance provided to counsel by the Court. DS ensures safe, secure and humane conditions for persons in the Court’s custody and the smooth functioning of the detention facilities according to international standards.

469. The Division’s services are not limited to courtroom activities. DJS provides two types of corporate services: (1) information technology and information management support; and (2) language services, including translation, court and conference interpretation, and field and operational interpretation in more than 30 situation languages. Pursuant to article 87(2) of the Rome Statute, translation from and into as many as 25 languages is provided for the purposes of judicial cooperation, enabling the Court to communicate its requests to States Parties. Translation and interpretation services are provided to assist in the conduct of Court proceedings, and to safeguard the right of suspects and accused persons to understand the proceedings and the right of witnesses to testify in their own language. IT services and systems support all of the Court’s daily judicial, administrative, investigative and governance activities. Support for library services available to all Court staff and external counsel is also part of the Division’s mandate. In view of the nature of the Court’s activities, an important type of support provided by DJS is information security, which ensures that the Court’s IT systems are secure. DJS is responsible for educating the Court’s elected officials, staff and parties on good information security practices. These services are also made available, both at Headquarters and in the field, to a variety of stakeholders, including defence counsel, legal representatives of victims and the Trust Fund for Victims (TFV). The scalable delivery of information technology and information management services, together with the implementation of relevant and innovative IT solutions, has again proven to be a cornerstone of the Court’s capacity to adapt its operations to the challenges posed by the COVID-19 pandemic, enabling the continuity of the Court’s operations and consolidating its overall resilience.

470. Although substantively independent from the Court, OPCV and OPCD fall under DJS solely for administrative purposes. Working under the mandates set out in the Regulations of the Court, they provide substantive legal support to victims and defence teams, respectively. Besides providing support and assistance to victims and external legal representatives at any stage of the proceedings, including preliminary examinations, OPCV may, upon appointment by a Chamber of the Court or by the victims, represent victims in Court proceedings – a practice which has been expanding since 2012. Of the approximately 11,000 victims involved or participating in proceedings before the Court, more than 7,000 are represented by OPCV counsel. Approximately 5,000 victims are represented solely by external counsel. As regards the effective representation of accused persons, OPCD plays a crucial role in protecting, representing and promoting the rights of suspects pending the appointment of defence teams and, as appropriate, assists those defence teams, once they are assigned, with case management and legal research throughout the proceedings.

## Operating environment

471. In 2022, DJS will be directly affected by the expected significant increase in support required for judicial activity and, in particular, courtroom activity. New judicial requirements in relation to four trials (*Al Hassan*, *Yekatom and Ngaïssona*, *Abd-al-Rahman* and *Gicheru*) will significantly impact the Division, as will the estimated 420 days of Court hearings in 2022 as indicated in the budget assumptions. The hearing on the confirmation of charges in *Abd-Al Rahman* took place from 24 May 2021 to 26 May 2021; the charges were confirmed on 9 July 2021. The direct effect of *Abd-Al Rahman* on DJS is included herein, as is the impact as a result of the confirmation of charges in *Gicheru*, on 15 July 2021. To be able to provide full support for judicial activities in 2022, and four trials in particular, a minimum of *two and a half courtroom support teams* are needed. Use of one courtroom support team in a flexible manner has previously been possible, in 2020, notwithstanding the increased level of activity. The Registry supported two trials in 2021 - *Al Hassan* and *Yekatom and Ngaïssona* – as dictated by judicial developments, thanks to reprioritising activities and redeploying resources. This has allowed the Registry to hire some additional staff required for the second courtroom on a temporary basis. These resources are now requested to be funded in 2022 in order for the trials to continue. This explains in part the requested increase for the second courtroom. The second reason for the increase is that the pace of these two trials is projected to accelerate in 2022, and the third reason is the need to provide courtroom support to two more trials. In 2022, therefore four trials will require a level of human resources sufficient to provide continuous support to hearing activities taking place at the same time in two different courtrooms. To this end, DJS will make use of temporary assistance for meetings (TAM) and GTA where possible. Funding for a two and a half courtroom support team is nevertheless critically needed to fully service the continuation of *Al Hassan* and *Yekatom and Ngaïssona* hearings at an accelerated pace, and to support two new trials namely the *Abd-Al-Rahman* hearings in the last six months of 2022 and 30 days of hearings in *Gicheru* expected in the first 6 months of 2022.

## Pre-trial proceedings, including investigations

472. Active investigations carried on simultaneously by the Office of the Prosecutor (OTP) in existing situations in 2022 will continue to require DJS support in terms of language services, IT assistance, management of legal aid and processing of victim applications.

473. In *Said*, the suspect is in the Court's custody and his defence team is funded through legal aid. The confirmation hearing has been scheduled to commence on 5 October 2021. If the charges are confirmed, trial proceedings could commence in the last quarter of 2021.

474. In *Gicheru*, the suspect was on interim release with conditions until the confirmation of charged decision on 15 July 2021 it is assumed that trial proceedings could commence in the last quarter of 2021. His defence team is funded through legal aid. The confirmation proceedings has been conducted in writing. Both parties filed their written submissions by 7 May 2021..

475. In *Ali Abd-al-Rahman*, the suspect is in the Court's custody and his defence team is funded through legal aid. The confirmation hearing took place from 24 May 2021 to 27 May 2021. The charges were confirmed on 9 July 2021. Trial preparations could commence shortly,

476. Interpretation and translation services are expected to be required for proceedings and to cover the languages relevant to the situations in question. Language support, including support for languages of lesser diffusion, will also be required for field activities (communication with victims, witness protection, etc.) in other situations. Approximately 500 victims are expected to file their applications for participation in *Said*. In *Abd-Al-Rahman*, 151 victims participated in the confirmation proceedings. As the charges have been confirmed, these victim participation figures are expected to rise into the thousands. Additional applications are also expected in other situations under investigation with no cases ongoing as yet, depending on the progress of those investigations. Of note are the languages expected to be required in Court proceedings in the Sudan situation, namely Arabic, Fur and Zaghawa. A total of 13 individuals for whom public warrants of arrest have been issued remain at large.

## Trial proceedings

477. In 2022, a total of four cases at trial will continue to require judicial support.

478. In the case of *The Prosecutor v. Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud*, the Accused is in the Court's custody and his defence team is funded through legal aid. A total of 882 victims participated in the confirmation hearing, which took place from 8 to 17 July 2019. A total of 1,558 victims are participating in the trial proceedings, which commenced on 16 February 2021. For this case, language support in Arabic, Bambara, Songhay and Tamasheq will be required in 2022 to meet both translation and operational interpretation needs.

479. In the case of *The Prosecutor v. Alfred Yekatom and Patrice-Edouard Ngaïssona*, both Accused are in the Court's custody and both of their defence teams are funded through legal aid. A total of 1,085 victims, divided into two groups, were granted participating status at the pre-trial stage: counsel from OPCV represented 88 victims who are former child soldiers; counsel from OPCV and external counsel jointly represented 997 victims. A total of 631 victims are participating in the trial proceedings, which commenced on 14 July 2020. For this case, language support in Sango and Arabic will be required in 2022 to meet both translation and operational interpretation needs.

480. In the case of *The Prosecutor v. Paul Gicheru*, the suspect was on interim release with conditions. His defence team is funded through legal aid. The charges were confirmed on 15 July 2021. Trial proceedings could commence in the last quarter of 2021. For this case, on the basis of information currently available, Mr Gicheru does not require interpretation. Language support in Swahili will be required in 2022 to meet operational interpretation needs. No other language support will be needed, provided that there are no simultaneous trials or events at the same time the *Gicheru* hearings take place, as English and French could be supported in-house.

481. In the case of *The Prosecutor v. Ali Muhammad Ali Abd-Al-Rahman ('Ali Kushayb')* the suspect is in the Court's custody and his defence team is funded through legal aid. The charges were confirmed on 9 July 2021. Trial preparations could commence shortly. For this case, language support in Arabic, Sudanese and Fur will be required in 2022 to meet both translation and operational needs.

## Appeal proceedings

482. Final appeals arising from the *Ongwen* case are currently before the Appeals Chamber.

483. The *Ongwen* proceedings are expected to continue throughout 2022. The Appeals Chamber is also expected to hear several interlocutory appeals over the course of 2022.

484. DJS support will be required to assist the defence and victims teams by providing legal aid, logistical support and legal research. Appeal hearings will be supported by existing capacity.

## Reparations proceedings

485. Five cases are currently at the reparations stage: *Lubanga*, *Katanga*, *Al Mahdi*, *Ntaganda* and *Ongwen*. On 6 May 2021, the Chamber in *Ongwen* issued an order for submissions on reparations. The conviction is presently under appeal, subject to which the implementation of reparations will commence. In *Katanga*, the implementation of reparations continues. In *Al Mahdi*, following the confirmation on appeal in March 2018 of Trial Chamber II's reparations order, and in *Lubanga*, the relevant implementation activities are ongoing. In the *Ntaganda* case, the Chamber issued a reparations order on 8 March 2021. The conviction was confirmed on appeal on 30 March 2021. A total of 2,132 victims have participated in the *Ntaganda* proceedings and have been represented by two counsel from the OPCV teams. It is expected that further victims eligible for reparations in the proceedings will make themselves known.

486. Reparations proceedings in these five cases will be ongoing in 2022. In *Lubanga*, *Katanga*, *Al Mahdi* and *Ntaganda*, the implementation of reparations awards is expected to

continue in 2022. In *Ongwen*, as noted above, the implementation of reparations is subject to confirmation of the conviction on appeal. The Registry will require adequate resources to be able to render a number of services to the Chambers, the TFV and the parties involved in the reparations process. Effective representation will require counsel, including the appointment of an OPCV counsel and external counsel, to be active in the field, collecting relevant victim-related information and consulting with clients. VPRS will be required to identify victim applicants, collect and process relevant victim-related information, perform the requisite legal review to support the TFV and provide adequate reports and other assistance to the Chamber. Field activities will also require language support.

### **Enforcement of sentence**

487. Enforcement of sentence matters are within the purview of the Presidency. DJS support will be required to assist defence teams by providing legal aid, logistical support and legal research. Enforcement of sentence matters will be supported by existing capacity.

### **Strategic priorities in 2022**

488. In addition to the provision of judicial support and the implementation of Court-wide strategic priorities, DJS planning for 2022 incorporates the implementation of the three priorities set out in the Registry Strategic Plan for 2019-2021 – continuous improvement, staff engagement, and geographical distribution and gender balance – while taking into account the Court’s risk management objectives. Furthermore, additional resources are required to strengthen the efficient and effective support provided for reparations and judicial proceedings to defence and victims teams, including missions to finalize the implementation of the Court’s Five-Year Information Technology and Information Management Strategy and to ensure the ongoing implementation of the Judicial Workflow Platform project under that strategy.

### **Running and supporting judicial activities**

489. In 2022, the Division will provide all necessary support for courtroom activities and missions related to ongoing judicial proceedings, including the 420 days of trial hearings planned in the *Yekatom and Ngaïssona*, *Al Hassan* cases, *Gicheru* and *Abd-Al-Rahman*. In addition, DJS will continue to manage Court records and the functioning of the eCourt system. It will continue to support and facilitate victim participation in the various phases of ongoing Court proceedings and will manage legal aid for indigent victims and defendants. Six individuals are expected to remain in detention throughout 2022, depending on: any execution of any unsealed warrants of arrest currently pending.

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

490. The Court’s Five-Year IT/IM Strategy for 2017-2021, approved by the Information Management Governance Board and endorsed by the Coordination Council in 2017, is in its final year. No new initiatives are planned for 2022. The Court’s next IT/IM strategy will run from 2023. The Court is requesting a total investment of €573.5 thousand to complete the Judicial Workflow Platform (JWP) project, which is now progressing with renewed focus after a period of delay due to unforeseen staff changes as well as the COVID-19 pandemic and the ensuing need, at the Court and its partner tribunals, to prioritize the continuity of judicial proceedings. The Court will have a number of modules of the new system ready by the end of 2021 and is requesting additional funding for 2022 to complete the project and make the transition to the new system. The requested amount of €573.5 thousand (consisting of €158.0 thousand for the eCourt Project Manager position in CMS and €415.5 thousand for non-staff costs in IMSS) is necessary to keep the essential JWP project roles funded until the full scope of work is delivered by the end of 2022. In 2021, the Assembly of States Parties (“the Assembly”) endorsed the continuation of the eCourt Project Manager position until the end of 2022. The additional requested non-staff investment raises the total expenditure for 2017-2022 to €8,682.5 thousand.

**Budget resources****€40,576.0 thousand**

491. The Division's proposed budget presents an overall net increase of €5,817.7 thousand (16.7 per cent), mostly attributable to an increased level of judicial activity (new requirements in relation to four trials and an estimated 420 days of hearings in 2022, as indicated in the budget assumptions). As stated above, the Division is responsible for providing support for judicial proceedings, its core business, in addition to corporate IT/IM and language services. There is little turnover in staff thanks in part to cross-training, through which the Division seeks to increase staff engagement. Requirements also represent a limited increase resulting from the United Nations Common System (UNCS) framework, amounting to €55.8 thousand in DJS.

492. The overall requested investment within the Division for the continued implementation of the JWP project – the flagship of the Court's Five-Year IT/IM Strategy – in 2022 is €573.5 thousand. This consists of €158.0 thousand in staff costs for the eCourt Project Manager (GTA) position in CMS and €415.5 thousand in non-staff costs in IMSS. The continuation of the eCourt Project Manager position for 2022 was endorsed by the Assembly at its nineteenth session. The requested non-staff investment in IMSS is required under the heading of contractual services to fund project roles impacted by operational continuity needs and staff vacancies. Throughout 2022 it will fully fund the role of JWP Analyst and Training Assistant and the role of JWP software programming officer; it will partially fund the role of Solutions Architect, the role of Change Manager, and one additional external JWP software programming officer.

493. So that DJS can continue delivering the required level of service and support, some additional resources have been included in the budget proposal with a view to addressing the critical impact of the increased level of judicial and other activity.

**Staff resources****€23,642.8 thousand**

494. The staff resources requested for 2022 amount to €23,642.8 thousand and represent a net increase of €4,380.9 thousand, consisting of an overall increase of €779.3 thousand in established posts and an increase of €3,601.6 thousand in GTA and TAM. The amount requested for General Service staff represents an increase of €438.7 thousand. Requests for conversion of GTA posts to established posts have been made with a view to regularizing those positions. The resulting increase is limited since the relevant GTA positions were already included in the budget and therefore represent recurrent costs. The impact of the UNCS on DJS's approved staff resources for 2022 is an overall increase of €55.8 thousand.

495. In IMSS, there are no new established posts or GTA positions requested for 2022. The requested amount of €4,758.9 consists of €4,661.7 thousand for established posts and €97.2 thousand for other staff costs, including the previously approved GTA position of Information Management Assistant (Web-based Collaboration) (GS-OL). The increase of €107.0 thousand from the amount of €4,651.9 approved for 2021 is due to the recruitment in early 2021 of the Service Assistant (GS-OL) to an established post to support simultaneous hearings, which was necessary in the absence of other IMSS capacity to absorb the required services. The remaining €39.1 thousand represents the annual increases for established posts and the continued GTA position. IMSS does not need any new GTA resources even after the confirmation of charges in cases that were at the pre-trial phase at the beginning of 2021, as the courtroom scenarios do not impact basic IMSS resourcing. All positions support the daily operations of IT and IM systems and services for Headquarters and core services for the country offices.

496. In VPRS, as a result of the expected increase in workload, some additional staff resources vis-à-vis the 2021 approved level are requested. Operations throughout 2021 in a number of situation countries in which the Court has no field presence have demonstrated the current risk of insufficient capacity on the part of VPRS to properly carry out its mandated tasks. Examples include Afghanistan, Sudan (Darfur), Burundi, Palestine and Myanmar/Bangladesh. Presently, VPRS would not be in a position to carry out its mandate at an acceptable level regarding any additional activity such as victim representation under article 15(3) or pre-trial proceedings in a new case. The confirmation of charges in the *Abd-Al-Rahman* proceedings will generate heavy activity for the VPRS in the field (there is no

country office) and at headquarters, and thus exceed the VPRS' capacity at all levels. This situation would be further exacerbated if the *Said* proceedings move to trial (preparation) before or in 2022. Two new GTA positions at P-2 level and one at GS-OL are therefore requested for the entirety of 2022 in addition to the approved 2021 staffing level. The three posts correspond to a required resource increase in all three units of the VPRS: data processing (1 GS-OL); legal (1 P-2); and field coordination (1 P-2). In the same vein, given the linear increase in workload seen in recent years, VPRS seeks the conversion of two GTA positions (one P-1 and one GS-OL), which have existed since 2016, into established posts.

497. OPCD seeks the continuation, and conversion into an established post, of the multi-year GTA position of Legal Officer (P-3) to provide greater stability in ensuring institutional memory and operational readiness to perform the work requested by defence teams. As OPCD will require this position for years to come, its conversion into an established post is called for to avoid needless yearly renewal discussions. The resulting increase in the current budget is limited.

498. OPCV seeks one new established post of Legal Officer (P-3) and the conversion of a GTA position of Associate Legal Officer (P-2) into an established post. The workload of OPCV has steadily increased in the last year. Its mandate extends to all phases of Court activity, including preliminary examinations and investigations, and is not limited to ongoing trials and hearing days. The preparation of written submissions and reparations proceedings, in particular, is a demanding and time-consuming task that is not reflected in the number of hearing days. The workload of OPCV staff covering ongoing trial and appeal proceedings will remain identical in terms of written submissions and regular consultations with victims (appointed counsel have a duty to meet regularly with clients to explain the proceedings and take instructions). The workload at the reparations phase will be even greater because of the need to substantiate the victims' claims in detail. Staff working on open cases will remain in place and will not be able to absorb the workload of new cases since they are already working on multiple cases simultaneously. Finally, as regards the *Gbagbo and Blé Goudé* case, while the acquittal decision has been confirmed on appeal, some residual tasks remain, namely that of adequately informing the victims, assisting the TFV in the design of its victim assistance programme and liaising with the relevant victims and the TFV, as was done in *Bemba*.

*Established posts: Professional and General Service*

€18,225.4 thousand

499. The total increase in staff costs amounts to €779.3 thousand (4.5 per cent), including an increase of €43.5 thousand linked to the effect of the UNCS. DJS proposes an increase in the total number of established posts within the Division from 188 to 193 to regularize recurrent GTA positions and meet operational requirements. The increase due to such GTA conversions is limited. The requested amount in CMS has increased by €211.5 thousand. Funding for three previously unfunded GS-OL posts – one eCourt Assistant, one Audio-Visual Production Assistant and one Court Clerk – is requested for 12 months to support increased hearing activity and the JWP project.

500. In LSS, the three unfunded Court Interpreter (P-3) posts will have to be funded to ensure business continuity. There are four vacant posts in LSS: one Chief of Section (P-5), one Translator (French) (P-3), one Head, English Translation Unit/Senior Reviser (P-4) and one Translator (English) P-3. The Head of the Situation Languages Translation Unit/Senior Reviser is currently on special leave without pay; his functions are being performed by an Interpretation Coordinator (P-3) with a P-4 special post allowance. The functions of the Interpretation Coordinator are being performed by an Associate Field and Operational Interpretation Coordinator (P-2) with a P-3 special post allowance. One Court Interpreter (P-3) and one Associate Court Interpreter (P-2) have been temporarily redeployed within the Section to cope with workload increases, particularly in relation to recruitment, accreditation and training of freelance field interpreters in new situation languages. The functions of the vacant post of Head, English Translation Unit/Senior Reviser (P-4) are being performed by the Reviser (English) (P-4), whose functions are being performed by a Translator (English) (P-3) with a P-4 special post allowance. The functions of Chief of Section are being performed on a rotating basis by the Heads of the Interpretation Unit, the Translation Support and Terminology Unit and the Situation Languages Translation Unit. The functions of one Administrative Assistant (GS-OL) currently on special leave without pay are being partially

performed by GS staff in the Section, with temporary support from a staff member on part-time loan from another section of the Registry.

501. VPRS has for several years maintained two GTA positions in its staffing structure – that of Assistant Legal Officer (P-1) since 2015 and that of Data Processing Assistant (GS-OL) since 2016 – to cover a constant and increasing workload, as outlined in the Court’s report on activities and programme performance to the Committee on Budget and Finance.<sup>108</sup> VPRS seeks to redress this situation in the budget proposal for 2022 by converting those GTA positions into established posts. The relevant resources have consistently proven to be a core requirement of the Section’s operations, and the temporary nature of GTA positions is not suited to fulfilling the permanent operational need in question.

502. Forecast workload increases in 2022 and beyond, with multiple simultaneous trials and reparations proceedings, further underline the need for conversion of these two GTA positions into established posts. The position of Assistant Legal Officer encompasses a coordination role that is indispensable to the smooth running of the workflows of the entire team and Section. In particular, article 15(3) proceedings and reparations proceedings have shown that multiple simultaneous workflows benefit greatly from this dedicated coordination role, which the Assistant Legal Officer performs beside traditional legal analysis functions and the preparation of legal correspondence with multiple partners. Key tasks of the Data Processing Assistant include registration of applications and verification of the chain of custody of application forms. This role has proven indispensable to populating and updating the VPRS database (Victim Application Management System) and transmitting victim applications for entry into the record of the case.

503. OPCD seeks the conversion of one GTA position of Legal Officer (P-3). This position was originally approved in the 2016 budget and has since been needed on a continuous basis to meet increasing workload requirements related to 14 situations before the Court and at least 14 defendants whose assigned counsel and teams require ongoing support. The recent increase in preliminary and situation-phase litigation, in addition to five cases (involving six defence teams) likely to be at the pre-trial or trial phase and three cases at the sentencing, appeal, or reparations phase, the OPCD will need to retain staff to prevent significant delays in the updating of defence resources and to ensure that it is in a position to assist all defence teams in a timely manner. The Legal Officer will, in conjunction with the Assistant Legal Officer (P-2), conduct legal research and prepare manuals to assist defence teams, and will perform policy functions as needed. The incumbent will also assist Principal Counsel (P-5) and Counsel (P-4) with management duties by supervising the work of the OPCD and assigning tasks related to requests from Chambers.

504. The workload of OPCV has increased significantly in 2021 – owing to its appointment to represent victims in *Abd-Al-Rahman* and preliminary victim applications in *Said*, the need to support external counsel in new cases (*Said* and *Abd-Al-Rahman*) and the commencement of reparations proceedings in two cases simultaneously – and is expected to increase further in the coming years. As a result, a new established post of Legal Officer (P-3) is required. The incumbent will assist Counsel in different situations and cases depending on the workload of other staff members and priorities in the proceedings. The incumbent will also assist external counsel as appropriate. The increase in the amount requested for established posts is €204.7 thousand.

505. The fact that the GTA position of Associate Legal Officer (P-2) has consistently been requested as a recurrent resource shows that it is needed on an ongoing basis; OPCV therefore requests its conversion from GTA to an established post. The position was originally approved in the 2016 budget and continues to be essential for the satisfactory fulfilment of OPCV’s mandate. The incumbent assists counsel in a variety of situations and cases depending on the workload of other staff and priorities in the proceedings. The increase in the amount requested for 2022 due to the conversion is limited.

*General temporary assistance*

*€3,830.9 thousand*

506. On the basis of the anticipated increase in judicial activity in 2022, the net increase of €2,312.1 thousand (152.2 per cent) in the amount requested for GTA in the Division

<sup>108</sup> CBF/36/10.

corresponds mostly to the increased requirements, set out in detail below, in CMS, IMSS, DS, LSS, VPRS, and OPCV.

507. The requested amount for GTA resources in CMS has increased by €943.9 thousand to support four full-time trials totalling 420 hearing days. One previously unfunded position of Associate Legal Officer/Courtroom Officer (P-2) is requested for 12 months to support the increased hearing activity and increased back-office project support work. Five new posts are requested for 12 months to support the increased hearing activity, namely two Court Reporters (English) (P-2), one Court Reporter (French) (P-2) and two Text Processors (French) (GS-OL). Nine new posts are requested for 6 months each to support the new trial in *Abd-Al-Rahman*: one ALO/Courtroom officer (P-2), one Court Clerk (GS-OL), one Audiovisual Production assistant (GS-OL), Three Text Processors (French) (GS-OL), three Text Processors (English) (GS-OL).

508. One *eCourt Project Manager (P-4), 12 months. Continued. Multi-year*. The incumbent will serve as a subject-matter specialist and technical project manager for the implementation of the new Judicial Workflow Platform, seeing the project through to its completion.

509. One *Associate Legal Officer/Courtroom Officer (P-2), 12 months. Continued, Multi-year*. This position is required to provide continuous support for hearings and related back-office activities, including the verification and certification of situation and case records as part of the Judicial Workflow Platform project, with a view to the migration of existing records into the new system.

510. One *Associate Legal Officer/Courtroom Officer (P-2), 6 months. New. Multi-year*. This position is required to secure continuous support to hearing activity, once the new case *Abd-Al-Rahman* case goes into trial hearings phase.

511. One *AudioVisual Production Assistant (GSOL), 6 months. New. Multi-year*. This position is required to secure continuous support to hearing activity, once the new case *Abd-Al-Rahman* goes into trial hearings phase.

512. One *Court Clerk (GSOL), 6 months. New. Multi-year*. This position is required to secure continuous support to hearing activity, once the new case *Abd-Al-Rahman* goes into trial hearings phase.

513. Two *Court Reporters (English) (P-2), 12 months. Continued. New. Multi-year*. These positions are required to complement the in-house core team to support increased hearing activity.

514. One *Court Reporter (French) (P-2), 12 months. Continued. New. Multi-year*. This position is required to complement the in-house core team to support increased hearing activity.

515. Two *Text Processors (French) (GS-OL), 12 months each. New*. These positions are required to complement the in-house core team to support increased hearing activity.

516. Three *Text Processors (GSOL) (French), 6 months each, New. Multi-year*. These positions are required to complement the French court reporting team in order to support hearing activity increased by the new trial hearings in the case *Abd-Al-Rahman*.

517. Three *Text Processors (GSOL) (English), 6 months each, multi-year*. These positions are required to complement the English court reporting team in order to support hearing activity increased by the new trial hearings in the case *Abd-Al-Rahman*.

518. The GTA resources proposed for IMSS have increased by €1.5 thousand as compared to the amount in the 2021 approved programme budget.

519. One *Information Management Assistant (Web-based Collaboration) (GS-OL), continued*. This position was transferred in 2017 from the Secretariat of the Assembly of State Parties to the Registry and has been included as of 2018 in the annual budget for IMSS. The amount needed to fund this position has increased by €1.5 thousand from the €75.7 thousand approved in 2021, owing to an incremental increase in GTA costs. This position remains essential to ensuring transparency for the Court's governing bodies and the public. The incumbent is responsible for maintaining the IT systems which provide documentation and information for the Assembly and its subsidiary bodies via the Secretariat's website.

520. The amount requested for GTA resources in DS has increased by €54.3 thousand as compared to the amount in the 2021 approved programme budget.

521. *One Associate Legal Officer, (P-2) 6 months. New. Multi-year.* The number of active monitoring orders has increased to four. Accordingly, DS is requesting that the recurrent GTA position of Associate Legal Officer, approved for six months in 2021 (see following paragraph), now be approved for an additional six months to provide a full 12 months' service. Although the number of detained persons under active monitoring has increased by only 25 per cent, the number of hours of communication to be actively monitored has increased significantly by 83 per cent. Thus 80% of non-convicted detained persons are under active monitoring, and with the confirmation of *Abd-Al-Rahman*, the fifth detained person could also be placed on active monitoring. This position is required to support DS in implementing the judicially ordered active monitoring orders and associated litigation in force. It is needed for the purpose of reviewing the translated summaries or transcripts of non-privileged telephone calls and visits and submitting legal filings to the issuing Chambers on a regular basis. Any suspected breaches of orders for the active monitoring of non-privileged telephone calls and visits must be brought to the Chambers' attention in a timely manner. All redactions ordered by the Chambers must be made and maintained.

522. *One Associate Legal Officer (P-2), 6 months. Continued. Multi-year.* The Associate Legal Officer (ALO) is required to support DS in implementing active monitoring orders. The ALO is required to review the translated summaries or transcripts of non-privileged telephone calls and visits and to submit legal filings to each issuing Chamber on a regular basis. Any suspected breaches of orders for the active monitoring of non-privileged telephone calls and visits must be brought to the Chambers' attention in a timely manner. All redactions ordered by the Chambers must be made and maintained.

523. *One Administrative Assistant (G-5), 12 months. Continued. Multi-year.* The Administrative Assistant is required to support DS in coordinating and implementing interpretation resources and technical solutions, while maintaining accurate and up-to-date physical records in various databases in compliance with the four judicial orders for active monitoring of the non-privileged telephone calls and visits of four detained persons.

524. The amount proposed for GTA resources in LSS has increased by €1,446.4 (197.8 per cent). LSS has made a strategic decision to recruit temporary courtroom interpreters on GTA rather than TAM contracts, as recruitment on a GTA basis is more cost-efficient than TAM and ensures better staff availability for other tasks such as translation. The other costs under GTA are related to the four Language Assistants, two each for Sango (recurrent) and Tamasheq (recurrent), on GTA rather than special service agreement (SSA) contracts, to support the increase in operational interpretation requirements for ancillary activities in *Yekatom* and *Ngaïssona* and *Al Hassan* (respectively) and implementation of judicial orders for active monitoring under regulations 174 and 175 of the Regulations of the Registry (RoR). The *Abd-Al-Rahman* trial requires three additional Arabic speaking Court interpreters (GTA) and one Language Assistant to support the proceedings. With the *Abd-Al-Rahman* trial starting in 2022, the increasing volume of Arabic translations for the situations in which Arabic is the language of victims, witnesses, suspects or accused, calls for one full-time Arabic reviser (new post) to ensure the required consistency and high quality of Arabic translation services. Additional resources will be needed for *Said* if it is confirmed.

#### *Interpretation of judicial proceedings*

525. *Four Associate Court Interpreters (Sango) (P-2), 4.0 FTE, 12 months. New. Yekatom and Ngaïssona – Court capacity.* The Sango team provides interpretation from and into Sango and French to the Accused and the Sango-speaking witnesses.

526. *Three Court Interpreters/Translators (Arabic) (P-3), 3.0 FTE, 12 months. Continued. Al Hassan – Court capacity.* The team provides Arabic interpretation to the Accused and interprets the testimony of Arabic-speaking witnesses into English and French.

527. *Three Court Interpreters/Translators Arabic (P-3), 1.5 FTE, 6 months. New. Ali Muhammad Ali Abd-Al-Rahman SUDAN – Court capacity.* The interpreters will be recruited for the proceedings under GTA contracts. This option is more economical than to recruit

freelance interpreters. They will provide interpretation from and into Arabic and take on translation and other special projects as may be required

528. Two *Language Assistants (Tamasheq) (G-7), 2.0 FTE, 12 months. New. Al Hassan – Court capacity*. The incumbents will continue to provide Tamasheq language support, as required, to DS and the Victims and Witnesses Section (VWS). Without these positions it will not be possible to provide language services in accordance with the relevant judicial orders. The second Language Assistant (Tamasheq) is required to ensure continuity of service and implementation of regulations 174 and 175 of the RoR.

529. Two *Language Assistants (Sango) (G-7), 2.0 FTE, 12 months. Continued. Yekatom and Ngaïssona – Court capacity and Said – ancillary activities*. The incumbents will continue to provide field and operational interpretation and translation services to meet increased demand for Sango language assistance from DS, VWS, VPRS and CSS. Without these positions it would not be possible to provide language services in accordance with the relevant judicial orders. The second Language Assistant (Sango) is required to ensure continuity of service and implementation of regulations 174 and 175 of the RoR.

530. One *Language Assistant Arabic (G-7), 1 FTE, 12 months. New*. This position is required for the provision of Arabic language services to all Registry sections, in particular to the Detention Section, to meet the daily needs for operational interpretation and translation services. Without this position it will not be possible to ensure continuity of service.

531. One *Language Assistant Arabic (GSOL), 0.5FTE, 6 months. New*. Required to provide essential in-house operational interpretation and translation services to the VWS and other sections within the Registry, in particular to facilitate the communication in courtroom familiarisation and protection – or psychosocial assessments of witnesses in the *Abd-Al-Rahman* trial

#### *Translation (judicial)*

532. One reviser Arabic (P4), 1 FTE, 12 months. New. The reviser is required to cope with the increasing volume of Arabic translations for the situations in which Arabic is the language of victims, witnesses, suspects or accused, which calls for one full-time Arabic reviser in-house to ensure the required consistency and high quality of Arabic translation services specifically throughout all phases of the *Abd-Al-Rahman* trial. This requirement is independent of the number of hearing days in this case.

#### *Field interpretation*

533. As shown in the table below, the number of field and operational interpretation days requested by service users, based on specific service requests received for 2022, is 2,748. The narrative paragraphs following the table state requirements in terms of working months. In the light of current budgetary and resource constraints, the number of working months has been revised downward on the basis of average expenditure over the previous three years. Field and operational interpreters are called on to provide their services – involving situation languages that may be languages of lesser diffusion (not widely spoken) – at short notice and in remote locations. Accordingly, a wide network of connections and accredited interpreters must be maintained to provide the required services. These services are related to the core business of the Court. Accredited field interpreters may be recruited either at Headquarters for operational assignments at GS-PL level or on location for field assignments at G-7/1 level.

Year	2016	2017	2018	2019	2021	2022
Field interpreter days	668	1,006	819	916	1,808	2,748

534. Accredited field and operational interpreters (GS-PL or G7/1), 64.3 months. New. Representing an increase of 15.4 months compared to 2021. Field interpretation requirements (individual contractors) are included in GTA. Field interpreters are recruited on SSA contracts. All requested funds are based on service requests from clients, which change every year, in addition to the requirement to provide field and operational interpretation for situations and cases.

- *Field and operational support – Central African Republic II*

535. For the situation in the Central African Republic II, field and operational interpreters of Sango will be deployed for an estimated 7.1 months to support VWS, VPRS, counsel, the TFV and OPCV on visits and activities related to witness protection and support in the field. LSS will require additional resources for *Said* if the charges in that case are confirmed.

- *Field and operational support – Côte d'Ivoire*

536. For the situation and case in Côte d'Ivoire, field and operational interpreters of Dioula and other relevant situation languages will be deployed for an estimated 3.5 months in total to support the Public Information and Outreach Section (PIOS), the country office and VWS. They will provide field interpretation for risk and psychosocial assessments relating to protection, support referrals and case management, and will facilitate communication during meetings with affected communities, victims, witnesses and clients.

- *Field and operational support – Democratic Republic of the Congo (DRC)*

537. For the situation and cases in the DRC, field and operational interpreters will be deployed to support VWS, CSS, TFV and OPCV for 5.6 months in total pursuant to service requests.

- *Field and operational support – Georgia*

538. For the situation in Georgia, field and operational interpreters of Georgian, Ossetian and Russian will be deployed for an estimated 1 month in total to support VPRS, VWS and TFV missions.

- *Field and operational support – Mali*

539. For the situation in Mali, field and operational interpreters of Bambara, Songhay and Tamasheq will be deployed for an estimated 13.1 working months to support CSS, VPRS, VWS, PIOS, TFV and DS and facilitate meetings with victims, witnesses, intermediaries and Defence clients. A team of field interpreters will be required for 2.1 working months to provide consecutive interpretation during trial sessions in *Al Hassan*.

- *Field and operational support – Uganda*

540. For the *Ongwen* case, field and operational interpreters will be deployed for 1.2 months in total to support CSS and the TFV in Acholi, Ateso and other situation languages.

- *Field and operational support – Libya*

541. For the situation in Libya, field and operational interpreters will be deployed for an estimated 1 working month to support VPRS meetings with victims and VWS protection assessments in Arabic.

- *Field and operational support – Burundi*

542. For the situation in Burundi, field and operational interpreters will be deployed for an estimated total of 0.5 working months to support VWS risk and psychosocial assessments related to protection, support referrals and case management.

- *Field and operational support – Afghanistan*

543. For the situation in Afghanistan, field interpreters will be deployed for an estimated total of 1.3 working months to support VPRS meetings and training with victims and intermediaries, and VWS risk and psychosocial assessments related to protection, support referrals and case management.

- *Field and operational support – Myanmar/Bangladesh*

544. For the situation in Myanmar/Bangladesh, field interpreters will be deployed for an estimated total of 6.4 working months to support VPRS meetings and training with victims and intermediaries, PIOS outreach missions to affected communities, online training and VWS risk and psychosocial assessments related to protection, support referrals and case management.

- *Field and operational support – Darfur, Sudan*

545. For the situation in Darfur, Sudan, field and operational interpreters will be deployed for an estimated total of 24.9 working months to cover telephone communications with counsel, missions of counsel, VPRS interactions with victims and intermediaries in the field, remote meetings and training sessions with victims and intermediaries, PIOS outreach missions to affected communities, OPCV meetings with victims and VWS assessments related to protection and support. The *Abd-Al-Rahman* trial also requires resources for field interpretation to support VWS activities.

- *Field and operational support – Kenya*

546. For Field Interpreters to support VWS activities for risk and psychosocial assessments related to protection, support referrals and case management in, a total of 1.4 working months (additional cost €11,631).

- *Field and operational support – country office operations support and Court-in-session operations support*

547. A total of 2.0 working months is required for essential terminology work with field interpreters in situation languages that are not supported in-house. This relates to situation languages used at hearings, including Songhay and Tamasheq, and potentially other situation languages that need to be supported in the courtroom.

548. A total of 1.9 working months is required for field interpreters to support missions by counsel and VWS risk and psychosocial assessments related to protection, support referrals and case management in other situation languages in connection with preliminary examinations. The proposed GTA requirements in VPRS have increased by €107.0 thousand (58.4 per cent) from 2021. On the basis of the Court's present assumptions and all VPRS-specific efficiencies achieved and expected, VPRS will need to increase the number of GTA positions by one at P-2 level. These resources are needed to respond adequately in 2022 to ongoing needs associated with Court proceedings, particularly regarding VPRS engagement in victim matters in situations and cases where the Court does not have a field presence, and in order to guarantee effective coordination with the TFV in an increasing number of cases. After the conversion of previous recurring GTA positions into established posts, the resources requested will be essential to meeting judicial deadlines on victim-related matters in all ongoing proceedings. The amount requested represents a moderate increase. This entails *One Data Processing Assistant, (GS-OL), 12 months, continued*.<sup>109</sup> Despite efficiencies through innovative and enhanced use of IT technology in application collection, the sheer numerical increase as well as the increase in diversity and complexity (conditions in the field; multiple cases per situation with overlap of victim communities; etc.), the recent confirmation of charges in the *Abd-Al-Rahman* case is expected to generate a major workload

<sup>109</sup> Since the previous GTA capacity of the VPRS is presently sought to be converted to an established post, the 2022 GTA requirements would *stricto sensu* be 'new'; still, from a continuous and task-specific perspective, the GTA requirement regarding the GS-OL data processing assistant is a continuation of previous years.

indicator in 2022 which will surpass the Unit's capacity by a margin. The additional GS-OL GTA resource will provide data entry, data assessment and relevant reporting capacity for the Section to be able to carry out its mandate within chambers' judicial deadlines

549. One *Associate Legal Officer (P-2)* 12 months. *New*. This position is required to support the field coordination work of VPRS. In 2022, VPRS will be tasked with continuing to engage effectively with intermediaries, civil society and victim representatives in situations where the Court does not maintain a field presence. Such engagement will be required at all stages of proceedings and in a variety of situations including those in Sudan, Burundi, Afghanistan, Palestine and Myanmar/Bangladesh. The OTP's budget forecast for 2022 also makes clear that support may be required for article 15 proceedings. At present, field coordination across all cases falls to a single P-3 post, an arrangement which has already proven untenable in past years. Temporary solutions such as consultancies, short-term appointments and pro bono resources have been tested and found to be suboptimal. In order for VPRS to carry out the necessary field activities and duly provide the required level of service to victims in accordance with the Statute, the GTA position of Associate Legal Officer (P-2) will be indispensable.

550. One *Associate Legal Officer (P-2)*, 12 months. *Continued*.<sup>110</sup> This position is required to provide additional legal support to VPRS, to add legal support to the Section, notably in light of the *Abd-Al-Rahman* proceedings in 2022, with a focus on ensuring streamlined coordination and collaboration between VPRS and the TFV in the growing number of cases where they operate hand-in-hand at the reparations stage of proceedings. At present, VPRS provides different kinds and levels of support depending on the specific arrangements in each case, an approach exemplified by *Lubanga* and *Al Mahdi*. It is expected that further (TFV and field-related) support requirements will materialize in the areas of legal assessment of victim dossiers, mapping and/or sampling; this will require a centralized dispatch and support function on the part of VPRS. As most of the relevant services (also) require legal analysis and assessment, the required GTA role will include a legal component. The incumbent will therefore be able to assist the Legal Unit at times of peak activity as well as the Field Unit, as assignments (article 15 proceedings) may warrant.

*Temporary assistance for meetings*

€1,566.5 thousand

551. The amount requested for TAM has risen by €1,289.5 thousand (465.5 per cent), reflecting an increase in resource needs in LSS due to the commencement of new cases. Reinforcement with freelancers is needed to provide the required services for hearings. Without adequate funding for freelance interpreters, trials may come to a halt due to lack of interpretation. LSS will require additional TAM resources if charges are confirmed in the cases currently at the pre-trial phase.

552. Freelance interpreters are needed to reinforce in-house resources as follows:

*Interpretation of judicial proceedings*

- *Al Hassan*: two freelancers (French);
- *Yekatom and Ngaïssona*: three freelancers (two French, one English);
- The *Abd-al- Rahman* trial requires additional resources, namely the recruitment as of June 2022 of 3 ENG, 3 FRA and 3 ARB freelance interpreters to support simultaneous trials.— Should *Gicheru* be scheduled as a third simultaneous hearing, LSS would require the recruitment of 3 FRA and 3 ENG freelance interpreters for 6 weeks;
- The *Gicheru* trial requires the recruitment of 6 freelancers (3 ENG + 3 FRA) for 6 weeks to service the hearings for 5 hearing days scheduled 6 times representing 6 weeks. These hearings will be held simultaneously with the *Al Hassan* case (Jan-Mar/Jun-Jul), the *Yekatom and Ngaïssona* case (Jan-Mar/May-Jul) and the *Abd-Al-Rahman* case (May-Jul). The in-house resources have to be reinforced with freelancers;

<sup>110</sup> See the previous footnote.

- If charges are confirmed in the cases currently at the pre-trial phase, additional resources will be required.

#### *Other interpretation*

- PIOS – four freelancers (English/French) for the introduction of new diplomats (two days);
- PIOS – four freelancers (English/French) for the VPRS outreach coordination meeting (two days);
- PIOS – four freelancers (Arabic/English) for a stakeholder meeting on the situation in Palestine;
- PIOS – four freelancers (Arabic/English) for a stakeholder meeting on the situation in Sudan;
- CSS – four freelancers (English/French) for a five-day seminar;
- CSS – four freelancers (English/French) for a four-day training course;
- CSS – four freelancers (English/French) for a five-day workshop;
- Country Office, Georgia – three freelancers (English/Georgian) for a one-day press conference;
- VPRS – four freelancers (Arabic/English) for a four-day training workshop;
- OPCD – four freelancers (English/French) for a one-day seminar;
- TFV – four freelancers (English/French) for ten Board meetings.

Requirements for interpretation are tabulated by year below:

Interpretation (judicial and other)	2014	2015	2016	2017	2018	2019	2020	2021
Interpreter days	1,334	1,490	2,730	2,840	1,094	1,206	1,247	607 (at 12 May)

#### *Translation*

553. The English Translation Unit (ETU) and the French Translation Unit (FTU) will continue to rely mainly on in-house resources to meet the needs of their clients, calling on occasional external support during peak times and for specific projects that require additional staff to be recruited on a short-term basis. Off-site contracts are a more economical option than on-site contracts to compensate for the shortfall in staff, since off-site contracts entail no travel costs and no post adjustment. The workload of ETU in 2022 is expected to be in line with that seen in 2021. The volume of service requests lodged with FTU for 2022 already far exceeds 10,800 pages, which is the yearly nominal output of 9 translators, whereas FTU has only 9 translator posts and 3.5 reviser posts. In addition, the French-language interface of the Case Law Database is expected to generate service requests amounting to a volume of approximately 10,000 pages. Efficiencies will continue to be achieved: FTU has two staff members who can translate into other languages (English and Arabic, respectively) and other staff will continue to assist with occasional interpretation assignments.

554. The Situation Languages Translation Unit (SLTU) relies primarily on external resources to serve the wide range of situation languages for which in-house resources are

insufficient (including Arabic, Acholi, Sango and Tamasheq) or non-existent (including Dari, Pashto, Burmese, Bengali, Rohingya, Georgian, Hebrew, Dioula, Zaghawa and Fur). Efficiencies are achieved by assigning Sango staff interpreters to translate documents from or into Sango whenever their schedule allows. Current service requests indicate a need to recruit translators on a short-term basis for Arabic and Zaghawa. With the confirmation of charges in the *Abd-Al-Rahman* case, the increasing volume of Arabic translation required for situations in which Arabic is the language of victims, witnesses, suspects or accused persons calls for an Arabic reviser post to ensure the required consistency and high quality of Arabic translation services.

#### *Overtime*

€20.0 thousand

555. The proposed amount is attributable to IMSS and remains unchanged from the 2021 approved programme budget. This is to accommodate IMSS's enhanced information security practice of vulnerability scanning across the Court's IT infrastructure, which requires additional out-of-hours maintenance by technicians. The remaining amount is required to compensate staff needed to complete complex work such as upgrades to core Court systems and security fixes that can be performed only outside business hours so as not to disrupt Court activities.

#### **Non-staff resources**

**€16,933.2 thousand**

556. The proposed net increase in non-staff resources amounts to €1,436.8 thousand (9.3 per cent). This increase is a direct result of the increase in judicial activity in 2022 and corresponds principally to an increase of €2,091.3 thousand (36.5 per cent) in legal aid requirements to fund the *Al Hassan, Yekatom and Ngaïssona* and *Ongwen* proceedings; €397.5 thousand (77.9 per cent) in additional requirements in IMSS attributable to increases in furniture and equipment costs to replace end-of-life infrastructure; a decrease of €1,153.2 thousand (75.0 per cent) in contractual services requirements, also in IMSS; and €129.1 thousand in additional requirements in OPCV – related to increased involvement with victims at very early stages of proceedings, the commencement of reparations proceedings in several cases simultaneously, the need to support external counsel in new cases and the appointment to represent victims in *Abd-Al-Rahman* – of €38.0 thousand (28.9 per cent) for travel and €83.7 thousand (19.3 per cent) for consultants. The amount requested for travel in IMSS for 2022 represents a marginal increase of €2.1 thousand (12.1 per cent) from the €17.3 thousand approved for 2021. Other increases include an increase of €85.4 thousand in LSS (26.6 per cent), mainly attributable to contractual services. A limited increase of €5.7 thousand (11.7 per cent) is proposed in CMS thanks to the support provided by field staff for video links and to the existing stock of audiovisual supplies. Due to VPRS travel and training activities in the field relating to the *Abd-Al-Rahman* proceedings in particular, the VPRS non-staff needs increase moderately by €15.3 thousand (23.4 per cent).

557. The majority of non-staff resources required in DJS are needed to continue providing for the Court's IT/IM services and systems. Included are €1,993.9 thousand in DS non-staff resources with an increase of 24.4 thousand (1.2 per cent). The recurrent amount requested by OPCD and VPRS remains approximately the same and is required for travel, consultancies and training.

#### *Travel*

€573.5 thousand

558. The resources requested for travel have increased by €112.3 thousand (24.3 per cent), reflecting increases in requirements mainly in IMSS (€2.1 thousand or 12.1 per cent), VPRS (€10.4 thousand or 35.9 per cent), OPCD (€1.0 thousand or 33.3 per cent) and OPCV (€38.0 thousand or 28.9 per cent), CMS 15.6 thousand or 50.5 per cent. There have been decreases in OD-DJS (€4.0 thousand or 100.0 per cent), and CSS (€2.2 thousand or 3.9 per cent).

559. In addition to the resources mentioned above, OPCV will need travel resources to cover the expected increase in judicial activity in 2022 (specifically reparations proceedings, which require extensive field work, and the appointment to represent victims in *Abd-Al-Rahman*). Travel resources will also be required generally to support the discharge

of OPCV's mandate in ongoing trial, appeal and reparations proceedings and to enable necessary consultations with clients.

560. Travel resources are required in CSS for the travel of members of the disciplinary boards for counsel to attend hearings in The Hague, and for missions to encourage lawyers from situation countries to apply for admission to the List of Counsel, which contributes to reducing the cost of appointments *in situ*. The requested amount has decreased by 2.2 thousand (3.9 per cent).

561. DJS also requires travel resources for missions undertaken to provide relevant judicial services. In CMS, travel resources of €46.5 thousand are required in 2022 – an increase of €15.6 thousand (50.5 per cent) – for travel by ALO/Courtroom Officers to provide support for remote testimony by video link. It is estimated that 50 per cent of all witnesses will testify remotely via video link. However, CMS has now trained field staff to provide the necessary technical support for the giving of evidence via remote video link without the aid of CMS staff flown in from Headquarters. Originally introduced to cope with COVID-19 travel restrictions, this *modus operandi* is now the baseline for planning purposes. Accordingly, it is estimated that, in areas where the Court has a country office or other field presence that can support the giving of video link evidence, 85.0 per cent of remotely-testifying witnesses will give evidence with the support of CMS-trained field staff. The remaining 15.0 per cent will testify with CMS support at other locations, 70.0 per cent of which are expected to be in Europe and 30.0 per cent elsewhere. In areas where the Court does not have a country office or field presence that can accommodate remote video link testimony, all remotely-testifying witnesses are expected to be supported by a CMS staff member who has travelled from Headquarters to the location. Likewise, of those locations, 70 per cent are expected to be in Europe and 30 per cent elsewhere. The amount requested for Al Hassan has decreased by 68 per cent to €5.5 thousand. The amount requested for Yekatom and Ngaïssona has decreased by 47 per cent to €7.9 thousand. For Abd-Al-Rahman, the requested amount totals €22.9 thousand. For Gicheru, the requested amount totals €10.2 thousand.

562. The missions planned for IMSS in 2022 are those previously postponed owing to COVID-19. The marginal increase in the amount requested is due to updated flight costs and daily subsistence allowance rates. To ensure business continuity in the field, IMSS performs scheduled maintenance visits to all country offices every two years. Whereas the IMSS Network and Telecommunications Team, within the Service Operations Unit, is responsible for the stable operation of the networks and IT infrastructure used at country offices, and Field IT Technicians handle first-line end-user support and some routine maintenance, the scheduled visits by an IMSS Network and Communications Technician are necessary for the performance of more complex maintenance, upgrades and replacement of obsolete hardware. Maintenance visits to the country offices in Mali, Uganda and the DRC are scheduled for 2022. This time in the field is also used to provide additional training to Field IT Technicians. The remainder of the amount requested is for travel by the Chief of IMSS and the Information Security Officer to the country offices in the CAR and Uganda to conduct information security assessments and training which, owing to budget constraints and COVID-19, have been deferred since 2019. These visits afford an opportunity to assess the level of IT service provided by Headquarters and audit information security practices.

563. Other judicial services requiring travel include language interpretation provided by LSS and facilitation of victim participation by VPRS. The requested amount for LSS has increased €51,4 thousand (27.1 per cent). The total increase for LSS is then €66,158. For LSS the *Abd-Al-Rahman* trial requires resources for travel of field interpreters to support VWS field missions. LSS would require additional resources for *Said*, if confirmed. For VPRS, in light of the *Abd-Al-Rahman* confirmation of charges, as well as the growing number of investigations in countries without a field presence, it seeks a moderate increase of €10.4 thousand above the approved travel funds for 2021. If a confirmation ensues in *Said*, additional travel needs may materialise.

#### *Contractual services*

€ 597.5 thousand

564. As noted above, DJS is a provider of services to the Court. As such, its tasks include continuing the implementation of the JWP project, the flagship of the Court's Five-Year

IT/IM Strategy. The amount of resources requested for contractual services has decreased by €1,119.2 thousand (65.2 per cent).

565. IMSS requests €383.8 thousand, a net decrease of €1,153.2 thousand (75.0 per cent) from the €1,537.0 thousand approved for 2021. The decrease is less than projected because of additional resource needs for the JWP project. The requested amount is composed of three categories of costs:

a) €136.0 thousand in recurrent lights-on costs required to augment IMSS staff capabilities to support core IT and IM systems including courtroom, network and data centre systems and applications such as SharePoint. This is an increase of €55.0 thousand from the 2021 figure of €81.0 thousand. Of this increase, €50.0 thousand is required to augment the Court's cybersecurity monitoring capacity and the remaining €5.0 thousand to accommodate the increased demand for processing of archival and legacy records. Specialized external vendors are used where there is a need for a particular technology or service that cannot be addressed solely with staff resources.

b) €64.1 thousand in non-recurrent expenditure for three projects: €50.0 thousand to develop a custom migration tool and pilot the migration of legacy Court records to the JWP; €10.0 thousand to enhance automated email notifications on mobile devices for external counsel; and €4.1 thousand for services to upgrade software for the Office of Internal Audit.

c) €183.7 thousand in non-recurrent expenditure for the JWP team to fund project roles including the position of JWP software programming officer and that of JWP analyst and training assistant. In 2020, the Court reported that COVID-19 and the need to prioritize the continuity of judicial operations had delayed the analysis of business requirements and, thus, progress on the project as a whole. At the time of the thirty-first session of the Committee on Budget and Finance, when the extension of eCourt Project Manager position was sought to manage delivery of the project, the existing approved non-staff budget was sufficient for projected delivery of the first release in 2021, with subsequent core releases expected by the end of 2022. However, in late 2020 and early 2021, the impact of COVID-19 on the Court and its partner tribunals and the ensuing need to prioritize the continuity of judicial operations, coupled with unforeseen staff changes in key JWP roles, made clear that the schedule of releases planned for 2021 and 2022 could no longer be maintained. The role of JWP analyst and training assistant, which was initially expected to come to an end in 2021, will now be required through 2022.

566. The amount requested by LSS has increased by €34.0 thousand (27.5 per cent) to cover translation needs for the reparations phase in *Ongwen*. Outsourcing remains essential to the provision of translation services, as not all languages are available in-house. Translations in the Court's working languages may also be outsourced where all in-house translation resources are already being used at capacity. Furthermore, outsourcing is necessary for judicial cooperation purposes to enable translation from and into the languages of communication chosen by States Parties. Most such languages are not supported in-house. The rate paid by the Court for outsourced translation have not changed since 2003.

567. The amount requested by VPRS remains at the level approved for 2021 (€6.0 thousand). The resources in question are required, particularly where country offices cannot assist, for specialized services and facilities needed by VPRS staff (and not available in-house) to carry out relevant activities in the field with victims and victim groups.

568. The amount requested by OPCV (€50.0 thousand) remains at the level approved for 2021 and continues to be needed for OPCV's participation in ongoing judicial proceedings and to reimburse transport fees to victims who travel from their place of residence to a safe location to meet with counsel.

#### *Training*

*€65.0 thousand*

569. The amount proposed has increased by €4.4 thousand (7.3 per cent). The staff training resources requested for 2022 are essential to enabling DJS to cope with changes in its workload and to cover any additional expertise required. 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 Chambers and the OTP. Training is proposed for the following sections under their recurring expenses: IMSS (€59.0 thousand), VPRS (€5.4 thousand) and OPCD

(€0.6 thousand). As the most cost-efficient solution, and where possible, it is recommended that training be completed online or that a trainer be engaged to conduct programmes at the Court's premises. While certain aspects of the respective tasks which are incumbent on OD-DJS and DS require specific training, those sections have decided not to provide for such training in 2022, owing to the current economic situation.

570. The amount of €59.0 thousand proposed in respect of training for IMSS staff represents an increase of €8.6 thousand (17.1 per cent) from the amount of €50.4 thousand approved in the 2021 programme budget. Training continues to be focused on providing IMSS staff with the technical skills and knowledge required to maintain certifications, in particular those necessary for the mandatory upgrade of core Court infrastructure such as the network, firewall, email, operating systems and SharePoint, which equips the Court's Intranet with content repositories and custom applications. If IMSS fails to keep staff certifications and training up to date it will increasingly have to rely on vendors for routine maintenance and upgrades, thus increasing contractual service costs. Wherever possible, IMSS uses online or local training.

#### *Consultants*

€554.5 thousand

571. The amount requested for the Division has increased by €83.7 thousand (17.8 per cent).

572. The amount requested in OPCV has increased by €83.7 thousand (19.3 per cent) from the 2021 approved budget. These resources remain recurrent and are required to cover the appointment to represent victims in *Abd-Al-Rahman*. The specific language requirements and the extent of the victim diaspora in the case mean that a Hague-based assistant to counsel appointed in 2021 and a field-based counsel based in Sudan will continue to be required to facilitate contact with the victims. Practice has shown that the support of field-based counsel and assistants based in situation countries is essential to maintaining continuous contact with victims, keeping them regularly updated about the proceedings and collecting their views, concerns, and evidence in a language they understand. The collection of completed applications and evidence is particularly important at the reparations stage of proceedings. Finally, a field-based assistant to counsel is needed for four months in Côte d'Ivoire to cover residual activities following the final acquittal of Mr Gbagbo and Mr Blé Goudé. Costs are calculated on the basis of the actual consulting contracts entered into.

573. The resources requested are €20.0 thousand for OPCD and €6.0 thousand for DS, the requested amounts for VPRS (€5.0 thousand) and OD-DJS (€5.0 thousand) remain unchanged.

#### *Counsel for defence*

€5,572.7 thousand

574. This budget item is highly dependent on judicial assumptions. The requested amount has increased by €1629.0 thousand (41.3 per cent) as a result of the application of the Court's legal aid system to planned judicial activities and related assumptions for 2022. The proposed budget for defence counsel will fund the defence teams of Mr Ongwen, Mr Al Hassan, Mr Ngaïssona, Mr Yekatom, Mr Ntaganda, Mr Abd-Al-Rahman, Mr Gicheru and Mr Said, and includes provisions for reduced funding in the cases of Mr Al Mahdi, Mr Banda and Mr Gaddafi.

575. An additional sum is proposed for duty and ad hoc counsel appointed by the Registrar and Chambers, respectively, under the conditions established in the Rome Statute, the Rules of Procedure and Evidence and the Regulations of the Court.

#### *Counsel for victims*

€2,191.6 thousand

576. This budget item is highly dependent on judicial assumptions. The amount requested has increased by €464.5 thousand (26.9 per cent) as a result of the application of the assumptions on which the 2022 Proposed Programme Budget is based. The amount requested is required to fund existing external teams of legal representatives for victims currently participating in proceedings before the Court. This figure includes external teams in the *Ongwen* case and the common legal representatives of victims in the *Lubanga* (two teams),

*Katanga, Al Hassan, Al Mahdi, Ongwen, Yekatom and Ngaiissona, Said and Abd-Al-Rahman* cases.

*General operating expenses*

€6,154.0 thousand

577. The amount proposed has decreased by €137.2 thousand (2.2 per cent). Of the proposed amount of €6,154.0 thousand, €4,132.2 thousand is attributable to resources required in IMSS, €1,980.4 thousand to resources required in DS, €18.4 thousand to resources required in OPCV and €23.0 thousand to resources required in VPRS.

578. The amount proposed for IMSS is €4,132.2 thousand, representing a 4.0 per cent decrease of €173.0 thousand from the €4,305.2 thousand approved for 2021. General operating expenses represent the largest component of IMSS non-staff costs and include (a) rental of furniture and equipment, (b) communications and (c) maintenance of furniture and equipment. The COVID-19 pandemic and the Court's ensuing reliance on IMSS to maintain operational continuity have resulted, since 2020, in increased resource requirements for the provision of key IMSS services. At the same time, IMSS has aggressively pursued and achieved efficiencies of €371.6 thousand, detailed in Annex XVI to this Proposed Programme Budget and directly reflecting reductions in lights-on costs from the 2021 Approved Programme Budget.

579. The remaining expenditure requested in IMSS is required to cover contractual obligations connected to the maintenance of services and hardware provided by IMSS for all the systems that the Court and its staff use on a daily basis at Headquarters and elsewhere. Any additional reductions in general operating expenses would require the Court to discontinue specific services and systems currently in use, thus disrupting operations and risking non-compliance with multi-year contractual obligations. The proposed budget therefore includes annual recurrent costs encompassing: (a) €142.1 thousand for the rental of furniture and equipment (consistent with the amount approved for 2021); (b) €985.3 thousand in communication costs (a net increase of €7.2 thousand); and (c) €3,004.8 thousand for the maintenance of furniture and equipment at Headquarters and country offices (a decrease of €140.4 thousand).

580. The requirement of €1,980.4 thousand for DS has increased by €24.4 thousand because of an additional detained person; otherwise, despite the yearly indexing of the rental prices of cells as per the Product Price Agreement the requirements remain the same. While these recurrent costs generally increase in line with the consumer price index used in the Netherlands, the Detention Section expects to absorb the projected increase. Other costs include medical care and items specific to ensuring respect for detained persons' religious and cultural backgrounds as part of their well-being, and costs for indigent detained persons to call family and make privileged calls to defence teams. These costs are recurrent. Additional resources will be required if charges are confirmed in the case currently at the pre-trial phase.

581. The requirement of €18.4 thousand proposed for OPCV represents an increase of €7.4 thousand (67.3 per cent) to cover COVID-19-related costs for official travel by staff. The requested resources are also required to cover the cost of renting premises where victims can be met safely and in a way that preserves the privileged relationship between counsel and client.

582. The requirement of €23.0 thousand proposed for VPRS is a €4.0 thousand increase (21.1 per cent) compared to the 2021 approved programme budget, due to projected needs to cater for *Abd-Al Rahman*. The resources in question are required, particularly where country offices cannot assist, for special facilities needed by VPRS staff to carry out relevant activities in the field with victims and victim groups in a secure and conducive environment. This includes facility rental costs, in-country travel and victim-related expenses, and limited external printing of explanatory booklets and materials for victims regarding participation and reparations.

*Supplies and materials*

€315.7 thousand

583. The amount proposed represents an increase of €1.1 thousand (0.3 per cent). Most resources in the Division's budget for supplies and materials are required by IMSS (€291.8

thousand), DS (€7.5 thousand), LSS (€7.0 thousand), CMS (€7.4 thousand) and VPRS (€2.0 thousand).

584. The amount requested for CMS in 2022 represents a decrease of €5.4 thousand (42.2 per cent) based on existing inventory and planned activity. The resources requested are required for the purchase of LTO-6 cartridges for daily audiovisual recording of courtroom proceedings, and to run the distribution/streaming system (live streaming, delayed streaming and footage of witness testimony without facial distortion). The LTO recording system runs as a backup/fail-safe concurrently with the IPV digital recording and archiving system. No LTO-5 cartridges need to be purchased for 2022 as the existing inventory is sufficient. The amount requested specifically for *Al Hassan* and *Yekatom and Ngaïssona* totals €3.8 thousand. Additionally, a total of €1.9 thousand across all proceedings is required for the purchase of both low-capacity (32 GB) and high-capacity (256 GB) portable USB drives to accommodate copy requests, and for the purchase of USB-connected external hard drives for backup and Court record storage purposes. For *Abd-Al-Rahman*, the requested amount totals €1.2 thousand. For *Gicheru*, the requested amount totals €0.4 thousand.

585. The €291.8 thousand requested for IMSS represents a net increase of €6.5 thousand (2.3 per cent) from the €285.3 thousand approved for 2021. IMSS will maintain the same level of service while reducing by €20.0 thousand the funds needed for backup tapes, thereby offsetting the increases necessary to meet higher demand for end-user IT peripherals such as French-language keyboards, webcams and encrypted portable drives.

586. The amount proposed for IMSS in 2022 is comprised wholly of recurrent costs, of which €184.8 thousand is for the continued provision of library reference and resources such as digital and print subscriptions to serials and monographs, used daily by OTP, Chambers and the Registry for legal research. This €184.8 thousand includes €57.5 thousand for library serials in various languages on international criminal law, human rights, genocide studies and defence and security analysis which are mainly used by the office of the Deputy Prosecutor, the Investigation Division and the Situation Analysis Section of the OTP, and Legal Officers working for Chambers; €73.6 thousand for subscriptions to Westlaw and the United Nations System Electronic Information Acquisitions Consortium, which includes LexisNexis, Factiva, the Oxford Reports on International Law, LegalTrac, the HeinOnline Foreign and International Law Resources Database and other resources used by Legal Officers and researchers; €51.2 thousand for print and electronic book purchases in various languages for use by Chambers, litigants and investigators; and €2.5 thousand for supplies to preserve the Court's archival records in paper format.

587. The remaining expenditure for IMSS amounts to €107.0 thousand needed to cover basic printing supplies (toner cartridges and paper), backup tapes, replacement of memory cards, archival supplies to preserve the Court's legacy records, audiovisual supplies for courtrooms and offices and end-user requests for language-specific keyboards, encrypted drives and laptop batteries.

588. For LSS, DS and VPRS the proposed amounts remain unchanged from those approved for 2021 and include €7.0 thousand for up-to-date dictionaries and materials, €7.5 thousand for uniforms and €2.0 thousand for supplies to store original victim applications and materials for field missions.

#### *Furniture and equipment*

*€908.7 thousand*

589. The amount proposed for furniture and equipment in 2022 represents an increase of €398.2 thousand (78.0 per cent) from the amount of €510.5 thousand approved for 2021, attributable to increases in CMS and IMSS. The amount requested for CMS has increased by €0.7 thousand (100 per cent) and the amount requested for IMSS by €397.5 thousand (77.9 per cent).

590. The increase requested for CMS is due to the yearly renewal of the Adobe Acrobat Pro DC licence required for specific operations performed by the Audio-Visual Production Assistants.

591. The €908.0 thousand requested for IMSS represents an increase of €397.5 thousand (77.9 per cent) from the €510.5 thousand approved for 2021. The increase is essentially due to the €438.0 thousand in non-recurrent expenditure required to replace end-of-life

infrastructure, which is €162.0 thousand less than the amount forecast at the thirty-first session of the Committee on Budget and Finance in September 2018. Furniture and equipment costs in IMSS consist of expenditure on software and hardware for both front-office systems (operated directly by end-users) and the back-office systems required to support those front-office systems. Front-office systems include evidence management and other applications as well as equipment such as workstations, laptops and mobile devices. Back-office systems make up the infrastructure which enables end-user applications and hardware to operate and to exchange and store data.

592. The total proposed furniture and equipment budget for 2022 is comprised of €470.0 thousand in recurrent costs for lights-on items, which vary annually owing to obsolescence and wear and tear, and €438.0 thousand in non-recurrent investments to replace end-of-life infrastructure. The Court uses furniture and equipment until it is no longer usable or compatible with the rest of the Court's information technology infrastructure. Failure to replace end-of-life infrastructure would prevent the Court from keeping its systems up to date and lead to additional security risks.

**Table25: Programme 3300: Proposed budget for 2022**

3300 Division of Judicial Services (DJS)	2020 Expenditures (thousands of euro)			2021 Approved Budget	Resource Changes		Proposed 2022 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				12,616.9	340.6	2.7	12,957.5
General Service staff				4,829.2	438.7	9.1	5,267.9
<i>Subtotal staff</i>	<i>18,303.1</i>	<i>-</i>	<i>18,303.1</i>	<i>17,446.1</i>	<i>779.3</i>	<i>4.5</i>	<i>18,225.4</i>
General temporary assistance	1,331.0	231.0	1,562.0	1,518.8	2,312.1	152.2	3,830.9
Temporary assistance for meetings	338.7	166.3	505.0	277.0	1,289.5	465.5	1,566.5
Overtime	11.1	-	11.1	20.0	-	-	20.0
<i>Subtotal other staff</i>	<i>1,680.8</i>	<i>397.3</i>	<i>2,078.1</i>	<i>1,815.8</i>	<i>3,601.6</i>	<i>198.3</i>	<i>5,417.4</i>
Travel	39.2	3.1	42.2	461.2	112.3	24.3	573.5
Hospitality	-	-	-	-	-	-	-
Contractual services	781.9	2.5	784.4	1,716.7	(1,119.2)	(65.2)	597.5
Training	13.4	-	13.4	60.6	4.4	7.3	65.0
Consultants	370.8	89.8	460.6	470.8	83.7	17.8	554.5
Counsel for defence	2,710.4	921.4	3,631.7	3,943.7	1,629.0	41.3	5,572.7
Counsel for victims	1,211.9	328.8	1,540.7	1,727.1	464.5	26.9	2,191.6
General operating expenses	6,214.2	137.1	6,351.3	6,291.2	(137.2)	(2.2)	6,154.0
Supplies and materials	341.6	131.4	473.0	314.6	1.1	0.3	315.7
Furniture and equipment	909.4	82.1	991.5	510.5	398.2	78.0	908.7
<i>Subtotal non-staff</i>	<i>12,592.7</i>	<i>1,696.1</i>	<i>14,288.8</i>	<i>15,496.4</i>	<i>1,436.8</i>	<i>9.3</i>	<i>16,933.2</i>
<b>Total</b>	<b>32,576.6</b>	<b>2,093.4</b>	<b>34,670.1</b>	<b>34,758.3</b>	<b>5,817.7</b>	<b>16.7</b>	<b>40,576.0</b>

**Table 226: Programme 3300: Proposed staffing for 2022**

3300	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
<b>Established Posts</b>														
Approved 2021	-	-	-	1	7	23	34	42	5	112	2	74	76	188
New	-	-	-	-	-	-	2	1	1	4	-	1	1	5
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>7</b>	<b>23</b>	<b>36</b>	<b>43</b>	<b>6</b>	<b>116</b>	<b>2</b>	<b>75</b>	<b>77</b>	<b>193</b>
<b>GTA Positions (FTE)</b>														
Approved 2021	-	-	-	-	-	1.00	2.25	2.50	2.67	8.42	5.38	3.00	8.38	16.80
Continued	-	-	-	-	-	1.00	4.00	6.50	1.00	12.50	2.00	3.00	5.00	17.50
New	-	-	-	-	-	1.00	1.50	6.00	-	8.50	9.48	7.00	16.48	24.98
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	(1.00)	(1.00)	(1.00)	(3.00)	-	(1.00)	(1.00)	(4.00)
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2.00</b>	<b>4.50</b>	<b>11.50</b>	<b>-</b>	<b>18.00</b>	<b>11.48</b>	<b>9.00</b>	<b>20.48</b>	<b>38.48</b>

#### 4. Programme 3800: Division of External Operations

##### Introduction

594. The Division of External Operations (DEO) is responsible for the Registry's functions in the areas of cooperation, analysis, external communication, protection of and assistance to witnesses, and field operations. In addition to the Office of the Director (OD-DEO), DEO comprises three sections at Headquarters, namely the Victims and Witnesses Section (VWS), the External Operations Support Section (EOSS) and the Public Information and Outreach Section (PIOS). DEO also includes the external representations of the Court in situation countries (country offices) and at United Nations Headquarters in New York.

595. The Court's country offices are established, as appropriate, in situation countries to carry out the Registry's mandated tasks in relation to witnesses, victims and communication, and to provide support for the activities of the Office of the Prosecutor (OTP), counsel for the defence and for victims and the Trust Fund for Victims (TFV). In 2022, the Court will continue to maintain offices in six situation countries, namely the Central African Republic (CAR), Côte d'Ivoire (CIV), the Democratic Republic of the Congo (DRC), Georgia, Mali and Uganda. The size and staffing composition of each country office is determined on a case-by-case basis, taking into account the stage of the Court's engagement in the situation country, the specific circumstances of the situation and the need to support the activities in neighbouring countries. Country offices are time-bound, scalable representations in situation countries. Multiple factors are considered in assessing the best way to provide in-country/regional support for investigative and judicial activities. Depending on the stage of proceedings, the situation and the context on the ground, presences vary between small representation offices and more complex operations needed to address multifaceted requirements. The Court's Liaison Office to the United Nations in New York ("Liaison Office") supports external relations with diplomatic representations to the United Nations and the cooperation activities of all organs of the Court in relation to the United Nations itself.

596. Through coordination and support from the Court's Headquarters in The Hague, the Division ensures that administrative, logistical and security issues concerning the Court's external representations are addressed effectively and efficiently. In this regard, DEO centralizes the Court's mission planning capacity and supports its crisis management procedures. DEO also provides its clients with high-quality targeted analysis of security and socio-political developments relevant to the Court's work. Through VWS, DEO is responsible for providing protective measures, security arrangements, counselling, logistical and other assistance to witnesses, victims appearing before the Court and others who are at risk on account of testimony by such witnesses.

597. The Division is also responsible for the Court's external communications and, in this regard, ensures the timely and accurate delivery of information on the mandate and activities of the Court through a variety of media to both key stakeholders and the general public. This includes, notably, outreach activities aimed at victims and affected communities in situation countries. The Registry's statutory responsibilities regarding international cooperation and judicial assistance, for example in relation to the arrest and surrender of persons subject to warrants of arrest, execution of summonses to appear, transfer of detained witnesses, implementation of interim release or release of acquitted persons, and facilitation of judicial site visits, are also discharged by DEO.

##### Operating environment

598. The COVID-19 pandemic has had a significant impact on DEO's operations. The disruptions, and the need for solutions to overcome them, are expected to continue into 2022. DEO has carefully assessed all resource requests for travel to limit itself to only essential travel for operational purposes as well as to establish and repair vital contacts and networks. Since much of DEO's work takes place away from Headquarters, it is largely governed by the stage of the Court's engagement in a given situation. In 2022, the Registry will continue to support the OTP's investigations and perform its own mandated activities in relation to situations in the investigation phase. In line with assessments on the most efficient and

effective operational modalities, the Registry will maintain country offices in Côte d'Ivoire and Georgia while the other situations in the investigation phase, i.e. Libya, Burundi, Bangladesh/Myanmar, Afghanistan, and Palestine, will be handled by staff based at Headquarters or in other existing field presences. The country offices in Mali and the CAR will be supporting trial proceedings, including victim participation, outreach activities, witness protection and appearances, and missions conducted by parties and participants. The country offices in Uganda and the DRC will primarily be supporting reparations-related activities. However, the country office in Uganda will also be taking on additional tasks primarily in relation to activities emanating from the case and situation in Kenya and Darfur (in relation to both Sudan and Chad).

#### *Central African Republic (CAR)*

599. The Registry's operations in the CAR situation are expected to expand in 2022 with one case at the trial stage (*Yekatom and Ngaïssona*) and one likely to be in trial preparation (*Said*). The CAR, with its tense security situation and volatile political landscape, continues to be one of the most demanding environments in which the Court operates. This has a direct impact on the resources needed to manage the security, health and welfare of staff based in the country, especially in the context of the COVID-19 pandemic given the scarcity of in-country medical facilities. In 2022, the country office in the CAR will be requested to provide administrative, operational and security support for an increased number of missions.

600. Both the trial in the *Yekatom and Ngaïssona* case, expected to continue for the whole of 2022, and the proceedings in the *Said* case will be major cost drivers for the Registry's witness-related activities. This has resulted in an increase in non-staff and staff resources alike. Should the charges be confirmed in the *Said* case, the Registry will submit an addendum to the budget for the additional resources required to support the relevant trial activities.

601. Therefore, the country office in the CAR will continue to be in the operational phase in 2022 to support trial activities relating to the *Yekatom and Ngaïssona* case as well as any trial activities relating to the *Said* case should the charges be confirmed. To support these two cases, the country office in the CAR is also proposing to further develop the Registry's outreach and victim participation activities, in line with the recommendations made by the Independent Expert Review on the importance of active outreach and communication to keep the affected communities informed about the developments at the Court. The country office in the CAR is expected to remain in the same operational phase, characterized by a high workload, for the coming years.

#### *Mali*

602. In 2022, the country office in Mali will remain in the same operational phase as in 2021, with one ongoing trial (*Al Hassan*) and one case in the implementation phase of reparations (*Al Mahdi*), expected to continue for the whole of 2022. The full operationalization of the country office, notably as a result of co-location with the UN peacekeeping operation in Mali (MINUSMA), and incremental changes brought about as a result of continuous improvement processes, have allowed the country office to present a reduced budget for 2022 despite the continuing high workload. Access to the United Nations' administrative services will also enable it to maintain the positive effect on the running of its operations. The Court continues to operate in an environment characterized by a volatile security situation, including extremist violence, which has recently been compounded by the COVID-19 pandemic. The co-location with MINUSMA has, however, allowed the country office to benefit from an increased level of security.

603. In 2022, the continuation of the *Al Hassan* trial will require the Registry to provide further administrative and operational support, especially with respect to the protection of and assistance to witnesses, including arranging for their appearance before the Court. Effective outreach to the affected communities on judicial developments will continue to be a key consideration in this phase. The TFV will carry on the implementation of its reparations plan in the *Al Mahdi* case throughout 2022, which will also entail significant operational support from the Registry. The resource requirements, while remaining high in the current phase, are expected to gradually decrease over the coming years should no new cases arise

from the situation in Mali. While the level of support requested by the OTP for 2022 has decreased, the administrative, operational and security support required of the country office by the Registry and the TFV continues to be significant.

#### *Côte d'Ivoire (CIV)*

604. The judgment of the Appeals Chamber confirming the acquittal of the two accused persons in the *Gbagbo and Blé Goudé* case has recast the operational phase for the country office in Côte d'Ivoire. Despite the conclusion of the *Gbagbo and Blé Goudé* proceedings, the country office in Côte d'Ivoire will maintain its administrative, operational and security support in 2022 for the OTP's active investigation in the CIV II situation as well as the TFV's operations in the country. The Registry will also continue to require significant support on the ground for witness-related activities. Since 2021, the Registry has taken active steps to shift resources from Côte d'Ivoire to Mali to allow staff in the Mali office to increasingly oversee activities in the Côte d'Ivoire office, for example in the areas of management and outreach.

605. The country office in Côte d'Ivoire is proposing reductions in both staff and non-staff costs for 2022. The country office will remain in the same premises in Abidjan as in the trial support phase, as this has been assessed as the most cost-effective solution, considering the expenses involved in relocating to a new, smaller office and pending the prosecutorial decisions concerning the Court's future involvement in the situation in CIV II. The current operational posture allows for both rapid scaling up in the event of new arrests as well as quick scaling down, and eventual closing, should this be required.

#### *Democratic Republic of the Congo (DRC)*

606. The country offices in the DRC are in their final phase to support the reparations activities in the *Lubanga*, *Katanga* and *Ntaganda* cases. The downsizing of the Registry's operations in the situation in the DRC has started in 2021 and will continue in 2022 with the planned closing of the office premises in Kinshasa, which will nonetheless retain a minimal liaison function with the host government and UN agencies, as well as its capacity to provide protection and support to protected witnesses and limited transportation services to local staff members based in Kinshasa. Significant cost savings will be generated in both staff and non-staff resources. Support for the implementation of reparations in the *Lubanga*, *Katanga* and *Ntaganda* cases will be provided by the office located in Bunia, in eastern DRC, under the managerial oversight of the country office in Uganda. The security situation in the eastern part of the DRC remains fragile and adequate measures continue to be needed to ensure the safety and security of staff.

#### *Uganda*

607. The Registry's operations in the situation in Uganda will advance to a new phase in 2022 with the *Ongwen* case proceeding to appeal and litigation on reparations. The latter will require the Registry, and specifically the country office in Uganda, during its operational phase, to support reparations activities, to undertake and support outreach and victim participation activities to implement judicial orders, as well as to manage victims' expectations. The Registry will also continue to have witness-related activities for which significant support on the ground will continue to be required. The country office will also continue to provide logistical and security support in relation to the *Ongwen* case and to the TFV's assistance projects in northern Uganda.

608. In line with the recommendations of the Independent Expert Review, the Registry will continue to pilot the use of existing country offices to cover for new situation countries where this is operationally, financially and politically feasible. This approach will enable the Registry to minimize its request for resources for new activities, notably in relation to the situations in Darfur, the *Abd-Al-Rahman* case (covering both Sudan and Chad) and the *Gicheru* case in Kenya. The Registry is in discussions with the UN and the Ugandan authorities to see whether office space could be made available at the UN base in Entebbe to facilitate these activities.

*Georgia*

609. The country office in Georgia will be maintained in 2022 to provide support for OTP activities, communicate with the affected communities and the general public about the Court's mandate and work in Georgia as the situation develops, and provide diplomatic, logistical and security support for the activities in the situation. Whatever decisions the OTP takes upon the conclusion of the investigation phase in the situation by the end of 2021 will have an impact on the future operational phase of the country office. These developments will be considered in DEO's resource planning and will be reflected in DEO's budget proposal for 2023. Accordingly, the Registry is proposing moderate reductions for the country office in Georgia for 2022 while maintaining the current operational posture, which allows for both rapid scaling up as well as quick scaling down, and eventual closing, should this be required.

*Other situation countries without a field presence*

610. In 2022, the Registry will continue to conduct and support activities in relation to several situation countries where it does not have a country office, specifically, the *Abd-Al-Rahman* case in the situation in Darfur and the *Gicheru* case in the situation in Kenya. With respect to those situations and cases, the Registry has developed its mode of field engagement in 2021 in accordance with which field activities are conducted and supported with resources at Headquarters as well as, where feasible, in the country office in Uganda. In this regard, the Registry is requesting new GTA resources for both Headquarters and the country office in Uganda as well as the redeployment of established posts from Kinshasa/DRC to Uganda to manage the protection of witnesses, outreach activities and various types of support to the trial activities in Chad and Sudan pertaining to the *Abd-Al-Rahman* case. Resources are also required by the Country Office in Uganda to ensure the management of witness protection as well as the provision of operational support to missions in Kenya in the context of the *Gicheru* case. The OTP's investigative activities, in particular its active investigations in relation to the situations in Libya, Burundi, Bangladesh/Myanmar, Afghanistan and Palestine, will also have an impact on the Registry's resource requirements, in particular with respect to witness protection.

*Liaison Office of the International Criminal Court to the United Nations (New York)*

611. The Liaison Office ensures accurate and timely reporting on developments relevant to the work of the Court and assists in keeping diplomatic missions and other key stakeholders in New York abreast of developments at the Court. The Liaison Office also supports the work of the Assembly and of its Secretariat, and represents the Court in meetings of the Bureau and other subsidiary bodies of the Assembly. In 2022, the Liaison Office will focus its efforts on supporting the needs of the Court in its relations with the United Nations Secretariat, the other principal organs of the United Nations and diplomatic missions based in New York. In line with the recommendations made by the Independent Expert Review, the Registry, in close consultation with key stakeholders, will be reviewing the role of the Liaison Office with a view to presenting a proposal on the resources and staffing that would allow the Liaison Office to realistically carry out the range of activities assigned to it.

**Strategic priorities for 2022**

612. DEO's strategic objectives for 2022 form part of the Registry Strategic Plan for 2022-2024 and are closely linked to the implementation of the relevant recommendations of the Independent Expert Review (IER). The work of DEO will take place in the context of ensuring business continuity in a world where many countries and international travel will remain heavily affected by the COVID-19 pandemic. DEO will continue its work to introduce higher levels of forward planning and efficient allocation of resources to the Registry's field operations. Specifically, in 2022 the DEO will work to transform its existing "Framework for the Registry's Field Engagement" into a fully-fledged field operations strategy, with a view to enhancing the impact of the Court's presence in the field and maximizing the use of resources.

613. In line with the recommendations of the IER, the DEO will also consider and pilot regional field offices acting as hubs for several countries in a region. Since the downsizing

of the country office in the DRC (Kinshasa) began in 2020, the Registry has decreased the staff resources required by that office by defunding or redeploying posts to other duty stations where demand for Registry support has increased. For example, the posts of Chief of Country Office and of Field Officer (VPR) were redeployed from the DRC to Uganda. Since then, the Chief of Country Office, now based in Uganda, has been overseeing activities in the DRC, including those related to victims and outreach, which have also been supervised by the professional staff located in Uganda. In 2021, the country office in Uganda has been stretching its existing resources to service both the OTP's investigative activities and witness-related activities in the region, in addition to coordinating the Registry's own mandated activities relating to the *Ongwen* case in the Uganda situation itself. Since the charges have been confirmed in the *Abd-Al-Rahman* case in the Darfur situation and in the *Gicheru* case in the Kenya situation, DEO plans to provide support from Uganda for the trial activities in those three cases and for the reparations-related activities in the *Ntaganda*, *Katanga* and *Lubanga* cases in the situation in the DRC. Likewise, the country office in Mali will continue to increasingly oversee activities in relation to the situation in CIV where a smaller field presence will be maintained following the termination of the *Gbagbo and Blé Goudé* case, although the OTP's active investigations are expected to continue.

614. In 2022, the DEO will work closely with other parts of the Court to develop a coordinated, cross-organ communication strategy. In developing this strategy, the relevant recommendations made by the IER will be carefully considered to lay a strong foundation for the Court's communication efforts over the coming years. While the eventual implementation of the communication strategy may have resource implications, which will be submitted for the Assembly's consideration if and when applicable, the strategy will be developed within existing resources. In 2022, PIOS will continue its efforts to provide timely and accurate information about the Court and its work to both the general public and key stakeholders. In the light of the serious political attacks against the Court, the work done to maintain and increase public support for the institution has never been more important.

615. The Court's communication efforts must be complemented by effective external relations strategies and actions to foster political support. EOSS and the Liaison Office will play a key role in 2022 in maintaining and further developing a constructive dialogue between the organs of the Court, on the one hand, and States and international organizations on the other, with a view to continuing to strengthen political support for the Court and identifying concrete areas of cooperation for the ultimate benefit of the Court's investigations and judicial proceedings, as well as the overall resilience of the organization. DEO will also continue to support the Presidency and the Assembly in promoting the universality of the Rome Statute and thereby the legitimacy of the Court.

616. The experience of the Court to date has shown the importance of concluding framework agreements with States on witness relocation, interim release of accused persons and final release of acquitted or convicted persons, and also of supporting the Presidency in the conclusion of further agreements on the enforcement of sentences. Without the appropriate framework enabling States to cooperate with the Court, the Court cannot effectively discharge its mandate. The Registry has been obliged to establish ad hoc arrangements at considerable cost when no State is willing to accept on its territory persons granted interim release. Lack of cooperation also has severe budgetary implications since witnesses are not able to exit the Court's protection programme. Internally, and in line with the recommendations of the IER, DEO will be evaluating the needs of VWS and its staffing structures to see whether and which improvements could be made.

617. DEO, in close coordination with the OTP, will also continue to focus on garnering support from States for the arrest of suspects currently at large. The successful arrest and transfer operations, most recently in the *Said* case in the situation in the CAR, demonstrate the results that can be achieved through both a "team of teams" approach between the Registry and the OTP as well as focused but limited investments in this area. However, 13 persons for whom warrants of arrest have been issued by the Court remain at large, thus necessitating continued efforts to bring fugitive persons to justice.

**Budget resources****€22,320.6 thousand**

618. The overall proposed budget for 2022 for DEO represents an increase of €1,112.8 thousand (5.2 per cent) as compared to the 2021 approved budget.

619. The increase in both the staff and non-staff resources requested by DEO for 2022 results mainly from a high number of witness referrals recently received by VWS, in the trial as well as the pre-trial cases in combination with the equally high number of projected witness referrals in 2022 and the additional resources needed to support witnesses in the context of other situations, such as the situation in Bangladesh/Myanmar. The COVID-19 pandemic is also expected to have an impact on travel and case management activities even into 2022, and VWS may have to rely very heavily on the availability of staff resources in the situation countries to provide key support and daily maintenance services to its beneficiaries, especially to facilitate trial witness appearances, and to handle the field case management of witnesses and victims who are currently protected along with those yet to be referred. Another part of increase in staff resources results from the need to recruit the field staff who are proficient in Arabic and familiar with the culture and operating environment in Sudan /Chad to be able to support and conduct activities pertaining to the *Abd-Al-Rahman* case following the recent confirmation of charges. The Registry currently lacks such a capacity at the relevant Unit/Section at Headquarters and in the field to provide the required support. The increase in non-staff resources is also a result of the need to support the trial activities as well as to conduct outreach activities in Sudan/Chad pertaining to the *Abd-Al-Rahman* case and in Kenya pertaining to the *Gicheru* case, prioritization of outreach activities planned for the two situations under investigation pursuant to judicial orders, namely Bangladesh/Myanmar and Palestine; and for the situation in Afghanistan in the light of high interest from civil society and other actors. A small increase has been requested by the country office in the CAR owing to a scheduled increase in its in-country outreach and victims participation and reparations activities for which an innovative approach will be taken for the *Yekatom and Ngaïssona* case and for the *Said* case in order to explain the confirmation of charges decisions, irrespective of whether the charges are confirmed. The aforementioned requested increase has been largely offset by the reduction in DEO's resource requirements.

620. A large portion of the reduction in DEO's resource requirements results from: (1) the planned closing of the country office premises in Kinshasa (DRC) (the country office has already moved to a much smaller site in 2021); (2) prioritization of resources in the country office in Côte d'Ivoire; and (3) savings and efficiencies identified, as detailed further below. Only two local staff members remain in Kinshasa to maintain a liaison function with the host country and with the UN agencies, as well as to provide residual transportation services. The country office in Côte d'Ivoire continues to prioritize its resources following a decrease in in-country activities. These two initiatives have resulted in a significant decrease in both staff and non-staff resources, specifically the defunding of seven posts based in Kinshasa and Côte d'Ivoire.

**Staff resources****€ 16,375.5 thousand**

621. Proposed staff resources for DEO represent an increase of € 161.9 thousand (1.0 per cent) as compared to the 2021 approved budget; although the requested increase has been largely offset by the defunding of 11 posts (in addition to the posts already defunded for 2021) located in Kinshasa, Côte d'Ivoire and the CAR, as detailed below. This increase results from the request 1) to fund again five established posts and one GTA position which were defunded and 2) for additional GTA positions to cope with the significant increase in the number of referrals for witness protection by the OTP in the *Abd-El-Rahman* and *Said* cases, (irrespective of whether the *Said* case proceeds to the trial stage) and the outreach activities pertaining to the *Abd-Al-Rahman* case and the *Gicheru* case.

622. With regard to the staff resources requested by VWS, it should be noted that the COVID-19 pandemic is expected to continue to have an impact on travel and case management activities in 2022, and VWS may have to rely heavily on the availability of staff resources in the situation countries to provide key support and daily maintenance services to its beneficiaries, especially to facilitate trial witness appearances, and to handle the field case management of witnesses and victims who are currently protected along with those yet to be referred. The significant increase in referrals for witness protection made by the OTP in the

*Said* and *Abd-Al-Rahman* cases during their pre-trial stage and during the trial phase of the *Abd-Al-Rahman* case will lead to a corresponding increase in the services required of VWS, irrespective of whether the charges will be confirmed in the *Said* case. That is because confirmation decisions will have no bearing on the number of referrals for witness protection already received before the confirmation hearings in the *Said* case plus those likely to be received as from now and into 2022. The workload of VWS in relation to protection activities starts becoming heavy at the pre-trial stage before the confirmation hearings when witnesses at risk are being identified by the OTP. The risks remain acute (sometimes for years) after the charges are confirmed and even after the trial stage is concluded, and the continuous and long-term involvement of VWS in the protection and case management of its beneficiaries is thus required. The additional resources needed to provide support to witnesses in the situations under investigation, such as Bangladesh/Myanmar, also justify an increase in staff resources to cater for the beneficiaries' needs and related activities

623. Following the recent confirmation of charges in the *Abd-Al-Rahman* case and the *Gicheru* case, additional staff resources are required by the Country Office in Uganda and the Public Information and Outreach Section in order to provide the diplomatic, security, operational services and witness and victim protection and trial support services to support the *Abd-Al-Rahman* trial as well as the *Gicheru* trial from Uganda and to conduct the associated outreach activities from Headquarters or by sending missions to Sudan/Chad and Kenya. Notably, the activities and provision of services associated with the *Abd-Al-Rahman* case would require the Arabic language capacity and knowledge of the culture and operating environment in Sudan/Chad which are in need by the Registry.

624. The increase in the requested staff resources has been largely offset by the defunding of an additional ten established posts in Kinshasa, Côte d'Ivoire and the CAR. As indicated above, following the closing of the country office in Kinshasa, the Registry will retain a minimal liaison function and limited transportation services by maintaining only two local staff members in that office in 2022. Therefore, the four remaining funded posts located in the country office in Kinshasa will no longer be required and it is requested that they either be defunded or redeployed to Uganda. In addition, the Registry continues to prioritize the resources required by the country office in Côte d'Ivoire where three posts are to be defunded.

625. In anticipation of a possible need to establish a Court field presence in other situation countries or to support activities relating to new cases or situations, it is proposed that posts which are no longer required in the current operating environment be defunded, rather than abolished, and funded again at a later time in the event they are required to support activities relating to other situations or cases. The sole exception concerns the request for the redeployment of four posts from the DRC (Kinshasa) to Uganda.

*Established posts: Professional and General Service*

*€14,461.4 thousand*

626. The amount requested for established posts presents a decrease of €221.0 thousand (1.5 per cent) as compared to the 2021 approved budget. The decrease has been achieved, despite the request to resume funding for six posts which are defunded for 2021, by defunding another 11 established posts located in the DRC (Kinshasa), Côte d'Ivoire and the CAR.

627. The Registry proposes the following changes to its established posts in DEO as compared to the resources approved for 2021:

*Posts to be defunded*

#### DRC

- a) Two Field Assistant (GS-OL) (Kinshasa)
- b) One Local Security Assistant (GS-OL) (Kinshasa)
- c) Three Drivers (GS-OL) (Kinshasa)
- d) One Cleaner (GS-OL) (Kinshasa).

628. Following the closing of the country office in Kinshasa (DRC) scheduled for 2022, only one Field Assistant (Outreach) and one Senior Driver will remain in Kinshasa to maintain a minimal liaison function and provide limited transportation services.

629. Should the charges be confirmed in the *Said* case, it will be requested that the posts of one Local Security Assistant and one Field Assistant located in Kinshasa be redeployed to the country office in the CAR to provide support for the trial activities in that case. It will be requested that the post of one Local Security Assistant located in Kinshasa, if redeployed to the country office in the CAR, be repurposed as the Administrative Assistant.

#### Côte d'Ivoire

- e) One Field Security Officer (P-3) (Côte d'Ivoire)
- f) One Field Assistant (GS-OL) (Côte d'Ivoire)
- g) One Driver (GS-OL) (Côte d'Ivoire).

630. Should the active investigation currently being conducted by the OTP in the situation in CIV II result in the issuance of any warrant of arrest, the Registry will consider requesting that these posts be funded again in the event of an increase in in-country activities.

#### CAR

- h) One Driver (GS-OL) (CAR).

631. The country office in the CAR has restructured the duties and responsibilities within the office with a view to efficiency so that existing staff can absorb relevant duties. Therefore, this post could be defunded until it is required again owing to an increase in field activities.

#### *Post to be redeployed*

- a) One Administration and Operations Officer (P-3) (Kinshasa). Redeployed from Kinshasa/DRC to Uganda.
- b) One Driver (GS-OL) (Kinshasa). Redeployed from the DRC (Kinshasa) to Uganda.

632. The Registry requests to redeploy the post of one Administration and Operations Officer (P-3) from Kinshasa/DRC to Uganda to support from Uganda the trial activities in *Abd-Al-Rahman* case scheduled to take place in Sudan. Taking into consideration the anticipated intensive activities in *Abd-Al-Rahman* case which would require the operational support of the Country Office in Uganda and as the Country Office in Uganda currently lacks the Arabic language capacity in its existing administrative staff, the Registry is required to recruit as soon as possible an Arabic speaking Administration and Operations Officer to provide the afore-mentioned operational support as well as to follow up with the Sudanese authorities on their execution of the Court's judicial cooperation requests.

633. It is requested that the post of one Driver be redeployed to the country office in Uganda in order to provide additional support for the activities pertaining to the reparations phase in the *Ngwen* case.

#### *Defunded post to be funded again*

- a) One Senior Case Management Assistant (GS-OL).

634. This is one of the three Senior Case Management Assistant posts in VWS that directly interact with witnesses and ensure their comfort and well-being during trial testimonies at the seat of the Court. With the increased workload in trial operations (in both physical appearances and testimonies by means of video link technology), the post is again required to provide the needed support to witnesses when at the seat of the Court to give testimony, including escort missions of trial witnesses and assistance with trial operations in general.

#### *Defunded posts to be funded again and redeployed*

635. It is requested that the following posts which are defunded for 2021 be funded again and redeployed to the country office in Uganda for 2022:

- a) One Associate Team Leader (P-2) (DRC). Redeployed from the DRC to Uganda
- b) One Associate Welfare Officer (P-2). Redeployed from Headquarters to Uganda.

636. The two posts located in the Victims and Witnesses Section, among others, have already proved essential in 2021 to the capacity of VWS to cope with the recent surge in the number of referrals made by the OTP in the *Abd-Al-Rahman* case. They will be necessary to support the increase in workload in 2022 for the *Abd-Al-Rahman* case resulting from the aforementioned high number of referrals already received from the OTP.

c) One Field Security Officer (P-3) (Kinshasa). Redeployed from the DRC to Uganda.

d) One Administrative Assistant (GS-OL) (Kinshasa). Redeployed from the DRC to Uganda.

637. The Registry further requests to fund again the two posts located in Kinshasa to Uganda to provide security and logistical services as well as support the trial activities pertaining to the *Abd-Al-Rahman* case. An Arabic speaking Field Security Officer is crucial to the Registry's capacity to ensure the security and safety of the missions to Sudan. The Registry will not have a field presence in Sudan in 2022 and thus it envisages that a newly recruited Arabic speaking Field Security Officer will be able to work independently without the support from any local security staff to provide the language support and the security intelligence in Sudan. In light of the anticipated intensive trial activities to take place in Sudan, the Administration and Operations Officer to be redeployed from Kinshasa/DRC to Uganda would require support from an Arabic speaking Administrative Assistant who is familiar with the operating environment in Sudan to provide logistical and administrative assistance. Therefore, a request is made to fund again the post of Administrative Assistance in Kinshasa/DRC and to redeploy it to Uganda to provide support to the activities in Sudan.

638. It is requested that the following posts remain unfunded for 2022:

a) One Analyst Assistant (GS-PL).

b) One Senior Welfare Assistant (GS-PL)

c) One Case Management Assistant (GS-OL)

d) One Field Assistant (GS-OL) (Bunia)

639. Should the charges be confirmed in the *Said* case, the Registry will request that the abovementioned post of Field Assistant located in Bunia be funded again and redeployed to the country office in the CAR to support trial activities in that case.

#### *General temporary assistance*

€1,797.6 thousand

640. The resources requested for general temporary assistance (GTA) within DEO have increased by €351.2 thousand (24.3 per cent) over the 2021 approved budget. In total for 2022, the Registry is requesting six new GTA positions (4.75 FTE) and the continuation of 30 GTA positions, one will remain unfunded and 1 position to be funded again and redeployed to Uganda. The increase results from the request for six new GTA positions and for the resumption of funding of one position, defunded in 2021. This increase has been largely offset by the defunding of another eleven established posts located in Kinshasa, Côte d'Ivoire and the CAR.

#### *Continuation of funded positions*

641. One *Associate Confidential Accounts and Planning Officer (P-2), 12 months. Continued, multi-year.* This position caters for confidential financial operations related to the protection of victims and witnesses in situations before the Court, especially where the international movement of persons is concerned. The incumbent supports highly secret relocations, liaising with external partners, and provides assistance to Team Leaders and handlers during sensitive operations. This position is a proven long-term need insofar as it is critical to the efficient functioning of the Court's protection programme (ICCPP), which requires the highest level of secrecy. The confidential accounts systems established by VWS incorporate regular interaction with external third parties and the handling of significant amounts of confidential funds, using sensitive working practices which require a specific level of professional commitment. In addition to these functions, the position also provides the proven long-term support needed in fund monitoring and budget and finance

administration, from which VWS has benefited significantly in complex operations in past years to achieve savings and efficiencies. The complexity of VWS operations and the need for workable policies to achieve efficiencies and savings entail continuous monitoring, review and analysis which preserve the absolute confidentiality of VWS operations. The continuous need for this position is in line with the centralization of all financial and budget functions within the planning team, including the management of field finances and the development of a more controlled approach to budget analysis, monitoring and efficiency measures. The position has proven its benefits to VWS and the Registry through better resource management and the achievement of significant improvements.

642. *One Associate Witness Protection Training Officer (P-2), 12 months. Continued, multi-year.* This position supports the implementation of VWS's specialized witness protection training and development plan. It is required for VWS to continue its training strategy and to ensure the development, coordination, maintenance and delivery of the VWS training programme, which equips staff with a consolidated understanding of protection, risk and case management concepts necessary to implement the Section's mandate. The incumbent also works with staff to apply the required standards of operations, a necessity since confidentiality challenges in witness protection and risk reduction techniques are continuously evolving. Furthermore, protection processes must be adapted to changing socio-political situations in any particular region of operations. The continuing professional development of VWS staff members in the area of witness protection is therefore critical to the efficient functioning of the Section and to the protection of the Court's witnesses and victims.

643. *One Associate Case Development Officer (P-2), 12 months. Continued, multi-year.* This position provides the continuity necessary for case development and information-gathering in situations before the Court. This unique position within the VWS case development team is required to support the VWS Analyst in monitoring and reviewing the security situation in the CAR, Darfur, Mali, Georgia, Libya and other conflict/post-conflict areas where the Court operates. The position specifically brings the necessary military expertise to ensure that threat actors operating in those conflict zones are properly identified, that their military/rebels' strategies, capabilities and *modus operandi* are analysed and understood, and that the risk they pose to witnesses and victims in hostile environments is assessed accordingly.

644. *One Associate Analyst (P-2), 12 months. Continued, multi-year.* Resources are required to provide analysis and research work in the cases in the Mali situation and other emerging situations and cases. This position provides the necessary support in analysis and information-gathering, monitoring and review of the security context in situation countries. The incumbent will assist the situation teams in identifying possible risks in advance and will provide advice in relation to protection operations. The position also supports other situations apart from Mali, such as those in Georgia, Libya, Darfur, Burundi, Afghanistan, Bangladesh/Myanmar and other conflict/post-conflict areas in which the Court operates.

645. *One Team Leader (P-3), 12 months. Continued, multi-year.* The duties of the incumbent, who was originally recruited to lead the Georgia team from Headquarters, has evolved over the years to cover other responsibilities within the scope of team leader functions. The incumbent oversees activities in relation to the three active situations (including the situation in Georgia where the OTP's investigative activities are still ongoing and which require the same level of support as in previous years) and at the same time is responsible for international movements of witnesses and victims handled by the other situation teams. The incumbent exercises coordination functions and manages day-to-day operations pertaining to those situations from Headquarters. The incumbent is also in charge of the VWS operational centre at Headquarters responsible for witness and victim movements and for the coordination work and arrangements necessary for the successful implementation of international relocation, and any appearances before the Court of witnesses and victims. Efficiency has been identified via this arrangement without the need to request additional resources. The position's "structural responsibility" (SAP WBS (Work Breakdown Structure) element) has changed from Georgia-specific to general field operation (FOP-GEO to FOP-OPS) in this proposed budget to reflect the current status, in line with the duties of other Team Leaders handling multiple situations.

646. One *Associate Team Leader (P-2) (Georgia)*, 12 months. *Continued, multi-year.* This remains the only other position (beside the Team Leader position) with responsibility for the situation in Georgia. It is required to handle the workload related to OTP investigations in Georgia, supporting the systems and mechanisms necessary for OTP activities in accordance with OTP requirements for the same level of activities as that of the previous year(s). The incumbent represents the VWS field team in the country office in Georgia and assists the Team Leader in the daily management of protection-related issues, manages the initial response system (IRS) and follows up on referrals for protection and support made by parties. The incumbent conducts threat and risk assessments regarding inclusion in the ICCPP and provides recommendations on witness protection measures. The incumbent has been especially resourceful in actively supporting the above-mentioned Team Leader, in particular in relation to international relocations.

647. One *Associate Team Leader (P-2) (Mali)*, 12 months. *Continued, multi-year.* This position is required to provide the necessary support in relation to field case management and protected witnesses and victims. The Mali team is currently one of the two most active teams, with an increased workload related to trial activities and field operations, including IRS support and other operational mechanisms necessary for OTP and judicial activities. The incumbent will lead the VWS field team and assist the Team Leader responsible for the situation in Mali at Headquarters in the daily management of protection-related issues, manage the IRS and follow up on referrals for protection and support made by parties. The incumbent will conduct threat and risk assessments to determine inclusion in the ICCPP and recommendations on witness protection measures, and will collect and update witness information for senior managers at Headquarters and for filings to be submitted to Chambers.

648. Four *Field IT Technicians (GS-OL) (Uganda, CAR, DRC and Mali)*, 12 months each. *Continued.* The position of Field IT Technician located in the DRC will remain unfunded for 2022. The posts of Field IT Technician in Uganda, the CAR and Mali continue to be required to support reparations and trial-related activities as well as TFV activities conducted in Uganda, the CAR, Mali and their neighbouring situation countries in which the Court operates. In general, the services these positions provide are akin to those provided by the Service Desk of the Information Management Services Section (IMSS) and by Audio-Visual Assistants. The incumbents support daily ICT activities and facilitate general troubleshooting, problem solving and mitigation of ICT risks. In particular, as the Court has transitioned into an e-Court, there is an obvious need for country offices to have a Field IT Technician to support Court proceedings by setting up and supporting video teleconferencing sessions for hearings and for meetings with Headquarters. In addition, the Field IT Technicians are critical to ensuring that services regarding internet connectivity, mobile data and printing (where rented) are in accordance with contracts and in line with the operational requirements of the country offices. Field IT Technicians also assist Administration and Operations Officers in the country offices with ICT asset management and advise them on end-of-life devices and the disposal thereof.

649. One *Field Security Officer (P-3) (Mali)*, 12 months. *Continued.* The Field Security Officer is required to lead the country office's full field security team and to enable the office in Mali, one of the most dangerous countries in which the Court operates, to provide security support at an adequate level. The Field Security Officer will continue to undertake critical security monitoring and risk assessments and to provide briefings and support to field operations. With judicial activity ramping up in relation to the *Al Hassan* trial and the implementation of the reparations plan in the *Al Mahdi* case, all while the context remains one of the most severe and unpredictable, the need for this position continues. Because of the defunding of the Field Security Officer (CIV) position, the incumbent of the Field Security Officer position, assisted by the Associate Field Security Officer, will oversee the work of the Local Security Assistant in Côte d'Ivoire, the only security staff member in that country for 2022, and provide support for the security needs in Côte d'Ivoire.

650. One *Local Security Assistant (GS-OL) (Mali)*, 12 months. *Continued.* This position, based in the country office in Mali, continues to be required to support the field security team in Mali. As stated in the description of the position of Field Security Officer, the context in Mali remains one of the most severe and unpredictable, and the resources to ensure that activities can be conducted in as safe and secure an environment as possible remain essential to field operations. The Local Security Assistant provides support to the two other members

of the field security team in Mali. This post remains essential as the country office in Mali will also be supporting the security needs of the country office in Côte d'Ivoire following the further prioritization of the latter's resources.

651. Two *Field Assistants (VPR)* and two *Field Assistants (Outreach) (GS-OL) (Mali)*, 12 months each. *Continued.* Four positions of Field Assistant (GS-OL) continue to be required – two for victim participation and reparations (VPR) and two for outreach – for the country office in Mali. These positions are needed to support the Field Officer (VPR) (P-3) and the Field Officer (Outreach) (P-3) in performing Registry outreach and with victim participation and reparations responsibilities in both the *Al Mahdi* and *Al Hassan* cases, including efforts to keep victims and affected communities abreast of the judicial proceedings. Given the continuation of the intensive trial activities in the *Al Hassan* case and the implementation of the reparations plan in the *Al Mahdi* case, the Registry will continue its outreach activities and its interaction with victims and affected communities in both cases in 2022.

652. One *Senior Driver (GS-OL) (Mali)*, 12 months. *Continued.* The requested position will be based in the country office in Mali. The Senior Driver continues to be required to manage and coordinate the other drivers and the vehicle fleet. The retention of a Senior Driver for the Country Office (Mali) will align the driver support capacity of this office with that of country offices in other situation countries which support the same level of activities. This post continues to be especially necessary owing to the judicial activities that will continue in 2022.

653. Three *Drivers (GS-OL) (Mali)*, 12 months each. *Continued.* Owing to the continuation of judicial activities in both the *Al Hassan* and *Al Mahdi* cases in Mali in 2022, these positions remain necessary to provide support to users to guarantee operational continuity. The three Drivers currently provide transportation services under the supervision of the Senior Driver.

654. One *Field Assistant (VPR)* and One *Field Assistant (Outreach) (GS-OL) (Uganda)*, 12 months each. *Continued.* As the *Ongwen* case has entered into the reparations phase, the outreach and VPR (victims participation and reparations) team in the country office in Uganda will face a peak of activity in 2022. The Field Assistant (Outreach) position will be essential to the continuous implementation of an expansive strategic communication plan that aims to provide timely and accurate information on an ongoing basis to victims, affected communities and other stakeholders in northern Uganda. The position of Field Assistant (VPR) is also expected to continue engaging with the victims of the *Ongwen* case and of the situation in Uganda to equip them with the relevant information, manage overwhelming expectations and assist in the reparations activities pursuant to any judicial orders.

655. Two *Field Assistants (VPR) (GS-OL) (CAR)*, 12 months each. *Continued.* These positions augment the VPR and outreach team based in the CAR. The incumbents work under the direct supervision of the Field Officer (VPR and Outreach) (P-3) and the Field Officer (VPR) (P-3). In order to meet the increased workload and productivity demands generated by the proceedings in the *Yekatom* and *Ngaïssona* case, the country office in the CAR has continued needs to maintain its capacity to adequately support activities related to victim participation and outreach in 2022. These positions will continue to deliver multiple capabilities (language skills, access to certain communities and improved gender representation) across the full spectrum of VPR and outreach activities that the country office requires to deliver effectively on its mandate. These positions mutually reinforce the related established posts by providing needed capacity and enhancing business continuity and resilience so that operational momentum can be maintained during periods of leave, rest and recuperation and illness.

656. One *Senior Driver (GS-OL) (CAR)*, 12 months. *Continued.* The requested position will continue to be based in the country office in the CAR to enable a more effective use of driver capacity (thereby reducing overtime and compensatory time off) and transport as well as generator assets (with the incumbent ensuring timely servicing and repairs and identifying related cost savings and efficiencies). It also allows the Senior Driver functions to be delivered notwithstanding driver mission deployment. The economic management of the transport capacity and assets of the country office will be essential in a year when mission support requests from parties and participants external to the country office have increased significantly.

657. One *Local Security Assistant (GS-OL) (Georgia), 12 months. Continued.* In the absence of any Field Security Officer position in the Country Office (Georgia), the position of Local Security Assistant (GS-OL) is required to provide adequate security and safety support for the Court's activities in Georgia. The Local Security Assistant will provide services to ensure the physical safety and security of Court staff working permanently or on mission in Georgia. The Local Security Assistant performs briefings and debriefings, carries out security assessments, writes security plans and liaises with United Nations Department of Safety and Security and other security actors on the ground. The Local Security Assistant also assists the Chief of Country Office (Georgia) in dealing with various types of security incidents and accidents that may occur in the country.

658. One *Administrative Assistant (GS-OL) (Georgia), 12 months. Continued.* The position of Administrative Assistant will continue to support the Chief of Country Office (P-5) in the administration and management of the country office in Tbilisi and remains essential to the efficient budgetary, financial and technical administration of the country office. This position provides administrative support for the day-to-day functioning of the country office and missions conducted by the Registry, OTP and TFV. The incumbent also provides necessary language support in English, Georgian and Russian to the country office and Headquarters on administrative matters.

659. One *Driver (GS-OL) (Georgia), 12 months. Continued.* This is the sole Driver position that provides transportation services to all Court staff on mission or stationed in Georgia. This Driver position will continue to allow the country office to reduce the funds needed for rental vehicles and driver support. The incumbent is familiar with Tbilisi and the surrounding areas, including the South Ossetian administrative boundary line area and settlements of internally displaced persons. The Driver also regularly examines the Court's fleet in Tbilisi, ensures its proper maintenance and monitors fuel consumption.

660. Driver requirements: individual contractors operating under Special Service Agreements (SSA) are needed for nine months in the country office in Uganda and for two months in the country office in the DRC (Kinshasa).

*Defunded positions to be funded again and redeployed*

661. One *Associate Field Case Officer (P-2) (Georgia), 12 months. Continued. Redeployed from Georgia to Uganda.* It is requested that this position, unfunded for 2021, be funded again for 2022 and redeployed to Uganda to support the basic set-up for the situation in Darfur. This position, among others, has already proved essential in 2021 to VWS's capacity to cope with the recent surge in the number of referrals made by the OTP in the *Abd-Al-Rahman* case. Considering that it is unlikely that this position will be filled by the end of 2021 given the length of time a recruitment would normally require, VWS decided not to request access to the Contingency Fund to fund this position for 2021. However, this position will be required to support the increase in workload in 2022 for the *Abd-Al-Rahman* case resulting from the aforementioned high number of referrals already received from the OTP.

*New positions requested*

662. One *Associate Analyst (P-2). 12 months. (Continued from the 2021 CAR Contingency Fund).* This position was requested under the Contingency Fund for the *Yekatom and Ngaïssona* case for 2021. The current activities pertaining to the situation in CAR II ((a) and (b)), in combination with the OTP's projection of its activities in 2022, justify the need to continue the position in 2022. This resource is required to provide analysis and research work in the cases in the situation in CAR II and other emerging situations and cases. This position provides the necessary support in analysis and information-gathering, monitoring and review of the security context in situation countries. The incumbent will assist the situation teams in identifying possible risks in advance and will provide advice in relation to protection operations. The position also reinforces the capacity of the VWS case development team in relation to threat and risk assessments for all the situation countries in which the Court operates.

663. Two *Field Case Management Assistants (GS-OL). 12 months (One New and one Continued from the 2021 CAR Contingency Fund).* These two positions are required to

support the Associate Field Case Officer in managing the field operations pertaining to the trial and protection-related activities conducted by VWS. Their main focus will be liaison and management of direct contacts between VWS and the witnesses as well as support for the implementation of protection-, support- and trial-related activities in the situations in Darfur and the CAR.

664. One *Associate Outreach Officer (P-2)*. 12 months. The Registry will not have a field presence in Sudan in 2022 and thus the Public Information and Outreach Section will conduct outreach activities from Headquarters and by sending outreach missions to Sudan. An additional of Associate Outreach Officer with the Arabic language capacity and knowledge of the culture of Darfur/Sudan is essential to establish and maintain networks and to develop as well as implement action plans to ensure publicity of the *Abd-Al-Rahman* trial. It should be noted that the Public Information and Outreach Section does not have the Arabic language capacity within the Section and thus the anticipated activities cannot be absorbed by its existing staff.

*Temporary assistance for meetings*

*€116.5 thousand*

665. The amount requested for Special Service Agreement (SSA) Witness Assistants represents an increase of €31.7 thousand (37.4 per cent) over the previous year to support the anticipated number of trial witnesses during trial testimony in The Hague. The requested amount covers a total of 145 trial witnesses scheduled to testify in 2022, of whom 50 per cent will be directly supported by these Witness Assistants.

666. Although the anticipated number of witnesses is much higher in 2022, this modest request is intended to secure a basic budget for the necessary routine support, depending in particular on the languages to be used by witnesses giving evidence at trial at the seat of the Court.

667. The *Al Hassan*, the *Yekatom and Ngaïssona*, the *Gicheru* and the *Abd-Al-Rahman* trials will require active resource engagement. The use of SSA resources is key to ensuring support for witness needs, especially as flexibility is essential in the light of the limitations posed by COVID-19 pandemic measures.

#### **Non-staff resources**

**€5,945.1 thousand**

668. The proposed non-staff resources in DEO for 2022 represent an increase of €950.9 thousand (19.0 per cent). The requested non-staff resources are mostly recurrent and will again be required in 2022 to cover the costs of travel, contractual services, training, general operating expenses, supplies and materials, and furniture and equipment. The increase results mainly from: (1) the high number of witness referral requests (relocation, resettlement and assisted moves) which has increased threefold compared to 2021, an increase in IRS requests of about 29 per cent and the anticipated increase in the number of trial testimony witnesses of about 50 per cent in 2022; (2) the outreach activities scheduled by PIOS with respect to the situations in Myanmar/Bangladesh and in Palestine currently under investigation pursuant to judicial orders, and for the *Ali Abd-Al-Rahman* case following the recent confirmation of the charges, as well as the need to recruit consultants to support outreach activities with respect to the situations in Palestine and in Afghanistan; and (3) an increase requested by the country office in the CAR to cover a planned increase in its outreach and victims participation and reparations activities.

669. The increase proposed by DEO has been offset to a large degree by the decrease achieved through, among others: (1) the planned closing of the country office premises in Kinshasa; (2) efforts made by VWS to absorb the costs of witness referrals to the extent possible; (3) implementation of a general practice across DEO to budget only for essential travel for operational purposes as well as to establish and repair vital contacts and networks; and (4) other savings and efficiencies identified by external offices including the reduction of vehicle maintenance costs due to the write-off of some old vehicles. DEO is also pleased to report that the Resources Management Committee (RMC) has been established as a technical advisory group for the purposes of identifying, evaluating, assessing and responding to the prioritization of material resources throughout the external offices. Established within the context of the Court's policy on asset management and with the

express inclusion and participation of key stakeholders of the organs of the Court, the RMC seeks to provide strategic direction and anticipated prioritization in the management of material resources in support of the Court's activities and operational requirements. In 2021, the RMC has recommended the redeployment of vehicles from one country office to another to ensure efficient use of resources as well as the write-off a number of old vehicles in order to reduce vehicle maintenance costs for 2022.

#### Travel

€1,019.1 thousand

670. The requested resources represent an increase of €130.7 thousand (14.7 per cent) over the approved budget for 2021. The requested overall increase in travel resources requested by DEO has been largely offset by the implementation of a principle across the DEO sections and country offices to budget only for essential travel for operational purposes as well as to establish and repair vital contacts and networks, and likewise by the decrease in the travel budget requested by EOSS, and the country offices (except for the country office in Uganda).

671. Travel resources requested by VWS have increased by €237.5 thousand (71.2 per cent) over the approved budget for 2021. This increase is requested to cover not only the current activities conducted in Mali and the CAR to support the witnesses already referred to VWS but also those who will be referred in 2022 pertaining four trial cases and the pre-trial case, irrespective of whether the charges are confirmed. With regard to support for the trial cases, the *Al Hassan* case, the *Yekatom and Ngaïssona* case, *Abd-Al-Rahman* case and the *Gicheru* case will require resources to carry out assessments and other relevant activities necessary to support trial witness appearances before the Court. It should be noted that the VWS travel budget is directly associated with the level of protection referrals, the number of witnesses for trial testimony and corresponding field case management activities, implicit in the OTP and other calling parties' service requirements. The requested amount thus necessary to support mission deployments for trial purposes but also for protection assessments, assisted moves and relocation missions in the context of all the active cases and those resulting from emerging new situations. In order to reduce the burden of staff missions (long coverage) as well as to minimize challenges that (may) result from the COVID-19 pandemic during missions, VWS has also requested the redeployment of positions to Uganda and new GTAs to support the teams for the situations in the CAR and Darfur (Sudan) for 2022.

672. Travel resources required by EOSS (€31.4 thousand) represent a decrease of €20.2 thousand (39.1 per cent) as compared to the approved budget for 2021, reflecting recurrent EOSS-mandated mission travel for purposes of suspect-at-large activities, network building and/or damage control needing in-country and person-to-person presence (Africa, non-Europe and South America).

673. Travel resources requested for PIOS (€43.3 thousand) have increased by €11.7 thousand (37.0 per cent) as compared to the approved budget for 2021, owing to the need to ensure the publicity of the *Abd-Al-Rahman* trial and the *Gicheru* trial in the absence of any Registry field presence in Sudan and in Kenya, the prioritization of travel based on judicial priorities and the use of online and digital tools to the extent possible. The requested resources also aim to facilitate one mission to the refugee camps in Chad where there is a high presence of affected communities of the situation in Darfur. In order to ensure the publicity of the *Gicheru* trial, PIOS also plans to conduct missions to Kenya to hold hybrid information sessions with the stakeholders in Kenya, including media, civil society, legal community (one information session each group). The requested resources will further ensure the Spokesperson and outreach staff are in a position to effectively reach out to the affected communities and key stakeholders as well as to the media to facilitate accurate coverage with regard to the situation countries where the Court has no field presence, such as in Bangladesh/Myanmar and Sudan. Moreover, the Spokesperson and the Chief, PIOS, plan to conduct information sessions or networking meetings with key stakeholders and regional and local media to counter misperceptions, provide information on the Court's role and activities, and build and maintain trust with local and regional media in Europe and North Africa.

674. Travel resources requested by external offices (€319.5 thousand) represent a decrease of €91.8 thousand (22.3 per cent) as a result of the scaling down of the activities in Kinshasa and Côte d'Ivoire, and the efficiencies identified by the country offices. Among those efficiencies, the country office in Uganda has retained a pool of drivers under SSA contracts

who will drive to a middle point in Northern Uganda where the drivers from Gulu will meet the mission in order to reduce the daily subsistence allowance (DSA) for drivers and the overtime incurred by supporting the missions. The increased use by the country office in the CAR of radio, social media and television for its outreach activities has also reduced the use of historic face-to-face outreach missions outside of Bangui. In general, drawing on the COVID-19 lessons learned, virtual meetings are utilized to the extent possible.

675. Travel resources requested by the external offices are recurrent and needed to support visits by the Occupation Health Unit (OHU) to the country offices to monitor the physical and psychological health of the field staff; assess the impact of COVID-19 on staff welfare and medical facilities; provide operational support to parties and participants and to the TFV for in-country and external missions; perform security assessments; and facilitate travel by country office staff to conduct outreach and victim participation and reparations activities. The amount requested is particularly crucial for the necessary arrangements to be put in place to ensure the security of missions to areas where the security situation is volatile, such as Mali, the CAR, Darfur/Sudan, Chad and the areas outside the Bunia security perimeter. Additional resources have been requested by the country office in Uganda to accommodate the anticipated increase in activities to support the implementation of any judicial orders issued during the reparations phase in the *Ongwen* case as well as the facilitation of Mr Ongwen's video calls with his family in Uganda to ensure his family life while in detention. Such an increase has been fully offset by the reductions identified by the other country offices. As the Country Office in Uganda will also provide diplomatic, security and operational support to the activities pertaining to the *Abd-Al-Rahman* case, resources are also requested to support travel of three mission to Sudan, i.e. 1) mission of the Chief of Country Office to Sudan to meet with Government officials, the UN agencies in country, diplomatic communities and other stakeholders, 2) the mission of Administration and Operations Officer to meet with the focal points designated by the Sudanese Government and the UN agencies as well as to outsource suppliers for various services/goods (transport, mobile operators, etc.) that will be required during the missions to Sudan, and 3) the mission of Field Security Officer to conduct security assessment and to meet with the UNDSS personnel.

676. Travel resources required by OD-DEO (€53.9 thousand), representing a decrease of €6.5 thousand (10.8 per cent), are needed to facilitate the same activities as in the previous budget year, including regular visits to country offices, visits to (new) situation countries, such as Bangladesh/Myanmar and Sudan, to develop and maintain networks and create partnerships between the Court and States (both States Parties and non-States Parties), and travel for liaison with United Nations and European Union agencies and NGOs to maintain the Court's dialogue with those actors.

#### *Contractual services*

*€1,247.9 thousand*

677. The requested resources represent an increase of €121.6 thousand (10.8 per cent) over the approved budget for 2021. The increase results mainly from an increase of €117.0 thousand (62.7 per cent) requested by PIOS for the outreach activities scheduled in the two situations under investigation pursuant to judicial orders, namely Bangladesh/Myanmar and Palestine, and in Sudan to ensure the publicity of the *Ali Abd-Al-Rahman* trial. Resources are required in particular for the organization of a hybrid information session (ICC staff from Headquarters together with locals in one room in Sudan to overcome internet connection constraints) with crucial stakeholders that influence decision making (legal communities, NGO's, journalists) in Khartoum. Also notably resources are required for the organization of information sessions with camp leaders in Bangladesh as well as with media and civil society in Afghanistan. The requested resources further aim to cover limited *in situ* outreach activities to be organised during missions to refugee camps in Bangladesh Darfur and Chad, which will entail costs for room rental, interpretation and mobilization. Furthermore, funds will be required to bring a small group of stakeholders from Palestine and Israel to The Hague and for one consultant to assist in the situation of Palestine for six months. In addition, resources are also needed to maintain the Outreach Monitoring and Evaluation Database of outreach activities, used by teams in the field and at Headquarters to assess and monitor the quality and impact of operations.

678. The design of communication campaigns aimed at increasing awareness of the Court using new and innovative communication tools, such as animations, infographics and other

shareable resources, will continue to be developed to further ensure effective public information to the affected communities as well as to the general public and key stakeholders in legal, academic and youth-oriented fields. Lastly, funds are also required to publish and disseminate op-eds and press releases worldwide; produce USBs and printed versions of Court publications; upgrade and maintain the Visitor Centre; strategically build contacts with influencers to increase the impact of the activities, in line with the Court's social media strategy; and upgrade the Court's website services and develop new features. The increase requested by PIOS has been partially offset by the decrease proposed by the external offices.

679. The resources requested by VWS have increased by €9.8 thousand. VWS did not request resources under contractual services in the 2021 approved budget. The amount is requested for the VWS witness case management system, CMS software maintenance and upgrade. Although costs for the system's maintenance and upgrade are normally covered by IMSS, non/recurrent costs that involve the system's change, enhancements, add-ons and the travel cost of consultants are borne by VWS.

680. For 2022, the bulk of the resources requested continues to be for external offices (€919.6 thousand) with a decrease of €45.2 thousand (0.6 per cent) as compared to the approved budget for 2021. The requested resources are essential for security measures to be implemented in the country offices, transportation and protection services for missions, local police support in situation countries on a cost-recovery basis, local cost-sharing for the United Nations Security Management System, outreach and victims participation and reparations activities in the field. An increase has been requested by the country office in the CAR to cover a planned increase in its outreach and victims participation and reparations activities. However, savings have been made, in particular with regard to Bangui-based "face-to-face" outreach activities, through the innovative use of "pop-up cinemas" in public spaces. This approach, enabled via a one-time purchase of environment-suitable equipment in 2021, has reduced the incremental cost of Bangui-based outreach activities significantly, whereby the marginal cost of delivering those activities involves only necessary security costs.

681. Further efficiencies have been obtained through the increased use of the office facilities in the country office premises in the CAR to provide a "Public Information Centre" (PIC). The PIC has also allowed real time "outreach" to a limited (due to space and COVID-19 restrictions) but selected audience to take place concurrently with courtroom activities at Headquarters. Audiences will multiply the efficacy of the PIC thereafter by disseminating the relevant information themselves. The marginal cost of PIC operations relates solely to additional security requirements. Notwithstanding the effectiveness of these innovative approaches, "face-to-face" outreach will continue to play an important role in reaching certain audiences, in particular outside of Bangui.

682. Subject to the COVID-19 environment permitting such activities to take place without creating significant health risks, the country office in the CAR intends to conduct a limited number of such missions in 2022. The country office in the CAR has also been requested to provide significant external-to-Bangui mission support to parties and participants in the *Yekatom and Ngaïssona* trial and to the TFFV. The heightened security environment after December 2020 in many external-to-Bangui locations has required the country office in the CAR to once again assume the need for armed security support for almost all external-to-Bangui missions. This historic planning assumption had been largely discontinued in 2019/2020 as the security situation improved. However, the subsequent deterioration has resulted in a 200 per cent increase in associated contractual costs. That increase has been offset to a certain degree by an 81.0 per cent reduction in assessed armed security support required in Bangui. As a direct corollary of activities related to the *Said* case, regardless of whether the charges are confirmed, the costs of delivering related outreach and victims participation and reparations activities, when combined with the need to utilize the aforementioned media platforms, have led to a 63.0 per cent increase in the cost of related contractual services costs.

683. Following the recent confirmation of the charges of the *Abd-Al-Rahman* case and as various types of support will be provided by the staff to be based in the Country Office in Uganda, additional resources are requested to cover the local cost-shared arrangement for the United Nations Security Management System for these staff. The requested resources will also cover the stipend paid to local police for supporting the internal missions in Sudan in order to provide protection to the ICC personnel. A minor increase has been requested by the

country office in Mali owing to the additional costs corresponding to the increase in the number of field staff to be based in that office; the increase in the Court's contribution to the UN Common Security shared costs, UN Medical Clinic and MINUSMA support; and the increase in mission activities requested by the parties and participants in the Mali case as well as by the TFV.

684. The abovementioned increases requested by the country offices in the CAR and Mali have been completely offset by the decreases proposed by the country offices in the DRC, Côte d'Ivoire and Georgia. Among others, the country office in the DRC (Kinshasa) has been able to propose a drastic reduction mainly as a result of the closing of its premises, leading to a reduction in the costs of maintenance and security services, the reduction of Court staff members present in Kinshasa and a further scaling-down of outreach activities.

685. The amount requested for EOSS remains unchanged at €15.0 thousand (0.0 per cent). The required resources are recurrent and needed to provide support for suspect-at-large activities, predominantly for third-party information services relating to the monitoring of information on the whereabouts of the Court's suspects at large.

#### *Training*

*€69.6 thousand*

686. The resources requested for training have decreased by €23.4 thousand (25.2 per cent) as compared to the 2021 approved training budget. For 2022, DEO will give priority not only to the mandatory (licensing-related) training required to maintain the Division's capacity to discharge its mandates but also to training that would not require travel, such as online language training and other online learning opportunities.

687. The amount requested for the country offices has decreased by €27.9 thousand (37.4 per cent) as compared to the 2021 approved training budget. Most of this reduced amount has been requested only to allow the country offices to facilitate the mandatory training necessary to maintain security capacity and a few non-mandatory training sessions in the form of online English courses, which are nonetheless essential to the performance of the Court's operations.

688. The amount requested for EOSS has also decreased by €10.8 thousand (68.4 per cent). Resources are recurrent and required for online specialist training in line with its operational mandate in support of the activities of the Court.

689. The training resources requested by PIOS have increased by €10.4 thousand (400.0 per cent) as compared to the resources approved for 2021 owing to the need to improve the presentation skills of staff and elected officials. As online events (such as conferences, presentations and virtual visits to the Court) have drastically increased in the "new normal" resulting from the COVID-19 pandemic, PIOS will organize training in three languages for principals and Court staff members (up to 40) to enhance presentation skills. Funds are also required for social media analysis and monitoring to better evaluate the impact of social media products, to improve their effectiveness and to optimize engagement with various target audiences.

690. The negligible amount requested by VWS (€4.9 thousand) remains unchanged and is intended to cover the cost of training requested of VWS by the TFV for 2022 on mitigating measures with regard to the implementation of reparations awards where there are no ongoing trials, as well as training on measures to be put in place to implement reparations awards for victims from two different but linked cases. The request is in line with the VWS mandate to implement training initiatives for the benefit of the Registry as well as other organs of the Court.

#### *Consultants*

*€ 80.5 thousand*

691. The consultant resources requested by DEO have increased by €75.0 thousand (1,363.6 per cent) as compared to the 2021 approved training budget. Of the requested amount, €60.0 thousand has been requested by PIOS. The amount requested by PIOS has increased by €54.5 thousand (990.9 per cent) owing to the need to recruit two consultants to support outreach activities in the situation in Palestine and the situation in Afghanistan

respectively and one consultant for six months to organise outreach and public information activities in relation to the proceedings in the *Gicheru* case.

692. For 2022, an amount of €16.0 thousand is requested by EOSS for a specialist consultant on suspect-at-large activities. The inability to ensure continued services would have a significant negative impact on ensuring continuity of ongoing activities. Funds are requested to secure at least the first quarter requirements, with additional funds to be sourced only from the available staff resources savings or vacancy rate later during the course of 2022.

693. The country office in the CAR has requested resources of €4.5 thousand for consultants. No consultants were anticipated in the 2021 approved budget. However, in order to maintain business continuity in the COVID-19 operating environment, funding for 2021 from other budget lines was diverted to fund consultants to facilitate and thereafter enhance the country office's move to an increased use of COVID-19 appropriate information delivery media platforms such as billboards, radio, television and social media. Given the effectiveness (in terms of cost and content) and reach of these platforms, the use of bulk text messaging budgeted for in 2021 will not be continued into 2022, thereby producing a related saving. Surge capacity drivers hired as "consultants" will be used to provide the level of operational support requested by parties and participants in trial processes to avoid the need for additional staff resources.

#### *General operating expenses*

€3.022.9 thousand

694. The proposed budget for general operating expenses represents an increase of €644.6 thousand (27.1 per cent) as compared to the resources approved for 2021. The increase results from the resources requested by VWS which have increased by €681.3 thousand (53.3 per cent). The amount requested by VWS is used to support, among others, ICCPP relocation and resettlement programmes, IRS, case management, psychosocial support to witnesses and victims, and appearances of witnesses and victims at trial, all of which form the backbone of VWS's fulfilment of its mandate of providing protection, security arrangements, counselling and other appropriate assistance to witnesses and victims under its care.

695. Judging from the high number of witness referrals recently received by VWS (which is already much higher than the OTP's projection for 2021 and thus has a financial impact on the VWS budget for 2021), in combination with the comparably high number of witness referrals projected for 2022, the increase requested by VWS remains limited and not without risk of a fund shortage should the OTP implement most or all of the projected witness referrals for 2022. VWS has decreased its general operating expenses budget for the fourth consecutive year but already expects to face a shortage of funds in 2021. Although VWS has managed to discharge its mandate in the past three years despite great difficulties, insufficient funds have translated into delayed action with respect to missions and other case management operations, such as the relocation of witnesses to final destination countries. Whereas a certain level of risk is acceptable, not allocating the required funding to witness and victim protection activities would inevitably lead to unmanageable risks to the lives of individuals at risk in the long run. It remains a challenge for VWS to manage the required workload with a lower budget amid increased activities in the CAR, Mali and Darfur/Chad as well as other emerging situations, while continuing operations in Burundi, Libya, Georgia, Côte d'Ivoire and Uganda.

696. VWS has nonetheless already taken measures to be able to absorb a number of support referrals, to reduce IRS and case management as well as support costs for existing cases in most of the situations, and to budget for fifty per cent of witness trial testimonies while anticipating that the remaining fifty per cent will be facilitated by means of video link.

697. The proposed resources for PIOS have increased by €0.5 thousand (1.9 per cent) and are needed to cover the maintenance of film editing equipment, servers and other internet providers, and for recurrent costs such as rental of equipment for The Hague International Open Day.

698. The resources requested for external offices (€1,036.1 thousand) have decreased by €37.2 thousand (3.5 per cent) despite the COVID-19 mitigation measures to be put in place. The requested resources are needed primarily to cover office running costs, including rental

of country office premises and related maintenance, utilities (water and electricity) and other miscellaneous operating costs (such as petty cash expenditures, premises and vehicle fleet insurance and vehicle maintenance). The proposed decrease results mainly from: (1) the decrease in maintenance costs due to the planned closing of the country office premises in the DRC (Kinshasa), the further reduced number of Court vehicles in Kinshasa and in Côte d'Ivoire, leading to a reduction in vehicle fuel and maintenance requirements, and the lower costs corresponding to the reduced number of staff based in Kinshasa and Côte d'Ivoire; and (2) substantial savings in water and electricity costs achieved by installing meters at the country office premises, co-located with MINUSA, to reflect the actual costs of consumption of utilities provided by the latter. In addition, the country office in Mali has secured an agreement with MINUSMA that a flat sum for building maintenance would no longer be paid. Actual repairs and recurrent maintenance will be requested as needed and the corresponding services billed to the Court.

699. The decrease identified in the resources requested for the external offices as indicated above has completely offset the increase in the resources requested by the country offices in Uganda and the CAR and partially offset the increase requested by VWS for 2022 as compared to its 2021 approved resources. An increase requested by the country office in Uganda (€37.0) results from 1) arranging a small office space in Entebbe with a view to efficiency where support for the activities in the countries neighbouring Uganda could be conducted from time to time, 2) renting vehicles for missions in Darfur, and 3) purchase local phone, dongle, data and airtime for the staff on missions in Sudan to enable easy communication on the ground. The country office in the CAR has requested an increase (€29.8) (12.4 per cent) owing to a contractually agreed 8.0 per cent increase in office and associated area rental costs, a significant local cost increase for air conditioning services and office disinfection (including anti-malarial mosquito treatments), the need to use generator-provided electricity during working office hours, a new routine CCTV servicing contract and increased vehicle costs as a direct result of anticipated increased utilization, in particular for armoured vehicles used for external-to-Bangui missions.

#### *Supplies and materials*

*€457.2 thousand*

700. The proposed budget for supplies and materials represents a decrease of €15.4 thousand (3.3 per cent) as compared to the resources approved for 2021. Resources requested for the external offices (€410.4 thousand) have decreased by €42.7 thousand (9.4 per cent). The requested amount is needed to purchase consumable items to support day-to-day operations, including fuel for vehicles and generators, office supplies, light IT equipment, air conditioners, drinking water, emergency rations and personal protective equipment (PPE) to be used by the field staff in the context of the COVID-19 pandemic. For 2022, all external office s(except for the Country Office in Uganda) have proposed a decrease in their requested resources for supplies and materials, despite the additional cost required by the purchase of PPE. The proposed decrease also results from, among others, the savings identified by the country office in Mali in its fuel consumption following the write-off of three old vehicles. The country office in the CAR has also implemented enhanced stock control, reduced inventories and improved estimates based on a better understanding of the local supply market and estimated utilization. Following the recent confirmation of the charges of the *Abd-Al-Rahman* case and as operational support to the activities in Sudan will be provided by the Country Office in Uganda, a small amount has been requested by the Office to cover the costs for the fuel usage for rented vehicles and the hiring of armoured vehicles to support regular and VIP missions in Sudan.

701. The decrease proposed by the external offices has completely offset the increase requested by VWS, PIOS and EOSS. Although VWS did not request resources for supplies and materials for 2021 and EOSS only requested €10.0, both increased their resources for 2022 (€16.8 by VWS and €10.0 by EOSS) to cover: (1) the subscription cost of the VWS case development team for existing contracts and throughout 2022; and (2) the continued Court-wide commercial analysis subscriptions (BBC Monitoring, Economist and Africa Intelligence online), and a new additional requirement of Experian's International Identity Verification Product Sheet/Credit Reports in support of freezing of assets management. The amount requested for PIOS (€10.0 thousand) is recurrent and has increased by €0.5 thousand (5.3 per cent) as a result of annual subscription upgrades. Funds are required for the renewal

of software and licenses used for publication design and social media visuals, and also for camera memory cards used to create the visuals.

*Furniture and equipment*

*€47.9 thousand*

702. The proposed budget for furniture and equipment represents an increase of €17.8 thousand (59.1 per cent) as compared to the 2021 approved budget. The resources requested for the external offices have increased by €5.4 thousand (35.8 per cent) and are needed primarily to cover the purchase of workplace furniture and equipment in the country offices to support new activities or to accommodate the needs of new staff. The country offices in the CAR and Georgia did not request any resources for furniture and equipment for 2021 and thus needs will arise in 2022 for the country office in the CAR to replace some worn-out workplace furniture and for the country office in Georgia to purchase extra safes for keeping relevant documents, money and other items securely.

703. The remainder of the increase requested by DEO is attributable to an increase of €7.0 thousand (46.7 per cent) requested by PIOS and recurrent resources of €5.4 thousand requested by VWS. The amount requested by PIOS is essential for the replacement of obsolete computers for AV editing and graphic design, film camera and purchase of equipment to facilitate innovative live interviews and engagements on social media. The amount will also cover the adaptation of the interview room for the production of podcasts, the maintenance and purchase of new film and photography equipment necessary to sustain the effectiveness of communications material, and the recurrent costs of USB duplication equipment. VWS did not request any resources for furniture and equipment for 2021 and will request a small amount for 2022 to cover the software licence of the VWS case development team.

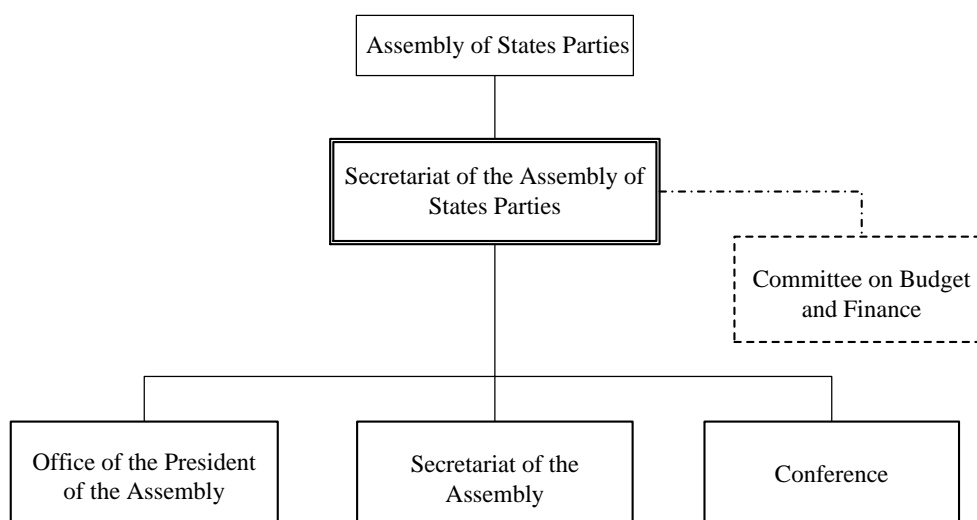
**Table 27: Programme 3800: Proposed budget for 2022**

3800 Division of External Operations (DEO)	2020 Expenditures (thousands of euro)			2021 Approved Budget	Resource Changes		Proposed 2022 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				10,718.0	(123.2)	(1.1)	10,594.8
General Service staff				3,964.4	(97.8)	(2.5)	3,866.6
<i>Subtotal staff</i>	<i>14,821.8</i>	-	<i>14,821.8</i>	<i>14,682.4</i>	<i>(221.0)</i>	<i>(1.5)</i>	<i>14,461.4</i>
General temporary assistance	2,139.7	-	2,139.7	1,446.4	351.2	24.3	1,797.6
Temporary assistance for meetings	-	-	-	84.8	31.7	37.4	116.5
Overtime	9.9	-	9.9	-	-	-	-
<i>Subtotal other staff</i>	<i>2,149.5</i>	-	<i>2,149.5</i>	<i>1,531.2</i>	<i>382.9</i>	<i>25.0</i>	<i>1,914.1</i>
Travel	448.5	100.5	549.0	888.4	130.7	14.7	1,019.1
Hospitality	-	-	-	-	-	-	-
Contractual services	829.7	174.8	1,004.5	1,126.3	121.6	10.8	1,247.9
Training	25.9	-	25.9	93.0	(23.4)	(25.2)	69.6
Consultants	23.1	18.7	41.8	5.5	75.0	1,363.6	80.5
General operating expenses	2,112.1	71.6	2,183.8	2,378.3	644.6	27.1	3,022.9
Supplies and materials	274.9	-	274.9	472.6	(15.4)	(3.3)	457.2
Furniture and equipment	136.2	-	136.2	30.1	17.8	59.1	47.9
<i>Subtotal non-staff</i>	<i>3,850.4</i>	<i>365.6</i>	<i>4,216.1</i>	<i>4,994.2</i>	<i>950.9</i>	<i>19.0</i>	<i>5,945.1</i>
<b>Total</b>	<b>20,821.8</b>	<b>365.6</b>	<b>21,187.4</b>	<b>21,207.8</b>	<b>1,112.8</b>	<b>5.2</b>	<b>22,320.6</b>

**Table 28: Programme 3800: Proposed staffing for 2022**

3800	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
<b>Established Posts</b>														
Approved 2021	-	-	-	1	8	9	33	40	-	91	4	98	102	193
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>8</b>	<b>9</b>	<b>33</b>	<b>40</b>	<b>-</b>	<b>91</b>	<b>4</b>	<b>98</b>	<b>102</b>	<b>193</b>
<b>GTA Positions (FTE)</b>														
Approved 2021	-	-	-	-	-	-	2.00	7.00	-	9.00	-	21.92	21.92	30.92
Continued	-	-	-	-	-	-	2.00	7.00	-	9.00	-	21.00	21.00	30.00
New	-	-	-	-	-	-	-	2.00	-	2.00	-	2.75	2.75	4.75
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2.00</b>	<b>9.00</b>	<b>-</b>	<b>11.00</b>	<b>-</b>	<b>23.75</b>	<b>23.75</b>	<b>34.75</b>

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



### Introduction

704. 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 Rome Statute.<sup>111</sup> 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.

705. The Secretariat has four standing programmes: Programme 4100 (Conference), Programme 4200 (Secretariat of the Assembly of States Parties), Programme 4400 (Office of the President of the Assembly) and Programme 4500 (Committee on Budget and Finance).

### Budget resources

**€3,175.6 thousand**

706. The proposed budget for 2022 represents a net increase of €338.6 thousand (11.9 per cent) in comparison to the 2021 approved budget.

707. This increase in resources is mainly due to a number of costs contained in the 2022 budget, including the costs associated with holding the twenty-first session of the Assembly in The Hague,<sup>112</sup> a two-day session of the Advisory Committee on Nominations of Judges and the increase in the annual fees for the External Auditor. Some savings were attained through a combination of measures, including adjustment of staff resources, with a view to meeting the actual needs of the Secretariat in a flexible manner while bearing in mind efficiency considerations and synergy effects.

<sup>111</sup> Such bodies include the Bureau’s working groups (the New York and Hague 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.

<sup>112</sup> The full cost of renting conference rooms for the 2022 session of the Assembly is included in the request under contractual services.

**Staff resources****€1,762.1 thousand**

708. The Secretariat has 10 established posts (five Professional-level staff and five GS-level staff) and 11 general temporary assistance (GTA) positions (seven at Professional level and four at GS-level (4.25 FTE)). As the Assembly in 2022 will be held in The Hague, a request for a number of short-term staff is contained in this budget proposal under the heading of temporary assistance for meetings. In some cases, greater efficiencies and improved working methods allow work to be undertaken with existing resources.

*Established posts: Professional and General Service**€1,130.6 thousand*

709. The amount requested for established posts has decreased by €86.8 thousand (7.1 per cent) as a result of the Secretariat's defunding of one Documentalist/Archivist (GS-PL) post. The Secretariat is endeavouring to have the functions of that post carried out by other administrative staff in Major Programme IV. The Secretariat currently comprises one Director, Secretariat of the Assembly of States Parties (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),<sup>113</sup> one Meetings and Administrative Assistant (GS-OL) and two Administrative Assistants (GS-OL). With the exceptions below, all Secretariat staff carry out their functions under the supervision of the Director. Secretariat staff provide both substantive services (in the case of the Legal Officers) and technical services (in the case of conference-servicing and administrative staff) to the Assembly and its subsidiary bodies.

710. As regards reporting lines, the Special Assistant to the President of the Assembly (GTA) reports directly to the President of the Assembly of States Parties. The Executive Secretary to the Committee on Budget and Finance reports directly to the Chair of the Committee on Budget and Finance. In addition to the specific duties of the post, the Executive Secretary continues to perform general functions within the Secretariat as a whole, in particular as regards the financing and administration of Major Programme IV. On the recommendation of the Committee on Budget and Finance ("the Committee"), in 2015, the Assembly approved the appointment of the Executive Secretary to the Committee on Budget and Finance as Secretary to the Audit Committee,<sup>114</sup> in addition to the above-mentioned duties. The two Administration Officers (see below) and the Senior Administrative Assistant assist the Executive Secretary in servicing the two Committees, as does the rest of the Secretariat, to the extent required.

*General temporary assistance**€552.5 thousand*

711. The amount requested has increased by €22.7 thousand (4.3 per cent). The Secretariat currently has four full-time GTA positions and various other, shorter-term GTA positions serving the Assembly and its subsidiary bodies (€552.5 thousand). The net increase is due to the newly requested position of Special Assistant to the President (P-3) in lieu of the previous Special Assistant to the President (P-2) position based in New York.

712. One *Senior Legal Officer (P-5), 0.5 months. Continued. Multi-year.* 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). This additional officer supplements the two Legal Officers in the Secretariat's core staff.

713. One *Legal Officer (P-4), 0.5 months. Continued. Multi-year.* 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 Legal Officer (P-4). This additional officer supplements the two Legal Officers in the Secretariat's core staff.

<sup>113</sup> This post has been defunded for 2022.

<sup>114</sup> *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. 145.

714. One *Administration Officer (P-3)*, 12 months. *Continued. Multi-year.* The incumbent assists the Executive Secretary to the Committee on Budget and Finance in preparing for the two sessions of the Committee and in following up on the implementation of Committee recommendations and related matters, including preparation for sessions of the Audit Committee. The presence of this position also provides an opportunity for the Executive Secretary to cover more meetings of the Hague Working Group and to report to the Committee on major budgetary, financial and administrative matters.

715. One *Administration Officer (P-3)*, 1 month. *Continued. Multi-year.* The incumbent assists the Executive Secretary to the Committee on Budget and Finance with taking minutes and preparing reports on the two sessions of the Committee and the two sessions of the Audit Committee.

716. One *Legal Officer (P-3)*, 12 months. *Continued. Multi-year.* The incumbent assists the Secretariat with major budgetary, financial and administrative matters and assists the facilitator with the proposed programme budget. In addition, this position also contributes to supporting other mandates of the Assembly.

717. One *Special Assistant to the President (P-3)*, 12 months. *New.<sup>115</sup> Multi-year. Until the end of the term of office of the current President of the Assembly.<sup>116</sup>* The Special Assistant is based in New York and supports the President during visits to New York on United Nations-related matters concerning the Court. The incumbent provides substantive and technical support to the President in the preparation of statements and correspondence, and in respect of coordination with key stakeholders, and contributes to the planning and implementation of the President's external relations and communications strategy, in particular by providing advice on issues and developments affecting the President's external relations activities. The incumbent also provides, as required, policy, legal and strategic support and advice to the President on complex issues pertaining to the President's mandate and functions. The incumbent assists with the preparation of official communications, coverage of meetings (note-taking, etc.) concerning Assembly-related issues at United Nations Headquarters and continuous engagement with observer States to promote the universality of the Rome Statute. Furthermore, the incumbent provides substantive services to the Bureau and the New York Working Group, and to sessions of the Assembly, under the direction of the Secretariat. Technical servicing will continue to be undertaken by the Court's Liaison Office to the United Nations in New York.

718. One *Special Assistant to the Director (P-1)*, 12 months. *Continued. Multi-year.* The incumbent assists the Director of the Secretariat with, *inter alia*, logistical preparations for sessions of the Assembly, management of the participation of NGO representatives, media affairs 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 representatives of States Parties.

719. *Registration Assistants, (GS-OL) 4.5 months. Continued, unfunded. Multi-year.* The Secretariat requires 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 registration of delegations and NGO representatives before and during the annual session of the Assembly, registration for virtual platforms, issuance of access passes for participation in the annual session, preparation and maintenance of the list of participants in the annual session, reproduction and distribution of documents, determining space requirements and equipment needs for meetings, and any other logistical preparations for the session of the Assembly.

720. One *Administrative Assistant (GS-OL)*, one month. *Continued. Multi-year.* The Secretariat requires an Administrative Assistant during the months leading up to and including the annual session of the Assembly. The Administrative Assistant assists the Director with logistical preparations for the session of the Assembly.

721. One *Document Assistant (GS-OL)*, 0.5 months. *Continued, unfunded. Multi-year.* The Secretariat requires a Document Assistant during the month of the annual session of the

<sup>115</sup> The New York-based GTA position of Special Assistant to the President (P-2) is no longer needed.

<sup>116</sup> Until December 2023.

Assembly. The Document Assistant assists the Director with the preparation of documents for the session of the Assembly.

722. One Service Assistant (GS-OL), one month. Continued, unfunded. Multi-year. The Service Assistant 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 and supported at the session venue. Sufficient personnel must also be on call to resolve any problems that may arise.

*Temporary assistance for meetings*

€70.0 thousand

723. The proposed amount has decreased by €80.0 thousand (53.3 per cent) as the Secretariat will seek to limit the financial burden of interpretation by coordinating with the Registry to use in-house interpreters in The Hague whenever possible.<sup>117</sup> The session of the Assembly will be held in The Hague, where interpreters must be provided by the Secretariat; other temporary assistants are also needed to support the preparation and holding of the session. The amount proposed includes the cost of interpretation for meetings of the Assembly, the Bureau and other subsidiary bodies.

*Overtime*

€9.0 thousand

724. The proposed amount has decreased by €5.0 thousand (35.7 per cent). Overtime is paid to General Service staff who are required to provide the assistance described above and who have to work beyond normal working hours, including weekends, during and in relation to the session of the Assembly and the sessions of the Committees.<sup>118</sup>

## **Non-staff resources**

**€1,413.5 thousand**

725. The amount proposed has increased by €487.7 thousand (52.7 per cent), owing mainly to the holding of the twenty-first session of the Assembly in The Hague, travel of nine members of the Advisory Committee on Nominations of Judges to The Hague for a two-day session, and the increase in the External Auditor's annual fees.<sup>119</sup> Non-staff resources are needed for travel, hospitality, contractual services, training, general operating expenses, supplies and materials and furniture and equipment. All non-staff resources are recurrent.

*Travel*

€427.8 thousand

726. The amount proposed for travel has increased by €50.6 thousand (13.4 per cent).. The travel budget reflects the cost of travel for nine members of the Advisory Committee on Nominations of Judges to The Hague; members of the Committee on Budget and Finance to attend its sessions; the Chair of the Committee to attend meetings with the New York and Hague Working Groups and Court officials; and a few members of the Committee to visit country offices. The travel budget 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.<sup>120</sup> In addition, it covers the travel of five members of the Audit Committee to The Hague.

*Hospitality*

€7.0 thousand

727. The amount proposed for hospitality remains unchanged. Hospitality resources are mainly used for the two sessions of the Committee and the two sessions of the Audit Committee.

<sup>117</sup> This support from the Registry for interpretation in at least one of the Court's two working languages is contingent on the Registry's interpreters not being occupied with judicial proceedings. Interpretation into other official languages must be outsourced.

<sup>118</sup> Unlike sessions of the Assembly held in The Hague, sessions held at United Nations Headquarters do not involve meetings on Saturdays.

<sup>119</sup> The increase in the annual fees for the External Auditor amounts to €30.0 thousand.

<sup>120</sup> The President of the Assembly for the period 2021-2023, Ms. Silvia Fernández de Gurmendi (Argentina), is based in Buenos Aires, Argentina. Her three-year term of office ends in December 2023, at the conclusion of the twenty-second session of the Assembly.

*Contractual services**€951.7 thousand*

728. The amount proposed has increased by €448.4 thousand (89.1 per cent), owing mainly to the holding of the twenty-first session of the Assembly at the World Forum Convention Centre in The Hague, and includes the full cost of conference room rental, ancillary services and facilities at the venue, issuance of badges, hiring of additional security personnel and security equipment, personal protective equipment,<sup>121</sup> printing, other equipment, outsourced translation<sup>122</sup> and external printing.

*Training**€7.5 thousand*

729. The amount proposed for training is almost unchanged. It has increased by €0.1 thousand (1.4 per cent). Training is used to keep staff members up to date in their specific fields of work.

*General operating expenses**€6.0 thousand*

730. The amount proposed for general operating expenses has decreased by €11.4 thousand (65.5 per cent) owing to a reduction in the printing of documents in line with a “paper-light” approach. General operating expenses cover the cost of mailing some documents and publications (to States Parties and to the members of the Committee and the Audit Committee). These materials are sent via regular post, registered mail or courier. If, in accordance with the trend in international organizations, a “greener”/ paperless policy were to be adopted, this particular budget item could be considerably reduced.

*Supplies and materials**€8.5 thousand*

731. The amount proposed for supplies and materials has remained the same. It covers the cost of office supplies, including stationery used by Secretariat staff (paper, toner, pens, memo pads, folders, etc.) 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*

732. The amount proposed for furniture and equipment remains unchanged. The Secretariat continues to promote efficiency through savings on the cost of printing, transporting, storing and distributing paper copies of 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.

<sup>121</sup> To reduce the risk of COVID-19 transmission.

<sup>122</sup> The funds allocated for translation reflect the level of expenditure on translations of recurring/standard documentation in the previous year. In 2020, translation costs amounted to approximately €274.0 thousand (including the voluminous report submitted by the Independent Experts in document ICC-ASP/19/16).

**Table 29: Major Programme IV: Proposed budget for 2022**

Major Programme IV Secretariat of the Assembly of States Parties	2020 Expenditures (thousands of euro)			2021 Approved Budget	Resource Changes		Proposed 2022 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				800.3	(1.0)	(0.1)	799.3
General Service staff				417.1	(85.8)	(20.6)	331.3
<i>Subtotal staff</i>	<i>1,118.9</i>	-	<i>1,118.9</i>	<i>1,217.4</i>	<i>(86.8)</i>	<i>(7.1)</i>	<i>1,130.6</i>
General temporary assistance	309.1	-	309.1	529.8	22.7	4.3	552.5
Temporary assistance for meetings	105.0	-	105.0	150.0	(80.0)	(53.3)	70.0
Overtime	17.4	-	17.4	14.0	(5.0)	(35.7)	9.0
<i>Subtotal other staff</i>	<i>431.6</i>	-	<i>431.6</i>	<i>693.8</i>	<i>(62.3)</i>	<i>(9.0)</i>	<i>631.5</i>
Travel	127.5	-	127.5	377.2	50.6	13.4	427.8
Hospitality	0.9	-	0.9	7.0	-	-	7.0
Contractual services	1,020.4	-	1,020.4	503.3	448.4	89.1	951.7
Training	-	-	-	7.4	0.1	1.4	7.5
Consultants	286.3	-	286.3	-	-	-	-
General operating expenses	5.5	-	5.5	17.4	(11.4)	(65.5)	6.0
Supplies and materials	3.0	-	3.0	8.5	-	-	8.5
Furniture and equipment	-	-	-	5.0	-	-	5.0
<i>Subtotal non-staff</i>	<i>1,443.7</i>	-	<i>1,443.7</i>	<i>925.8</i>	<i>487.7</i>	<i>52.7</i>	<i>1,413.5</i>
<b>Total</b>	<b>2,994.2</b>	-	<b>2,994.2</b>	<b>2,837.0</b>	<b>338.6</b>	<b>11.9</b>	<b>3,175.6</b>

**Table 23: Major Programme IV: Proposed staffing for 2022**

IV	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
<b>Established Posts</b>														
Approved 2021	-	-	-	1	1	1	1	1	-	5	2	3	5	10
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	-	-	-	1	1	1	1	1	-	5	2	3	5	10
<b>GTA Positions (FTE)</b>														
Approved 2021	-	-	-	-	0.04	0.04	2.08	1.00	1.00	4.17	-	0.58	0.58	4.75
Continued	-	-	-	-	0.04	0.04	2.08	-	1.00	3.17	-	0.58	0.58	3.75
New	-	-	-	-	-	-	1.00	-	-	1.00	-	-	-	1.00
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	-	-	-	-	0.04	0.04	3.08	-	1.00	4.17	-	0.58	0.58	4.75

**Table 31: Programme 4100: Proposed budget for 2022**

4100 ASP Conference	2020 Expenditures (thousands of euro)			2021 Approved Budget	Resource Changes		Proposed 2022 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				-	-	-	-
General Service staff				-	-	-	-
<i>Subtotal staff</i>	-	-	-	-	-	-	-
General temporary assistance	121.4	-	121.4	261.6	(2.2)	(0.8)	259.4
Temporary assistance for meetings	93.9	-	93.9	90.0	(50.0)	(55.6)	40.0
Overtime	0.8	-	0.8	9.0	-	-	9.0
<i>Subtotal other staff</i>	216.2	-	216.2	360.6	(52.2)	(14.5)	308.4
Travel	6.1	-	6.1	-	37.3	-	37.3
Hospitality	-	-	-	-	-	-	-
Contractual services	986.5	-	986.5	353.0	442.2	125.3	795.2
Training	-	-	-	-	-	-	-
Consultants	-	-	-	-	-	-	-
General operating expenses	5.5	-	5.5	6.0	(3.0)	(50.0)	3.0
Supplies and materials	3.0	-	3.0	5.0	-	-	5.0
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	1,001.1	-	1,001.1	364.0	476.5	130.9	840.5
<b>Total</b>	<b>1,217.2</b>	<b>-</b>	<b>1,217.2</b>	<b>724.6</b>	<b>424.3</b>	<b>58.6</b>	<b>1,148.9</b>

**Table 32: Programme 4100: Proposed staffing for 2022**

4100	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
<b>Established Posts</b>														
Approved 2021	-	-	-	-	-	-	-	-	-	-	-	-	-	-
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>GTA Positions (FTE)</b>														
Approved 2021	-	-	-	-	0.04	0.04	1.00	-	1.00	2.08	-	0.58	0.58	2.67
Continued	-	-	-	-	0.04	0.04	1.00	-	1.00	2.08	-	0.58	0.58	2.67
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>0.04</b>	<b>0.04</b>	<b>1.00</b>	<b>-</b>	<b>1.00</b>	<b>2.08</b>	<b>-</b>	<b>0.58</b>	<b>0.58</b>	<b>2.67</b>

**Table 33: Programme 4200: Proposed budget for 2022**

4200 ASP Secretariat	2020 Expenditures (thousands of euro)			2021 Approved Budget	Resource Changes		Proposed 2022 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				615.1	0.7	0.1	615.8
General Service staff				322.1	(90.5)	(28.1)	231.6
<i>Subtotal staff</i>	<i>832.4</i>	-	<i>832.4</i>	<i>937.2</i>	<i>(89.8)</i>	<i>(9.6)</i>	<i>847.4</i>
General temporary assistance	14.4	-	14.4	-	-	-	-
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	16.6	-	16.6	5.0	(5.0)	(100.0)	-
<i>Subtotal other staff</i>	<i>30.9</i>	-	<i>30.9</i>	<i>5.0</i>	<i>(5.0)</i>	<i>(100.0)</i>	-
Travel	3.6	-	3.6	26.9	(17.6)	(65.4)	9.3
Hospitality	0.5	-	0.5	1.0	-	-	1.0
Contractual services	-	-	-	-	-	-	-
Training	-	-	-	3.2	0.1	3.1	3.3
Consultants	-	-	-	-	-	-	-
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	-	-	-	3.5	-	-	3.5
Furniture and equipment	-	-	-	5.0	-	-	5.0
<i>Subtotal non-staff</i>	<i>4.1</i>	-	<i>4.1</i>	<i>39.6</i>	<i>(17.5)</i>	<i>(44.2)</i>	<i>22.1</i>
<b>Total</b>	<b>867.4</b>	-	<b>867.4</b>	<b>981.8</b>	<b>(112.3)</b>	<b>(11.4)</b>	<b>869.5</b>

**Table 34: Programme 4200: Proposed staffing for 2022**

4200	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
<b>Established Posts</b>														
Approved 2021	-	-	-	1	-	1	1	1	-	4	1	3	4	8
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>-</b>	<b>4</b>	<b>1</b>	<b>3</b>	<b>4</b>	<b>8</b>
<b>GTA Positions (FTE)</b>														
Approved 2021	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Continued	-	-	-	-	-	-	-	-	-	-	-	-	-	-
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

**Table 35: Programme 4400: Proposed budget for 2022**

4400 Office of the President of the Assembly	2020 Expenditures (thousands of euro)			2021 Approved Budget	Resource Changes		Proposed 2022 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				-	-	-	-
General Service staff				-	-	-	-
<i>Subtotal staff</i>	-	-	-	-	-	-	-
General temporary assistance	171.6	-	171.6	123.6	26.2	21.2	149.8
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	171.6	-	171.6	123.6	26.2	21.2	149.8
Travel	16.6	-	16.6	102.6	(4.1)	(4.0)	98.5
Hospitality	-	-	-	-	-	-	-
Contractual services	-	-	-	6.0	-	-	6.0
Training	-	-	-	-	-	-	-
Consultants	-	-	-	-	-	-	-
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	16.6	-	16.6	108.6	(4.1)	(3.8)	104.5
<b>Total</b>	<b>188.2</b>	<b>-</b>	<b>188.2</b>	<b>232.2</b>	<b>22.1</b>	<b>9.5</b>	<b>254.3</b>

**Table 36: Programme 4400: Proposed staffing for 2022**

4400	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
<b>Established Posts</b>														
Approved 2021	-	-	-	-	-	-	-	-	-	-	-	-	-	-
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2022	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>GTA Positions (FTE)</b>														
Approved 2021	-	-	-	-	-	-	-	1.00	-	1.00	-	-	-	1.00
Continued	-	-	-	-	-	-	-	-	-	-	-	-	-	-
New	-	-	-	-	-	-	1.00	-	-	1.00	-	-	-	1.00
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2022	-	-	-	-	-	-	1.00	-	-	1.00	-	-	-	1.00

**Table 37: Programme 4500: Proposed budget for 2022**

4500 Committee on Budget and Finance	2020 Expenditures (thousands of euro)			2021 Approved Budget	Resource Changes		Proposed 2022 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				185.2	(1.7)	(0.9)	183.5
General Service staff				95.0	4.7	4.9	99.7
<i>Subtotal staff</i>	286.5	-	286.5	280.2	3.0	1.1	283.2
General temporary assistance	1.8	-	1.8	144.6	(1.3)	(0.9)	143.3
Temporary assistance for meetings	11.1	-	11.1	60.0	(30.0)	(50.0)	30.0
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	12.9	-	12.9	204.6	(31.3)	(15.3)	173.3
Travel	33.1	-	33.1	247.7	35.0	14.1	282.7
Hospitality	0.4	-	0.4	6.0	-	-	6.0
Contractual services	26.3	-	26.3	144.3	6.2	4.3	150.5
Training	-	-	-	4.2	-	-	4.2
Consultants	-	-	-	-	-	-	-
General operating expenses	-	-	-	11.4	(8.4)	(73.7)	3.0
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	59.8	-	59.8	413.6	32.8	7.9	446.4
<b>Total</b>	<b>359.2</b>	<b>-</b>	<b>359.2</b>	<b>898.4</b>	<b>4.5</b>	<b>0.5</b>	<b>902.9</b>

**Table 38: Programme 4500: Proposed staffing for 2021**

4500	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
<b>Established Posts</b>														
Approved 2021	-	-	-	-	1	-	-	-	-	1	1	-	1	2
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>1</b>	<b>-</b>	<b>1</b>	<b>2</b>
<b>GTA Positions (FTE)</b>														
Approved 2021	-	-	-	-	-	-	1.08	-	-	1.08	-	-	-	1.08
Continued	-	-	-	-	-	-	1.08	-	-	1.08	-	-	-	1.08
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1.08</b>	<b>-</b>	<b>-</b>	<b>1.08</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1.08</b>

**Table 39: Programme 4600: Proposed budget for 2022**

4600 Assembly Mandated Bodies for 2021	2020 Expenditures (thousands of euro)			2021 Approved Budget	Resource Changes		Proposed 2022 Budget
	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	68.2	-	68.2	-	-	-	-
Hospitality	-	-	-	-	-	-	-
Contractual services	7.6	-	7.6	-	-	-	-
Training	-	-	-	-	-	-	-
Consultants	286.3	-	286.3	-	-	-	-
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	362.1	-	362.1	-	-	-	-
<b>Total</b>	<b>362.1</b>	-	<b>362.1</b>	-	-	-	-

**Table 40: Programme 4600: Proposed staffing for 2022**

4600	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
<b>Established Posts</b>														
Approved 2021	-	-	-	-	-	-	-	-	-	-	-	-	-	-
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>GTA Positions (FTE)</b>														
Approved 2021	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Continued	-	-	-	-	-	-	-	-	-	-	-	-	-	-
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	-

## E. Major Programme V: Premises of the Court

### Introduction

735. This 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 and the capital replacement programme are outsourced to a main contractor

### Budget resources

**€2,270. thousand**

736. In its report on capital replacements to the thirty-fourth session of the Committee on Budget and Finance (“the Committee”), the Court detailed a five-year plan for capital replacements. However, the amount associated with this plan for 2022 has been reduced.

737. As the Committee recommended reassessing the medium and long-term capital replacement plan in light of budgetary appropriations for 2021, the proposed budget absorbs the expected price index increase in the facilities management industry in the Netherlands. This reduction will be implemented by continuing to replace only vulnerable elements that have already broken down or show signs of imminent breakdown.

### General operating expenses

€2,270.0 thousand

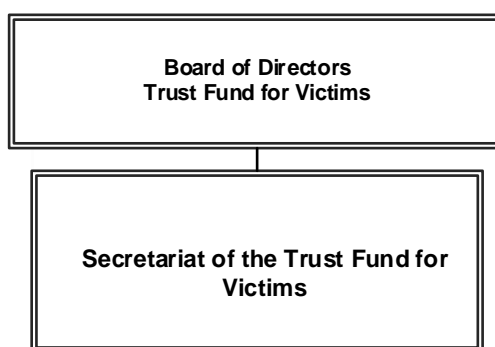
738. This proposal is composed of two main elements: (i) preventive and corrective maintenance (recurring) and (ii) planned capital replacements (variable). It includes an estimated increase of 2.5 per cent for inflation in the contract for preventive and corrective maintenance. The proposed amounts are €1,938.4 thousand for preventive and corrective maintenance and €331.6 thousand for capital replacements.

739. The amount for capital replacements is based on those assets that require urgently to be replaced in 2022. The amount originally planned for 2022 and reported accordingly to the Committee was €605.0 thousand. However, due to limited funds availability for capital replacement, some activities will be postponed and only essential elements for the day-to-day functioning of the building will be replaced, and only when irrevocably obsolete or defective.

**Table 41: Major Programme V: Proposed budget for 2022**

Major Programme V Premises	2020 Expenditures (thousands of euro)			2021 Approved Budget	Resource Changes		Proposed 2022 Budget
	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	2,270.0	-	2,270.0	2,270.0	-	-	2,270.0
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	2,270.0	-	2,270.0	2,270.0	-	-	2,270.0
<b>Total</b>	<b>2,270.0</b>	<b>-</b>	<b>2,270.0</b>	<b>2,270.0</b>	<b>-</b>	<b>-</b>	<b>2,270.0</b>

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



### Summary

#### *Current (2021) programme activities*

741. The Trust Fund for Victims (TFV or “the Trust Fund”) at the International Criminal Court (“the Court”) responds to the harm suffered by victims as a result of the crimes under the jurisdiction of the Court. The TFV has two mandates: (1) to implement reparations ordered by the Court against a convicted person (“reparations mandate”);<sup>123</sup> and (2) to use its other resources for the benefit of victims in accordance with article 79 of the Rome Statute (“assistance mandate”).<sup>124</sup>

742. Since 2020, the TFV’s activities for both mandates have grown significantly from 6 to 27 contracts with implementing partners. In early 2020, reparations were being implemented only in *Katanga*; in *Al Mahdi* and *Lubanga*, the procurement process was under way to select implementing partners and beneficiary eligibility was being determined. The reparations programme started in *Al Mahdi* with the payment of individual reparations awards as of January 2021. On 30 March 2021, the symbolic ceremony was held in Bamako (Mali) for the benefit of the population of Mali and the international community. The five-year contract with the implementing partner for the collective service-based reparations in *Lubanga*, of a value of nearly USD 10 million, entered into force on 15 March 2021. The number of assistance programmes has multiplied from one in Uganda to four programmes run in the Democratic Republic of the Congo (DRC), the Central African Republic (CAR) and Côte d’Ivoire.

743. Moreover, the planning for a reparations programme has started in the *Ntaganda* case following the issuance of the Trial Chamber’s reparations order against Mr Ntaganda determining his liability at USD 30 million. Three additional assistance programmes will start in Georgia, Kenya and Mali by the end of 2021 and in 2022, and procurement of the relevant partners is ongoing.

744. The assistance of the Registry, in particular through the establishment of a Procurement Task Force (by the Registry and the TFV), and the support of the Procurement Unit and the Legal Office, along with the reinforcement of the TFV’s staffing by short-term temporary assignments for an Associate Procurement Officer and Assistant Legal Officers, were essential to finalizing the procurement and contracting of 22 new implementing partners. As stressed in the Independent Expert Review (IER) Report of September 2020, the TFV will continue to strengthen cooperation with the Registry and in particular with respect to the procurement of the services of implementing partners to ensure efficiency, responsiveness, transparency, neutrality and quality.

#### *Strategic goals*

745. The TFV’s strategic plan for 2020-2021 was adopted by the Board of Directors of the Trust Fund for Victims (“the Board”) in August 2020. The next TFV strategic plan, for 2022-

<sup>123</sup> Rule 98(2), (3) and (4) of the Rules of Procedure and Evidence.

<sup>124</sup> Rule 98(5) of the Rules of Procedure and Evidence. For more information on the TFV’s legal basis, see <https://www.trustfundforvictims.org/en/about/legal-basis>.

2025, is expected to continue and expand upon the current strategic course of the Trust Fund, while seeking greater mutual alignment with the time frames and content of the Court-wide strategic plan, and laying focus on the TFFV's distinctive mandate of repairing the harm of victims of crimes under the jurisdiction of the Court.

746. The TFFV's strategic goals are as follows:

a) *Impact*: As a result of the implementation of reparations awards and assistance programmes, victims and their families overcome harm, lead a dignified life and contribute to reconciliation and peacebuilding within their communities; and

b) *Performance*: The Trust Fund for Victims, acting in alignment with the Court, ensures good governance, accountability and transparency throughout its activities while responding to the requirements of its mandates and is assured of sufficient resources to operate its assistance and reparations programmes in the situations before the Court.

747. In terms of impact, the increase in TFFV activities has also led to greater impact on the victims suffering harm, trauma and vulnerabilities as a result of Rome Statute crimes. The TFFV's investment to address victims' harm will continue to have a more profound impact in 2022 as all programmes will be fully operational, in a context of manifold operational challenges. The TFFV will be required to measure and assess such impact by monitoring and evaluating its activities. In addition, the TFFV will need to improve its outreach activities, supported where possible by the country offices, and to develop communication strategies for its programmes.

748. In terms of performance, the TFFV has been working at its maximum budgeted staff capacity since the start of 2020, with the management layer fully in place. This includes the Legal Adviser, who also acts as deputy to the Executive Director, and three Programme Managers based in situation countries. In 2022, the growing number of projects funded by the TFFV will require it to make investments to improve and set out standard operating procedures and reinforce professional and process management skills. Developing and maintaining essential stakeholder relations, which are the foundation of the Trust Fund's efficiency and effectiveness, will likewise require investment: fundraising with public and private donors; increasing the visibility of the TFFV's investments and achievements; ensuring responsiveness to the Court's reparations orders; cooperating with the Registry; and being able to select, support and monitor locally based implementing partners.

749. Reparations orders are for the benefit of the victims of the crimes of which the accused has been convicted. The identification and selection of beneficiaries is a key regulatory task of the TFFV, and in particular its legal and programme staff. Together with the Court and its partners in situation countries, the TFFV will need to develop strategies to make these processes efficient and effective, while guided by the do-no-harm principle.

#### *Fund management and fundraising-related matters*

750. The steadily growing workload in reparations cases, as well as their expanding volume and operational complexity, demonstrates the increasing preponderance of reparations-related activities in the Trust Fund's portfolio, which is reflected in its budgetary needs and the allocation of its funds.

751. To date, the persons convicted by the Court have been considered indigent; consequently, all reparations activities of the TFFV have been funded by voluntary contributions, primarily from States Parties to the Rome Statute. An overview of voluntary contributions (in thousands of euros) received to date is summarized in the table below:

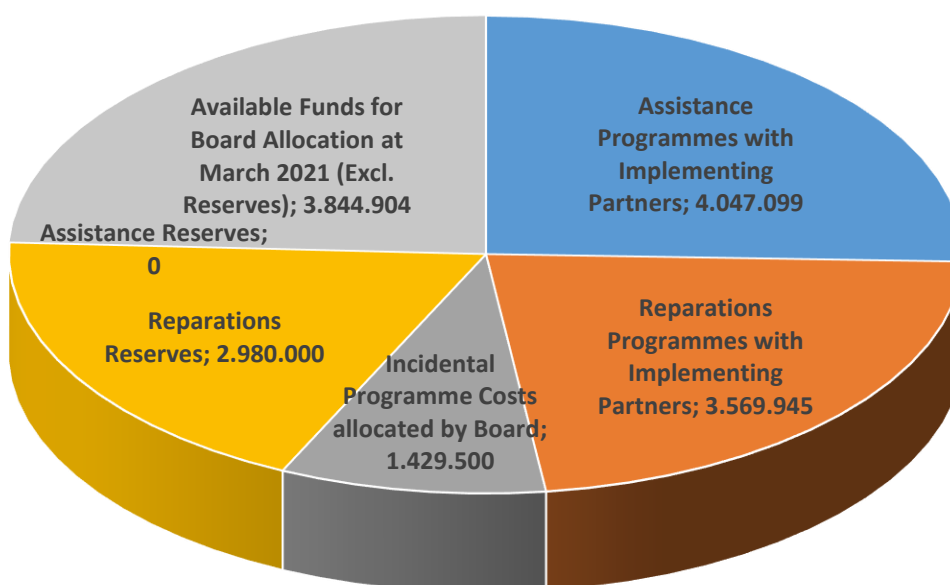
	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
■ Total	€ 207.4	€ 985.8	€ 1,102	€ 550.8	€ 913.6	€ 1,168	€ 1,555	€ 3,245	€ 2,493	€ 4,495	€ 4,987	€ 2,935	€ 1,700	€ 3,064	€ 4,076	€ 2,669	€ 2,788

752. States providing voluntary contributions to the TFFV are more frequently earmarking and setting conditions for the use of their contributions. Their reporting requirements have also developed and are diverse in terms of deadlines and content. Consequently, TFFV staff invest considerable time and resources in fund management activities, an area on which the TFFV will need to lay more focus in future.

753. Assistance and reparations projects are subject to yearly extensions based on the availability of funds and, accordingly, the TFV creates obligations only in relation to the contract year of each project, with the aim of complementing reparations awards and continuing assistance programmes throughout their multi-annual life cycles.

754. The following chart illustrates the TFV portfolio as at 31 March 2021 and its distribution:

**TFV Portfolio Distribution at March 2021 (€)**



755. Given the increase in activities and the number of cases at the reparations stage, including *Ntaganda* (liability of USD 30 million), and with the reparations order in the *Ongwen* case expected by late 2021/early 2022, fundraising is a high priority for the TFV in 2021 and 2022. The TFV will be required to further invest in capacity to that end and to have a separate fundraising strategy. The following table shows the funds required to fully complement the reparations awards currently being implemented.

756. The table below shows the estimated funding required to run all current programmes (assistance and reparations) throughout their expected life cycles.

TFV resource mobilization estimates (in EUR)					
Reparations and assistance programmes					
	2022	2023	2024	2025	
Maximum values	5.8 M	12.1 M	9.3 M	8.7 M	
Minimum values	2.7 M	9.6 M	7.9 M	7.4 M	

*Priorities for 2022*

757. The Trust Fund has identified two priority activity areas for 2022: reparations and resource mobilization, each associated with a different strategic goal (impact and performance, respectively) yet closely interrelated. Reparations and resource mobilization activities are expected to generate a significant increase in workload as of 2022, therefore requiring additional budgetary resources.

758. *Reparations.* In 2022, the Trust Fund's reparations portfolio will reach new levels of volume and complexity. Implementation activities in *Katanga* (DRC) are expected to be completed in 2022, while those in *Lubanga* (DRC) and *Al Mahdi* (Mali) will continue in 2022 and beyond. In *Ntaganda*, implementation activities, including victim verification, are expected to start in 2021 and continue at full volume in 2022. In *Ongwen* (Uganda), the largest reparations case to date, an implementation plan will be developed in 2022. Monitoring and evaluation of the effectiveness and impact of reparations and assistance activities will require dedicated budgetary resources.

759. *Resource mobilization.* The current total funding needs of the Trust Fund's programmes are shown above. The value of the reparations award in *Ongwen* is expected to be higher than in any of the previous cases. To ensure and maintain the Trust Fund's potential to remain responsive to its funding needs in reparations and assistance programmes, dedicated fundraising capacity is essential in relation to the public donor market, which is and will remain the most important revenue base for the Trust Fund. To support resource development, the Trust Fund's communication capacity – activity reporting, website and social media – will need to be reinforced. Fund management is a vital Trust Fund function that will likewise require further strengthening and improved performance in the years to come.

760. The following table illustrates the priority activities for the TFV in 2022, along with related core functions at the Secretariat of the Trust Fund (STFV or “the Secretariat”).

761. Apart from the need to focus the Trust Fund's resources in 2022 on reparations and resource mobilization (fundraising), the Trust Fund must also establish policies in order to ensure appropriate capability for quality assurance and quality control. Pursuant to the IOM (Independent Oversight Mechanism) Evaluation Report of 2019 as well as the IER Report of 2020, the Trust Fund is developing policies that lay down the Trust Fund's governance structures and working methods, in addition to rules applicable to fund management and investment in reparations and assistance programmes.

762. Mindful of the scarcity of budgetary resources, the Trust Fund continually seeks and advocates for a proper balance between the use of resources, in particular staff capacity, and expected outcomes in terms of organizational performance. In this regard, it is noted that budgetary efficiency and organizational performance at the Trust Fund are influenced by external factors: (i) judicial decisions in reparations cases, instructing the Trust Fund to adopt certain implementation modalities and the related reporting routines (also a cost driver for the Registry and legal representatives of victims); (ii) the Registry's ability to cooperate with and assist the Trust Fund in administrative processes supporting programme implementation; (iii) the use of partners to carry out implementation activities on behalf of the Trust Fund, requiring close monitoring and guidance; and (iv) market conditions for public and private fundraising (resource mobilization), which are characterized by increased competition for fewer available donor resources.

In relation to the Trust Fund's priorities for 2022, the table below provides insight into the efficiency and proportionality of key processes:.

*Efficiency: proportionality of use of budgetary resources in relation to organizational performance*

Function	Activity	Proportionality	Remarks
Reparations	Direct TFV implementation	Relatively high budget cost	Example: <i>Katanga</i> . Regarding awards modalities, the Trial Chamber has advised direct implementation by the TFV instead of using implementing partners. Doing so would involve significant staffing costs in the Bunia office and at Headquarters, as well as travel costs and continued budget costs for legal representatives of victims.
	Victim eligibility screening	Relatively high budget cost	Victim eligibility screening for unidentified victims in <i>Lubanga</i> (collective awards) and <i>Al Mahdi</i> (individual awards) involves significant staffing costs in the Bunia office and at Headquarters, as well as travel costs. This also entails significant use of the budget of the Registry (VPRS) and legal representatives of victims. TFV intends suggesting more efficient verification modalities for <i>Ntaganda</i> and <i>Ongwen</i> .
Resource mobilization	Public donor engagement	Severe imbalance between budget and expected performance (2022)	There is no dedicated capacity for public donor fundraising, currently addressed ad hoc through implementing partners. Extraordinary rise in TFV's funding needs is especially due to new reparations cases ( <i>Ntaganda</i> and <i>Ongwen</i> ), which are large and complex. Assistance programmes require sustained funding.
	Visibility (communications)	Imbalance between budget and expected performance (2022)	Clear, accurate and timely information about the TFV's activities and funding needs must be communicated through the website, social media and public reporting to support fundraising, advocacy and accountability.

*Budgetary implications of the Trust Fund's priorities in 2022*

763. The Trust Fund is aware of the financial constraints of States Parties, compounded by the COVID-19 pandemic. At the same time, the Trust Fund is facing rising and weighty challenges, in particular in the areas of reparations and fundraising, both of which have been confirmed in the IER Report to be areas of concern. In relation to these priorities, the Trust Fund is requesting the following additional resources:

- Reparations: €169.1 thousand (staff capacity for legal work, monitoring and evaluation, and procurement/partnership development, travel expenses);
- Resource mobilization: €104.8 thousand (staff capacity for public donor fundraising and visibility activities including social media, travel expenses).

764. In order to accommodate these increases, the Trust Fund proposes reprioritizing some resources as well as the baseline savings. The Trust Fund has focused its travel and consultancy budgeting on reparations and resource mobilization, thereby seeking savings in areas where, for example, remote working and meetings can replace in-person meetings that would require travel.

765. The Trust Fund will address the expected increase in workload in 2022 primarily by seeking efficiencies, such as through flexible work assignments and deployments, focusing resources on priority projects, cooperating closely with the Registry to streamline processes and seek synergies, and avoiding travel that is not strictly necessary by holding remote meetings and conferences. Nevertheless, the Trust Fund requests a modest increase in its budget to enable it to enhance its fundraising performance and its impact through the implementation of reparations. The requested increase is **€188.6 thousand**, equivalent to 5.9 per cent as compared to the approved budget for 2021.

### **TFV mandate-related activities: detailed outlook for 2022**

#### *Reparations*

766. In 2022, five cases will be at the implementation stage of reparations, i.e. the period between the issuance of a reparations order and the full implementation of the reparations:

a) *Katanga*: The implementation of collective reparations is expected to conclude in the first half of 2022. The evaluation of the programme and reporting will be ongoing in 2022, as will regular reporting to the Chamber and specific donors;

b) *Lubanga*: The five-year collective service-based reparations programme started on 15 March 2021 and will be ongoing in 2022. It will be essential in 2022 to ensure that reparations reach the beneficiaries. The final deadline for applications for reparations is 1 October 2021 and it is expected that by early 2022 all beneficiaries in this case will be known and be able to receive reparations. The TFV's programme and legal teams will need to ensure that the implementing partner is carrying out the project fully in line with the approved implementation plan and that the reparations reach the beneficiaries. Monitoring and evaluation will also be ongoing. The symbolic reparations programme will also be implemented in the course of 2022, and the implementing partner will be selected in 2021. Regular reporting to the Chamber and specific donors will be ongoing. Fundraising to close the remaining funding gap will also be required;

c) *Al Mahdi*: The implementation of individual reparations is expected to conclude by the end of 2021. The evaluation of this implementation will be ongoing in 2022. The collective reparations programmes with three partners, including UNESCO, will be ongoing in 2022 and, as with the *Lubanga* programme, will require close supervision by programme and legal staff. Regular reporting to the Chamber and specific donors will be ongoing;

d) *Ntaganda*: The draft implementation plan is expected to be approved in 2021. In 2021 and 2022, the TFV staff will need to focus on the procurement of and partnerships with implementing organizations to put in place the reparations as planned. The TFV's programme, legal and financial staff, as well as the services of a procurement specialist, are the resources necessary to ensure the smooth conduct of those procedures, both in the field and at Headquarters. The TFV will require the close cooperation of the Procurement Unit as well as of the Registry Legal Office for that purpose. Fundraising will be essential to enable the TFV to further complement the liability of USD 30 million.

The process for identifying beneficiaries in the *Ntaganda* case will need to be operative in 2022 and will require the involvement of legal and programme staff. This will entail coordination with the Registry and implementing partners, depending on the design of the identification and eligibility process in the implementation plan.

In addition, the TFV will be implementing and monitoring the urgent measures taken for the benefit of the most vulnerable victims with the tasks as described above in paragraph (b) *Lubanga*; and

e) *Ongwen*: Following the issuance of the reparations order in the *Ongwen* case by late 2021/early 2022, the TFV will be given the task of developing a draft implementation plan, which will primarily entail the involvement of the legal and programme staff and their close cooperation with the Registry and legal representatives, as well as coordination with IGOs, NGOs, government authorities and civil society. Once the implementation plan is approved, by mid-2022, the TFV will start the process of procuring and partnering with implementing organizations, as described above in paragraph (d) *Ntaganda*. Legal staff will also be involved in preparing observations for any appeal proceedings against the reparations order.

#### *Assistance*

767. Assistance programmes are carried out by implementing partners for the benefit of victims of crimes under the jurisdiction of the Court in situation countries. They can be implemented before or in parallel with proceedings under way before the Court or after their conclusion. Assistance programmes can therefore include victims of crimes other than those for which reparations orders are issued and victims of crimes of which a person charged has been acquitted.

768. The same staff involved in the implementation of Court-ordered reparations awards likewise design and oversee the implementation of assistance programmes. Programme staff are mainly responsible for the management and supervision of the work of implementing partners, sound internal controls and their related tools and procedures, outreach to (potentially) eligible victims and their communities, and the establishment and maintenance of relations with other stakeholders, such as national and local State authorities and other agencies. Financial and programme staff at Headquarters ensure that the reports of implementing partners are up to standard and feed the relevant information into the TFV information management systems (SAP and an evaluation process currently under procurement). They also carry out financial control. Headquarters staff contribute to quality control by consolidating programme monitoring in terms of impact on beneficiaries and by ensuring the evaluation of the programme. Financial and programme content and information on impact are made available for TFV reporting to donors, the Assembly of States Parties (“the Assembly”) and the Committee on Budget and Finance (“the Committee”). TFV legal staff provide legal support to the Executive Director and to programme staff with respect to interactions with implementing partners, in close cooperation with the Registry Legal Office.

769. Assistance programmes, as a form of reparation to victims, also aim at aligning Trust Fund activities with national and international initiatives to provide reparations to the victims of crimes under the jurisdiction of the Court, based on the principle of “reparative complementarity”. The responsibility of repairing the harm suffered by victims of international crimes lies principally with the government of a situation country, acting pursuant to domestic law, ratified international treaties and customary international law. TFV assistance programmes are not intended to replace or displace a government’s responsibility to repair. Under this notion of reparative complementarity, TFV assistance programmes may therefore take place where no national programme exists, or may complement and/or strengthen a government’s own reparative programmes or activities. To that end, programme staff need to closely engage with governmental authorities and with all other ongoing reparation initiatives in the relevant situation countries.

770. The TFV will be running seven assistance programmes in 2022:

a) *Uganda*: The assistance programme will continue the fourth year of its five-year programme cycle in Northern Uganda with five implementing partners for the benefit of about forty thousand direct beneficiaries. To continue the programme in the fourth year, at least €1.5 million will be required from the Trust Fund’s extrabudgetary resources.

The ongoing assistance programme may serve in 2022 as a first port of call for vulnerable victims of the *Ongwen* case before a reparations programme can be implemented;

b) *DRC*: The assistance programme in the DRC will continue the third year of its five-year programme cycle in the provinces of Ituri, North Kivu and South Kivu with 10 implementing partners for the benefit of about twenty thousand direct beneficiaries and about fifty thousand beneficiaries attending peacebuilding sessions. To continue the programme in the third year, at least €1.2 million will be required;

The most vulnerable victims of the *Ntaganda* case may continue to be channelled through ongoing assistance projects in Ituri Province in 2022, should the Trial Chamber approve the relevant TFV initial implementation plan;

c) *CAR*: The assistance programme in the CAR will continue the second year of its five-year programme cycle with five implementing partners for the benefit of about eight thousand direct beneficiaries. To continue the programme in the second year, approximately €1 million will be required. On-site oversight is ensured by an Associate Programme Officer. Prospective international and national reparation initiatives in the CAR will require the TFV to closely engage with international partners and national authorities in 2022 in order to advance reparations programmes that will feed into reparations orders which may be issued in relation to the ongoing prosecution of the accused in the CAR II situation.

The TFV will continue in 2022 to channel extremely vulnerable victims who are represented in the ongoing CAR II cases into its assistance programmes;

d) *Côte d'Ivoire*: The assistance programme in Côte d'Ivoire will continue in its second year and be extended for a third and final year by the end of 2022 for the benefit of the victims of the 13 incidents covered by the programme. To continue the programme with the three implementing partners in its third year, approximately €600,000 will be required. The programme staff also engages with an advisory council to manage the assistance programme and maintain close relations with the national authorities with respect to the national administrative reparation programme. In 2022, the TFV will need to assess whether and how to continue the programme beyond 2023, in particular in the light of the existing reparative gaps, including that resulting from the acquittal, confirmed by the Appeals Chamber, in the case of *Gbagbo and Blé Goudé*;

e) *Mali*: The assistance programme in Mali is scheduled to start in late 2021 or early 2022. It focuses on victims of crimes committed outside of Timbuktu, where the *Al Mahdi* (ongoing reparations) and *Al Hassan* (prospective reparations) cases have their origin. The assistance programme is intended to complement the national administrative reparation programme that is scheduled to start in 2022/2023;

f) *Georgia*: The assistance programme in Georgia is scheduled to start in the first half of 2022 when procurement and contracting will have concluded. The planned programme value is €600,000 for a period of three years. The TFV programme staff will carry out this work remotely from Headquarters or other country offices; and

g) *Kenya*: The assistance programme in Kenya is scheduled to start in the first half of 2022 when procurement and contracting will have concluded. The planned programme value is €300,000 for a period of one year with a focus on victims of sexual and gender-based crimes (SGBC). The TFV programme staff will carry out this work remotely from the Country Office (Uganda).

771. In the first half of 2022, the TFV is planning to carry out assessments as to the feasibility of assistance programmes in the situations in Darfur (Sudan) and Bangladesh/Myanmar.

772. The TFV programme and legal staff will continue work in 2022 on streamlining processes in managing and supervising implementing partners by establishing standard operating procedures to that end. The TFV programme staff, and other TFV staff as required, will continue their biweekly meeting structure for matters relating to programme management, including oversight of implementing partners (Grant Management Meeting).

### **Review Mechanism, policy-setting and related resources**

773. On the basis of the Review Mechanism's initial categorization, completed in April 2021, of the IER recommendations and remaining issues, the TFV will continue in 2021 and 2022 to engage closely with the relevant Assembly bodies and with the Court (Chambers and Registry) to address the findings and recommendations of the IER Report. The focal points

of the Board and Secretariat (a Board member and the Legal Adviser/deputy to the Executive Director) will invest time and effort to move these matters forward, which means a heavier workload for the legal team in 2022.

774. The findings of the IER Report also emphasize the need to develop policies to be adopted by the Board pursuant to regulation 15 of the Regulations of the Trust Fund (“TFV Regulations”). In addition to the new strategic plan for 2022-2024, such policies relate in particular to the following issues, many of which the TFV has started to address in 2021:

a) *Governance/working methods*: The Board is currently working on a policy on the matter of its own working methods as well as the relationship between the Board and the Secretariat, including with respect to the appointment of focal points and monthly remote meetings. In addition, it has invited the Assembly to consider the diverse qualifications required of Board members. As part of the Review Mechanism process, attention will also be given to strengthening the relationship between the Assembly and the Board;

b) *Fund management and investment*: With a considerable increase in earmarked funding as well as in reporting obligations to donors, the TFV’s work in fund management and investment has become more imperative. While this work has so far been carried out by the Executive Director, the Finance Officer and the Associate Executive Officer, ensuring adherence to requirements set by donors cuts across compliance and legal aspects. Reporting obligations have also increased in the past years as earmarking not only requires proper tracing of the use of the Trust Fund’s extrabudgetary resources, but also detailed reporting at various intervals. In addition, given the larger portfolio, the content of reports (financial data, description of impact and programme specifics) has also grown in volume and complexity.

A policy on fund management and investment and related aspects will be developed in 2021. As fund management and investment is a core function of the Trust Fund, this policy will, upon adoption, serve as point of reference for future budget requirements in this area;

c) *Investment in assistance and reparations programmes*: This is a component of fund management and a core function of the Board. Therefore, the Trust Fund’s strategies for when and how to invest in assistance and reparations programmes will be integrated into the policy on fund management and investment. Clarifying the Trust Fund’s approach to the use of its funds, and in particular of voluntary contributions, resonates with the IER Report of 2020 and the IOM Report of 2019;

d) *Resource development*: This will be addressed in several ways in 2021, in particular by developing a fundraising strategy for public donors, updating the guidelines for donations from private individuals and elaborating a strategy for private donor fundraising. The overall policy aspects of fundraising will be addressed in the policy on fund management.

The TFV has one staff member, the Fundraising and Visibility Officer (P-3), dedicated to private fundraising. Public fundraising is handled by the Executive Director who is supported by the Associate Executive Officer and by the Programme Managers in the field. To urgently bolster the TFV’s public fundraising efforts in 2021, the Board approved, in November 2020, funds from the incidental programme support costs (IPC) provision in the extrabudgetary resources to enable the TFV to better appreciate the market and develop high-value partnerships with public donors and public-private initiatives. Fundraising is a core function of the TFV, as also pointed out in the IER Report, and because of the pressing need to raise funds beyond the regular donors to the TFV and the time required to invest in such relationships, the TFV requests a staff member dedicated to public fundraising in 2022, similar to the staff member dedicated to private fundraising; and

e) The IER Report strongly stresses the need for the TFV to partner with international organizations and NGOs in order to ensure that its reach in terms of repairing the harm of victims is effective. Similarly, the Procurement Task Force set up by the Registrar and Executive Director in early 2020 concluded that the current procurement process for services pursuant to the Financial Regulations and Rules does not best fit the exigencies of expeditious partnering with organizations to implement reparations and assistance activities.

To capture the evolved insight into the TFV’s partnership needs and their modalities, the Secretariat will require reinforcement in the form of an Associate Partnership Development and Procurement Officer, to replace the Associate Procurement Officer (P-2,

STA) currently in place on a temporary basis and funded through IPC funds. Contingent on its approval in 2022, the appointment is anticipated for the final quarter of 2022.

775. Finally, the TFV envisages developing an Integrity Policy in 2021-2022 to cover financial integrity as well as integrity in relation to victim engagement.

776. Draft policies will be made available to States Parties, the Assembly, the Court, NGOs and civil society for comments and feedback in order to obtain the broadest possible consent of all TFV stakeholders. While this process is time and resource intensive, and will continue to be so into 2022, it will allow the TFV to improve its transparency and communication about its work, thereby raising donor confidence and securing funding for its activities.

## **Extrabudgetary resources of the TFV**

### *Fund management*

777. Under the oversight of the Board, the Executive Director is in charge of the management of the extrabudgetary resources of the Trust Fund (voluntary contributions, fines, income from forfeiture orders) and directly accountable to the Board for the use of funds. The Board has ultimate responsibility for assigning funds to reparations and assistance programmes. With the support of the Associate Executive Officer, the Executive Director also manages public donor relationships. At Headquarters, the Finance Officer, the Finance Assistant and the Programme Assistants ensure that the use of funds is traceable and assigned to the relevant activities. They also ensure that funds are disbursed as planned, assisted by the relevant Registry offices. Disbursements to implementing partners are processed by the Finance Officer upon verification of the reports of implementing partners as received from the Programme Managers. The Associate Executive Officer ensures that reports and reporting deadlines to the donors are maintained. The Legal Adviser advises on compliance of the managed funds with the terms of donor agreements and services contracts with implementing partners, and remains informed of all relevant processes. The Associate Executive Officer and her team also organize the drafting of the reports to the Assembly and the Committee and of the annual TFV reports. She is currently assisted in this task by an additional administrative assistant financed through IPC funds. The fund management and reporting function of the Trust Fund will likely require further support upon the approval of the newly developed fund management and investment policy.

### *Resource development*

778. Resource development from public donors is primarily the responsibility of the Executive Director, supported by the Associate Executive Officer and by Programme Managers in the respective situation countries. The TFV has one staff member dedicated exclusively to private fundraising. As set out above, the TFV currently lacks a staff member dedicated fully to resource development from public donors, even though they remain the main source of revenue for the TFV. With the high workload bearing on the three Programme Managers in the field as well as on the Executive Director, further support is required from a dedicated and knowledgeable Fundraising and Visibility Officer for public resource development.

## **Organizational development**

779. On account of the exponential growth of the TFV's portfolio of investments and activities, the pace of operations and the implementation rate has accelerated. As a result, the TFV has had to manage a high number of complexities on a daily basis while discharging its obligations to the Court and to the victims. To be able to continue to do so, the TFV must retain its ability to respond flexibly to unexpected developments, for example by temporarily redeploying field-based staff, temporarily deploying Headquarters and/or Registry staff to field locations and engaging short-term consultants.

780. In order to further strengthen management and implementation capacities, the Trust Fund seeks to maintain and build on the Secretariat's core organizational capabilities, as it did in the period from mid-2019 to mid-2020, with the mobilization of essential senior staff positions, including the field-based Programme Managers and the Legal Adviser, as well as their respective direct reports. Considering the work on the relevant policies as set out above,

it can be expected that the Secretariat's core organizational capabilities will take greater shape, for example in the area of fund management and programme development both at Headquarters and in the field.

781. Financial and managerial control of the Secretariat rests with the Executive Director, supported by the Legal Adviser in a deputy role. The biweekly meetings of the coordination team, which is composed of these two posts in addition to the Programme Managers, the Finance Officer, the Fundraising and Visibility Officer and the Monitoring and Evaluation Officer, also form an effective additional management tool.

782. The Programme Managers and the Associate Field Programme Officers support the preparation of draft implementation plans and provide operational and administrative oversight of the implementation of reparations awards and of assistance programmes. This oversight includes the management and supervision of implementing partners, sound internal controls and their related tools and procedures, outreach to (potentially) eligible victims and their communities, and the establishment and maintenance of relations with other stakeholders, such as national and local State authorities and other agencies. Functional steering of the programme work (standard setting, technical advice and quality control) is the responsibility of the Legal Adviser, the Finance Officer and the Monitoring and Evaluation Officer.

783. With the guidance of the Legal Adviser, the Programme Managers ensure that the implementation of reparations is in line with the Chamber's reparations orders and the approved implementation plan. The Legal Adviser usually reports on a quarterly basis to the relevant Chambers that monitor the implementation. The Legal Adviser is in charge of preparing decisions on eligibility issued by the Board and ensures that the identification and selection of beneficiaries, in particular of reparations programmes, are harmonized. The Legal Adviser also advises on legal matters relating to the implementing partners and maintains the relationship with the Registry Legal Office.

784. Under the guidance of the Finance Officer, the Programme Managers implement administrative processes, including project-based administrative verification checks and management assessments, in support of programme implementation. The financial and narrative reporting from implementing partners is recorded in the Trust Fund's SAP Grants Management system, established in accordance with regulation 38 of the TFV Regulations, and in a system for impact-related information after being verified and controlled by the Monitoring and Evaluation Officer.

785. The Monitoring and Evaluation Officer is in charge of ensuring quality control and quality assurance of the Trust Fund's practice of monitoring the project results reporting by implementing partners, as well as of the commissioning of independent beneficiary satisfaction surveys and impact evaluations. A Management Information System (MIS) financed through IPC funds is under procurement in 2021. Once in place, it will facilitate programme oversight and reporting, including to external stakeholders such as the Court, States Parties and their oversight bodies, and Trust Fund donors. The Monitoring and Evaluation Officer requires support in this crucial function at Headquarters in order to be able to appropriately measure and report on the impact of the growing number of Trust Fund programmes. While support was originally planned for the field (Bunia), the relevant posts were redeployed as one post to Headquarters. For evaluation purposes, the TFV relies on external expert services to conduct baseline studies and *ex post facto* evaluations, and to carry out beneficiary satisfaction surveys. These functions are financed through IPC funds.

786. The overall reparations programming perspective and related partnership building with organizations, NGOs, civil society and international organizations active in the area of reparations in the relevant situation countries will become ever more important in 2022. As a result there will be a need for work on issues such as the legal personality of the Trust Fund, its ability to conclude partnerships, the applicability of procurement rules and a clear delineation of the requirements of the Trust Fund. At the same time, these partnerships must be built or procured. This will also require policy and conceptual work, in particular when linking the work of the Trust Fund and the Court in its reparations and assistance mandates to regional or domestic reparation programmes. This conceptual and legal work is intended to be carried out by the Legal Adviser together with the new posts of Fundraising and Visibility Officer and of Associate Partnership Development and Procurement Officer.

787. In relation to the legal capacity, the current budgetary resources are intended for one Legal Adviser (P-4) and two GTA Associate Legal Officers (P-2). Managing the increasing reparations and contract case load of 2020 and 2021 was only possible with the support of two additional Assistant Legal Officer (P-1) STA positions and other contractors hired during peak periods in 2021. The Legal Adviser lays the foundation for and guides the implementation of reparations awards, including victim identification and verification in support of the Board's administrative eligibility decisions, and provides overall quality control. Under the supervision of the Legal Adviser, legal team members are assigned to one or more cases, liaise with legal representatives, support the programme manager, run the victim identification and eligibility processes and prepare the quarterly reports to be submitted to the relevant Chamber. In addition, the legal staff are also involved in the procurement of partners and ensuring that implementing partners for reparations adhere to the approved implementation plan. In addition, the Legal Adviser is the Secretariat's focal point for the Review Mechanism and is heavily invested in policy-making, requiring the assistance of the legal staff for this process. The two Assistant Legal Officer STA positions are financed in 2021 through IPC funds by reference to policy drafting in particular, which is an urgent but temporary matter. The workload of the expected five reparations cases, however, requires additional legal support to ensure the quality of the TFV's legal observations as well as expeditious and high-impact implementation of reparations. Legal team members travel to situation countries to prepare draft implementation plans, carry out victim identification or consult with stakeholders when developing an implementation plan and in relation to the implementation of reparations. Accordingly, one additional Associate Legal Officer (P-2) GTA position is requested.

788. The TFV staff members who conduct interviews for victim identification may require appropriate psychological support, before and after interview sessions. While the Registry's Victims and Witnesses Section (VWS) has provided training to TFV legal staff, the function of psychological support will need to be further strengthened, and synergies with the Registry will be explored.

789. The Associate Executive Officer is supported by one Administrative Assistant. The latter is primarily in charge of relations with the Board, supporting its monthly meetings, and of administrative support for the Executive Director and other staff members. Apart from managing relations with States, the Associate Executive Officer also supports the human resources/recruitment function as well as the communication function of the Trust Fund by preparing press releases and ensuring the social media component. The Associate Executive Officer works closely with the Public Information and Outreach Section (PIOS), the Programme Managers and the country offices in relation to the issuance of press releases and other communications related to the ongoing activities of the Trust Fund. Considering the increased activities of the TFV and the need to considerably enhance visibility and communication, an additional Administrative Assistant focusing on social media is required to support the Associate Executive Officer in her work.

#### *Working relationship with the Registry*

790. The TFV and the Registry have developed a strong collaborative partnership, mindful of each other's roles and responsibilities and the need to develop synergies wherever possible. The working relationship between the TFV and the Registry is of particular importance and is captured in the Cooperation and Assistance Framework ("Framework") of March 2019. As reported to the Committee in June 2020, the TFV, in acting under its reparations and assistance mandates, works closely with country offices, the Finance Section, the Procurement Unit, the Victims Participation and Reparations Section (VPRS), the External Relations and State Cooperation Unit, the Counsel Support Section, the Office of Public Counsel for Victims, the Security and Safety Section, and the Public Information and Outreach Section.<sup>125</sup> The TFV highly appreciates the collaboration and assistance that have been provided by the Registry and Legal Representatives of Victims throughout the

<sup>125</sup> *Report on the division of responsibilities between the Registry and the Trust Fund in ongoing reparations proceedings, as well as on possible synergies and duplication*, Committee on Budget and Finance, thirty-fourth session, (CBF/34/12).

preparation and implementation of reparations awards in 2020 and 2021, and anticipates pursuing this collaboration further in 2022.

791. The purpose of the 2019 Cooperation and Assistance Framework is twofold: to set out a common understanding of the areas of cooperation and assistance between the Registry and the STFV,<sup>126</sup> and to enable the Registry and the STFV to plan the best possible management of resources and capacity in order to deliver effectively and efficiently on their respective mandates. The Framework sets out the operational modalities of the working relationship between the STFV and the Registry, including operational tools (joint planning and monitoring), focal points, periodicity of meetings, escalation mechanisms to address bottlenecks and other problems quickly, and coordination and progress review meetings at the senior management level. In 2022, the Framework may be further updated and adapted to the improved collaboration between the TFFV and the Registry and to achieve further synergies and efficiencies.

792. The TFFV relies on the Finance Section for the disbursement of awards and other amounts, and to ensure proper financial reporting to relevant stakeholders. The TFFV relies on the Procurement Unit and the Registry Legal Office for procurement and contracting matters. The Registrar and Executive Director have continued the Procurement Task Force in 2021, which successfully ended any procurement bottlenecks in 2020, and may continue the relevant monthly meetings in 2022 in order to support the development of a partnership and procurement framework that best fits the TFFV.

793. The TFFV relies on the services of the Registry to help assess, anticipate and mitigate security challenges which pose a threat to the implementation of assistance programmes and reparation awards.

794. The TFFV also relies on the country offices for outreach support, matters related to privileges and immunities, the provision of office space and all office-related matters for TFFV programme staff in the country offices, as well as for matters related to security and health, such as Ebola and COVID-19. In addition, country office staff may support TFFV victim identification processes.

#### **Budget resources**

**€3,388.2 thousand**

795. The proposed increase is €188.6 thousand, equivalent to 5.9 per cent as compared to the 2021 level of the approved budget.

796. The Trust Fund's increasing workload will be addressed by internal flexibility and efficiency measures, including in the working relationship with the Registry. The focus of the Trust Fund's work in 2022 will be on implementing reparations in five cases and raising the resources required to complement reparations awards and extending ongoing assistance programmes. Accordingly, the requested additional resources relate to the above-mentioned priority areas of reparations and fundraising, including raising the visibility of the Trust Fund through social media and seeking partnerships with international and non-governmental organizations for the benefit of victims. Increasingly, various donors and earmarking also require that the Trust Fund enhance its fund management activities and focus resources on internal and external financial and narrative reporting. The additional resources requested will therefore allow the TFFV to be responsive in its strategy and mandates.

797. The following adjustments are proposed:

- Restoration of the vacancy rate from 12 per cent to 10 per cent in line with the implementation of staffing funds;
- Proposed conversion of two GTA positions pivotal for business continuation at Headquarters;
- Discontinuation of two GTA positions;
- Redeployment of one GTA position from the DRC to Headquarters;

<sup>126</sup> See regulation 19 of the TFFV Regulations (ICC-ASP/4/Res.3, adopted 3 December 2005): "Bearing in mind the independence of the Secretariat, it shall consult the Registrar on all administrative and legal matters for which it receives the assistance of the Registry."

- Request for three new GTA positions with a six-month recruitment delay factor and one GTA position with a ten-month recruitment delay factor; and
- Increase in the travel budget by €56.2 thousand (38.8 per cent).

**Staff resources****€3,019.5 thousand**

798. The amount requested for established posts has increased by €195.9 thousand (16.8 per cent) as compared to the amount in the 2021 approved budget. The amount approved for GTA positions has decreased by €63.4 thousand (3.7 per cent) as compared to the amount in the 2021 approved budget. The increase in established posts is the result of a request for conversion of two existing long-term GTA positions that will be required in the future. This increase is partially compensated by the decrease in GTA costs.

799. In 2021, the TFV will comprise 11 established posts and 18 GTA positions (15.17 FTE). The amount requested for established posts is €1,360.5 thousand. The amount requested for GTA positions is €1,659.0 thousand.

*Established posts: Professional and General Service**€1,360.5 thousand*

800. The TFV is managed by an Executive Director, Trust Fund for Victims (D-1).

801. One Legal Adviser (P-4). The incumbent provides the Executive Director and the Board with expert legal advice on the development and implementation of the TFV's assistance and reparations mandates. The incumbent's responsibilities include the role of acting deputy to the Executive Director, high-level advice on the development of the TFV's legal and institutional strategies, management of the process of preparing legal filings and progress reporting to the Court, external representation of the TFV and functional steering in respect of the implementation of Court-ordered reparation awards.

802. Three Programme Managers (P-4). These posts are based in the country offices in Kampala, Uganda; Bunia, DRC; and Abidjan, Côte d'Ivoire. The incumbents are responsible and accountable for the design, implementation and management oversight of TFV programmes and reparations awards. They report directly to the Executive Director.

803. One Monitoring and Evaluation Officer (P-3). This post is based in The Hague. The incumbent plays a central role in programme coordination and reports to the Executive Director, the Legal Adviser or the authorized acting deputy. The incumbent is responsible for steering and ensuring quality control in respect of all programme monitoring, evaluation and reporting activities. The incumbent is also responsible for standard setting in monitoring and evaluation through the TFV's Performance Monitoring Plan (PMP).

804. One Finance Officer (P-3). The incumbent is responsible for the financial management of the Trust Fund and ensures enhanced financial oversight, reporting, internal control and compliance with the TFV's procedures and the Court's financial policies. The Finance Officer provides guidance to the Programme Managers in respect of implementing partners and is also responsible for the management and further development of the SAP Grants Management System and financial policies relating to the TFV's mandates and activities. As the main focal point for assistance and reparations-related procurement, the incumbent also focuses on the coordination and implementation of procurement processes.

805. One Administrative Assistant (GS-OL). This post has the vital role of handling the administrative workload that comes with the proper functioning of the Board and the STFV.

806. One Programme Assistant (GS-OL). This post supports the Finance Officer and the programme management team in The Hague in the development and implementation of assistance programmes and reparations awards.

807. One *Associate Executive Officer (P-2). New*. The Trust Fund proposes converting this GTA position to an established post. This role has proven to be vital for the functioning of the Trust Fund to liaise with external stakeholders, in particular public donors, and ensure an open channel of communication with States to secure funding for the TFV's assistance and reparations programmes. The incumbent provides and organizes executive support to the TFV's Executive Director and Board and oversees administrative support functions at the STFV. The incumbent engages in relationship management with high-level external

stakeholders, in communication-related matters, and organizes events to raise the TFV's public profile and encourage more voluntary contributions and private donations.

808. One *Associate Programme Officer (P-2)*. *New*. The Trust Fund proposes converting this GTA position to an established post. This role, based in The Hague, is vital to ensuring proper fund management, in particular by converting information received from implementing partners/programme managers so that it accurately feeds into accounting and oversight tools and the Trust Fund's timely, comprehensive and correct reports to donors, the Assembly and related bodies. The incumbent maintains direct working relationships with the Programme Managers and Associate Field Programme Officers, and may support the development of programmatic frameworks.

*General temporary assistance*

€1,659.0 thousand

809. The amount requested for GTA positions has decreased by €63.4 thousand (3.7 per cent) as compared to the amount in the 2021 approved budget.

810. In 2021, the TFV had 18 GTA positions (15.13 FTE). The TFV proposes the following changes to readjust to the priorities and challenges in 2022:

- discontinuing the *Programme Manager (P-4)* position in Mali;
- discontinuing one *Monitoring and Evaluation Assistant (GS-OL)* position;
- transferring one *Monitoring and Evaluation Assistant (GS-OL)* position from the field to Headquarters;
- converting into established posts two long-term GTA positions: *Associate Executive Officer (P-2)* and *Associate Programme Officer (P-2)*.

811. In turn, the TFV requests four new GTA positions (in-depth justifications above and below):

- *Fundraising and Visibility Officer (P-3)*, 6 months;
- *Associate Legal Officer (P-2)*, 6 months;
- *Associate Partnership Development and Procurement Officer (P-2)*, 2 months;
- *Administrative Assistant (GS-OL)*, 6 months.

812. The total count of GTA positions amounts to 18 (15.17 FTE). These proposed changes result in a net position count effect of zero, an increase in FTE of 0.04 and a decrease in resource requests of €63.4 thousand.

#### *Headquarters*

813. Two *Fundraising and Visibility Officers (P-3)*. *One continued, 12 months. One new, 6 months. Multi-year*. Awareness-building and fundraising go hand-in-hand to create a stronger political and financial foundation for fulfilling the TFV's mandates, mission and goals. The TFV continues to strive towards the diversification of its revenue base. Both awareness-raising and resource development are strategic functions of the TFV and, as explained above, of the highest priority for the Trust Fund in 2022. Fundraising activities require dedicated expert capacity, which the Fundraising and Visibility Officers will contribute to private and public sector fundraising activities. However, public and private resource mobilization are two different areas that require different experience and expertise. The new position, dedicated exclusively to public fundraising, is therefore requested to allow the Trust Fund to consistently mobilize resources from its most important donor group, i.e. States, and in addition, to extend its capacity to also address international organizations as Trust Fund donors.

814. One *Associate Partnership Development and Procurement Officer (P-2)*, 2 months. *New. Multi-year*. The incumbent ensures the smooth conduct of all ongoing procurement processes and coordination with the Registry's Procurement Unit, which is essential for the expeditious implementation of reparations orders. The incumbent assists in the development of partnerships with international organizations and NGOs for the implementation of reparations awards and the conduct of assistance programmes to broaden the impact of

reparations for victims. This includes ensuring, together with the Legal Adviser and the relevant Programme Managers, that regulatory frameworks for partnerships with such organizations are built and maintained. The incumbent will act under the supervision of the Legal Adviser.

815. *Three Associate Legal Officers (P-2), Two continued. 12 months each. One new. 6 months. Multi-year.* Associate Legal Officers are required to provide research, drafting and reporting capacity throughout the reparations phase and to maintain working-level relationships with parties and participants in the reparations proceedings, as well as with relevant staff at the Court, including in the Judiciary and the Registry. The incumbents' assignments will be case-related on the basis of ongoing reparations proceedings, i.e. *Katanga, Lubanga, Al Mahdi, Ntaganda* and *Ongwen*. They will specifically include conducting research for and drafting TFV legal filings and reports; implementing victim identification and verification processes, which includes training field-based staff; handling the administration of the TFV's victim identification and verification process, for example by managing victim files; engaging in reparations-related working relationships with stakeholders inside and outside of the Court; and supporting the Board's decision-making on eligibility and subsequent reporting to Trial Chambers. Further responsibilities include monitoring cases at the trial stage so that the TFV can be properly informed and positioned at the outset of the reparations phase. Since 2020, the legal team has been supported by STA positions that make it possible for each legal team member to focus on a maximum of two cases. Considering the additional reparations workload in 2022 and the required policy drafting work, an additional Associate Legal Officer position is requested in order to meet judicial deadlines, provide quality submissions and implement the identification and eligibility screening required to determine beneficiary groups. The Associate Legal Officers report to the Legal Adviser.

816. *One Monitoring and Evaluation Assistant (GS-OL), 6 months. Continued. Multi-year.* It is proposed that this position be redeployed from the DRC to The Hague. The position is crucial to supporting data analysis and verification related to the monitoring, reporting and evaluation of the implementation of assistance programmes and reparations awards (*Lubanga, Katanga, Al Mahdi, Ntaganda* and *Ongwen*), including support for beneficiary satisfaction surveys. The incumbent reports to the Monitoring and Evaluation Officer to support the consistency and cohesion of the TFV's monitoring, reporting and evaluation practice, in accordance with the standards and protocols of the TFV's PMP.

817. *One Finance Assistant (GS-OL), 12 months. Continued. Multi-year.* This position provides support necessary for the implementation of assistance programmes and reparations. The incumbent supports the Finance Officer (P-3) in fund management and finance-related activities, including in relation to SAP, and in supporting the programme teams. In addition, the Finance Assistant provides financial support to implementing partners operating under the assistance and reparations mandates, including in the context of the expected general increase in workload in 2022.

818. *One Programme Assistant (GS-OL), 12 months. Continued. Multi-year.* This position supports the programme management team in The Hague (Monitoring and Evaluation Officer and Associate Programme Officer) in the development and implementation of assistance programmes and reparations awards. Furthermore, this position provides support necessary to the programme teams in the situation countries in relation to the implementation of assistance programmes and reparations.

819. *One Administrative Assistant (GS-OL). New. 6 months. New. Multi-year.* This position will provide the necessary support for visibility and communication activities which are essential to successful resource mobilization. The Administrative Assistant's main task involves representation of the Trust Fund on social media, including on the website, Twitter and Facebook, to ensure continuity in presence and information distribution. In addition, the incumbent will closely coordinate with Programme Managers and the Fundraising and Visibility Officers to support the outreach strategies of Programme Managers as well as fundraising strategies. The incumbent will act under the supervision of the Associate Executive Officer.

*Programme management and field operations*

820. Seven *Associate Field Programme Officers (P-2)*, 12 months each. *Continued. Multi-year.* These positions are based in the country offices: three in the DRC, one in Uganda, one in Mali, one in Côte d'Ivoire and one in the CAR. The incumbents form part of the long-term backbone of the TFV's field capacity, reporting to the Programme Managers (P-4). They help ensure continuity, consistency and quality control in the development and implementation of assistance programmes and reparations awards. They provide crucial support in relation to victim verification and the conduct of operational research, supporting the development and planning of assistance and reparations programmes, including in relation to local services markets for the purpose of procurement processes to select implementing partners.

821. One *Field Programme Assistant (G-5)*, 12 months (DRC). *Continued. Multi-year.* This position is based in the DRC to support the implementation of reparations awards in *Lubanga* and *Katanga* and the assistance mandate programme. This capacity is needed to ensure essential field-based programme support functions and to support programme staff by collecting, registering and maintaining information on implementation activities, preparing status and progress reports, ensuring that implementing partners' quality controls are aligned with the TFV's rules and procedures, and providing administrative support to the TFV field team.

**Non-staff resources****€368.7 thousand**

822. Non-staff resources are required for travel, hospitality, contractual services, training, consultants, general operating expenses, and supplies and materials. The requested amount has increased by €56.1 thousand (17.9 per cent) as compared to the 2021 approved budget. The increase reflects a continued conservative approach combined with the requirements of a significantly larger portfolio, fundraising activities and Board activities. All non-staff resources are recurrent, with the exception of the SAP Grants Management module support (€15.0 thousand) budgeted under contractual services.

*Travel**€201.1 thousand*

823. The requested amount, which has increased by €56.2 thousand (38.8 per cent), will be required mainly in relation to the TFV's programme activities (reparations and assistance mandates), visibility/fundraising and Board-related initiatives. Given the expected resumption of international travel and the growing needs related to the TFV's portfolio, this amount, while lower than the 2019 travel budget, will be required for the TFV's priority areas of reparations and resource mobilization as well as to support the Board's international fundraising and advocacy initiatives.

*Hospitality**€1.0 thousand*

824. The requested amount remains unchanged and is required for effective engagement with third parties in the context of the TFV's management of its external relations.

*Contractual services**€99.3 thousand*

825. The requested amount remains unchanged. Contractual services are needed for external printing in the field and at Headquarters; SAP Grants Management support, including business support services; development of fundraising events and materials, rental of premises in the field; the External Auditor's fee; TFV Board meeting costs; and external English-French translation.

*Training**€19.1 thousand*

826. The requested amount has decreased by €0.1 thousand (0.5 per cent). This amount is required to cater for the training needs of existing and new staff in The Hague and in the country offices, within the newly expanded STFV structure.

*Consultants* €40.2 thousand

827. The requested amount remains unchanged. Consultants will be required in the first instance to support ad hoc reparations activities, including through the provision of expert advice, and the TFV's visibility and fundraising activities.

*General operating expenses* €5.0 thousand

828. The requested amount remains unchanged. This amount is required for workshops and meetings in country offices, and for communications materials and mailing costs.

*Supplies and materials* €3.0 thousand

829. The requested amount remains unchanged. This amount is required for basic office supplies and other expendable office materials.

Table 42: Major Programme VI: Proposed budget for 2022

Major Programme VI Secretariat of the Trust Fund for Victims	2020 Expenditures (thousands of euro)			2021 Approved Budget	Resource Changes		Proposed 2022 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				1,031.4	190.1	18.4	1,221.5
General Service staff				133.2	5.8	4.4	139.0
<i>Subtotal staff</i>	<i>1,160.4</i>	-	<i>1,160.4</i>	<i>1,164.6</i>	<i>195.9</i>	<i>16.8</i>	<i>1,360.5</i>
General temporary assistance	1,529.2	-	1,529.2	1,722.4	(63.4)	(3.7)	1,659.0
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>1,529.2</i>	-	<i>1,529.2</i>	<i>1,722.4</i>	<i>(63.4)</i>	<i>(3.7)</i>	<i>1,659.0</i>
Travel	93.1	-	93.1	144.9	56.2	38.8	201.1
Hospitality	-	-	-	1.0	-	-	1.0
Contractual services	68.9	-	68.9	99.3	-	-	99.3
Training	11.4	-	11.4	19.2	(0.1)	(0.5)	19.1
Consultants	86.6	-	86.6	40.2	-	-	40.2
General operating expenses	2.7	-	2.7	5.0	-	-	5.0
Supplies and materials	3.2	-	3.2	3.0	-	-	3.0
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>265.9</i>	-	<i>265.9</i>	<i>312.6</i>	<i>56.1</i>	<i>17.9</i>	<i>368.7</i>
<b>Total</b>	<b>2,955.6</b>	-	<b>2,955.6</b>	<b>3,199.6</b>	<b>188.6</b>	<b>5.9</b>	<b>3,388.2</b>

Table 43: Major Programme VI: Proposed staffing for 2022

VI	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
<b>Established Posts</b>														
Approved 2021	-	-	-	1	-	4	2	-	-	7	-	2	2	9
New	-	-	-	-	-	-	-	2	-	2	-	-	-	2
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>4</b>	<b>2</b>	<b>2</b>	<b>-</b>	<b>9</b>	<b>-</b>	<b>2</b>	<b>2</b>	<b>11</b>
<b>GTA Positions (FTE)</b>														
Approved 2021	-	-	-	-	-	0.04	1.00	11.00	-	12.04	-	3.08	3.08	15.13
Continued	-	-	-	-	-	-	1.00	11.00	-	12.00	-	3.50	3.50	15.50
New	-	-	-	-	-	-	0.50	0.67	-	1.17	-	0.50	0.50	1.67
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	(2.00)	-	(2.00)	-	-	-	(2.00)
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1.50</b>	<b>9.67</b>	<b>-</b>	<b>11.17</b>	<b>-</b>	<b>4.00</b>	<b>4.00</b>	<b>15.17</b>

## G. Major Programme VII-2: Permanent Premises Project – Host State Loan

### Introduction

831. 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.<sup>127</sup>

832. In response to requests from the Committee on Budget and Finance and the Assembly, 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.<sup>128</sup>

833. 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.<sup>129</sup>

834. The loan agreement 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 applied 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).<sup>130</sup>

835. The impact over the coming years is shown in greater detail below.

### Loan repayment impact over the coming years (in euros)

	2019	2020	2021	2022	2023
<b>Loan repayment</b>					
Capital and interest	3,585,127	3,585,127	3,585,127	3,585,127	3,585,127
<b>Total payments</b>	<b>3,585,127</b>	<b>3,585,127</b>	<b>3,585,127</b>	<b>3,585,127</b>	<b>3,585,127</b>

836. Repayment of the loan started after surrender of the interim premises leases on 30 June 2016. Capital and interest owed for the period from 1 January to 31 December 2021 will be payable on or before 1 February 2022.

<sup>127</sup> *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Seventh session, The Hague, 14-22 November 2008* (ICC-ASP/7/20), vol. I, part III, ICC-ASP/7/Res.1, para. 2 and annex II.

<sup>128</sup> *Official Records ... Ninth session ... 2010* (ICC/ASP/9/20), vol. II, part A, section G, para. 466.

<sup>129</sup> *Official Records ... Seventh session ... 2008* (ICC-ASP/7/20), vol. I, part III, ICC-ASP/7/Res.1, annex III.

<sup>130</sup> 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 44: Programme VII-2: Proposed budget for 2022**

Major Programme VII-2 Host State Loan	2020 Expenditures (thousands of euro)			2021 Approved Budget	Resource Changes		Proposed 2022 Budget
	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	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	-	-	-	-	-	-	-
<b>Total</b>	-	-	-	-	-	-	-
<i>Host State Loan</i>	3,585.1	-	3,585.1	3,585.1	-	-	3,585.1
<b>Total Including Host State Loan</b>	<b>3,585.1</b>	-	<b>3,585.1</b>	<b>3,585.1</b>	-	-	<b>3,585.1</b>

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

### Introduction

837. Major Programme VII-5, the Independent Oversight Mechanism (IOM), was established by the Assembly of States Parties (“the Assembly”) at its eighth session<sup>131</sup> 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.<sup>132</sup>

838. The purpose of the IOM is to assure the Assembly of the effective and comprehensive oversight of the Court in order to enhance its efficiency and economy. This is achieved through the conduct of independent inspections, evaluations and investigations. 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 investigations of elected officials pursuant to rule 26 of the Rules of Procedure and Evidence, which was revised in 2018 by the Assembly at its seventeenth session. The IOM’s mandate was revised by the Assembly at its nineteenth session to formally reflect the IOM’s exclusive jurisdiction in investigating allegations of misconduct and serious misconduct by elected officials, in accordance with rule 26, and expand this jurisdiction to former elected officials.

### Budget resources

**€874.2 thousand**

839. The requested amount has increased by €134.7 thousand (18.2 per cent), reflecting a corresponding increase in staff costs owing to the request for an additional Investigator position as detailed below. Total non-staff costs have remained substantially unchanged with an increase of €0.8 thousand (1.5 per cent).

### Staff resources

**€818.3 thousand**

840. The requested amount has increased by €133.7 thousand (19.6 per cent) owing to the request for an additional Investigator position under a general temporary assistance (GTA) contract.

### *Established posts: Professional and General Service*

**€526.6 thousand**

841. The IOM comprises four established posts: one P-5 (Head, Independent Oversight Mechanism), one P-4 (Senior Evaluation Specialist), one P-2 (Associate Investigator), and one GS-OL (Administrative Assistant). It also includes one P-4 (GTA) position of Senior Investigator. Currently, the P-4 Senior Investigator (GTA) leads the investigation function with the support of the P-2 Associate Investigator, while the Senior Evaluation Specialist leads the evaluation function with the support of, and under the direction of, the Head of the IOM. The Administrative Assistant provides both administrative support to the entire programme and substantive support to the Senior Investigator and Senior Evaluation Specialist.

### *General temporary assistance*

**€291.7 thousand**

842. One Senior Investigator (P-4), 12 months. Continued. Multi-year. Despite being fully staffed in accordance with its operational mandate, the IOM is facing significant challenges in meeting its workload. While the pressure of evaluations and inspections can be partially addressed by limiting the assignments performed, the same is not the case for investigations. The IOM has been struggling to meet the demands of its investigation workload, and the number of allegations it receives is not within its control. As outlined in the last three IOM annual reports to the Assembly, in an effort to manage its increasing investigative workload,

<sup>131</sup> *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Eighth session, The Hague, 18-26 November 2009* (ICC-ASP/8/20), vol. I, part II, ICC-ASP/8/Res.1.

<sup>132</sup> *Official Records ... Twelfth session ... 2013* (ICC-ASP/12/20), vol. I, part III, ICC-ASP/12/Res.6, para. 5.

the IOM has had to refer cases back to the Heads of Organ for lack of investigative capacity. The IOM therefore requests that the position of Senior Investigator (P-4) be continued.

843. *One Investigator (P-3), 12 months. New. Multi-year.* The IOM considers it critical to structurally address its limited staffing resources to achieve consistency with internationally recognized best practice in the conduct and conclusion of investigations. Owing to its staffing limitations in 2020, the IOM took an average of 285 days (more than 9 months) to complete each of its six full investigations, which is longer than the turnaround time regarded as international best practice – and the IOM’s internal target – of 6 months. Extended delays also occur in the review and conduct of preliminary assessments of allegations which do not eventually progress to full investigations. Such delays erode staff confidence in the IOM as an investigative body and may expose the Court to litigation risk before administrative tribunals.

844. Many allegations of misconduct reported to the IOM are extremely sensitive and some involve senior members of staff. The handling of such allegations requires a high level of skill and experience. For instance, since 2018, 45 per cent of the IOM’s full investigations have involved at least one member of staff at the P-5 grade or above (including elected officials). A number of cases closed after preliminary assessment have also involved senior staff members or elected officials.

845. The IOM investigation team’s heavy caseload leaves it little time to develop the internal policies and standard operating procedures needed for greater transparency in the discharge of its mandate, and to prepare policy documents for the Court concerning its regulatory framework. The Independent Expert Review also noted that staff do not appear to understand the IOM’s mandate and therefore lack trust in it. At the same time, the IOM’s ability to raise awareness among staff is limited.

846. The present proposal will enable the Investigator to lead investigations independently while supporting the Senior Investigator on more sensitive and complex investigations, under the overall supervision of the Head of the IOM. Both the Investigator and the Senior Investigator will also assist in developing policy documents and conducting outreach to Court staff.

847. The Associate Investigator will support both the Senior Investigator and the Investigator in all investigations, helping to ensure adherence to best practices such as the conduct of interviews by two team members. The Associate Investigator will also conduct inspections, a function which the IOM has not been able to carry out in recent years, and support the IOM in all other matters, including policy and outreach.

848. In conclusion, the IOM submits that, given its caseload, a sustainable investigation mandate will require two investigators (an Investigator and a Senior Investigator) able to lead investigations independently, with the assistance and support of a junior colleague. Such was the IOM’s operating model for six months in 2019 when it had two temporary P-4 positions supported by the Associate Investigator. Without a doubt, this considerably increased the IOM’s efficiency and effectiveness in responding to allegations of misconduct.

#### **Non-staff resources**

**€55.9 thousand**

849. The requested amount has increased by €0.8 thousand (1.5 per cent). It reflects substantial decreases in consultancy and training costs and a substantial increase in equipment costs. All non-staff resources are recurrent except those relating to equipment.

#### *Contractual services*

*€3.0 thousand*

850. The requested amount is necessary to provide support for the IOM’s oversight functions through, for instance, transcription services for interviews.

#### *Consultants*

*€17.0 thousand*

851. With the proposed addition of an Investigator at P-3 level, the amount for investigation consultants has decreased significantly by €8.2 thousand (32.5 per cent), as they are expected to be needed only for specific expertise or when hired locally for investigations pertaining to

country offices. As the exact number of investigations and the types of expertise needed cannot be predicted, the amount requested may not be fully utilized. The services of an evaluation consultant are expected to be needed for one specific evaluation. External transcription services are expected to be needed for interviews.

*Travel**€18.5 thousand*

852. The requested amount has increased by €2.3 thousand (14.2 per cent). It is impossible to predict where or how many investigations will arise in the country offices. The request accordingly provides for one operational field mission directly supporting oversight activity, as well as travel for annual meetings with peers in the evaluation and investigation communities. The requested amount has increased slightly to account for the fact that one of these meetings will be outside Europe in 2022.

*Training**€7.0 thousand*

853. The requested amount has decreased significantly by €3.7 thousand (34.6 per cent), reflecting a pivot towards greater use of online training programmes, which have recently become more widely available. The requested amount is required for IOM staff to participate in training to maintain their substantive skills, ensure that they are conversant with international best practice in their areas of expertise and maintain their professional qualifications.

*Equipment**€10.4 thousand*

854. The requested amount has increased significantly by €8.4 thousand (420.0 per cent). The ubiquity of digital media in today's world means that most of the IOM's investigative activities involve digital evidence. This amount is requested to provide the IOM with the capacity to conduct basic forensic analysis of digital evidence in a more transparent, effective, and efficient manner. It will allow the IOM to perform basic forensic reviews in all its cases while adhering to recognized best practices, thus reducing the risk of litigation arising from investigations. For more complicated extractions and analyses, the IOM has in the past relied on, and will continue to request, the support of the Forensic Science Section (FSS) of the Office of the Prosecutor and/or the Registry's Information Management Services Section (IMSS), and for this reason the requested amount is limited when compared with spending on oversight assets at other international organizations. The requested amount is based on consultation with IMSS and FSS, which advised the IOM on the most cost-effective route to achieving its objectives.

**Table 45: Major Programme VII-5: Proposed budget for 2022**

Major Programme VII-5 Independent Oversight Mechanism	2020 Expenditures (thousands of euro)			2021 Approved Budget	Resource Changes		Proposed 2022 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				450.7	(1.3)	(0.3)	449.4
General Service staff				75.7	1.5	2.0	77.2
<i>Subtotal staff</i>	<i>457.4</i>	-	<i>457.4</i>	<i>526.4</i>	<i>0.2</i>	<i>0.0</i>	<i>526.6</i>
General temporary assistance	114.6	-	114.6	158.0	133.7	84.6	291.7
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>114.6</i>	-	<i>114.6</i>	<i>158.0</i>	<i>133.7</i>	<i>84.6</i>	<i>291.7</i>
Travel	0.8	-	0.8	16.2	2.3	14.2	18.5
Hospitality	-	-	-	-	-	-	-
Contractual services	3.0	-	3.0	-	3.0	-	3.0
Training	3.9	-	3.9	10.7	(3.7)	(34.6)	7.0
Consultants	10.2	-	10.2	25.2	(8.2)	(32.5)	17.0
General operating expenses	-	-	-	1.0	(1.0)	(100.0)	-
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	0.3	-	0.3	2.0	8.4	420.0	10.4
<i>Subtotal non-staff</i>	<i>18.3</i>	-	<i>18.3</i>	<i>55.1</i>	<i>0.8</i>	<i>1.5</i>	<i>55.9</i>
<b>Total</b>	<b>590.3</b>	-	<b>590.3</b>	<b>739.5</b>	<b>134.7</b>	<b>18.2</b>	<b>874.2</b>

**Table 46: Major Programme VII-5: Proposed staffing for 2022**

VII-5	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
<b>Established Posts</b>														
Approved 2021	-	-	-	-	1	1	-	1	-	3	-	1	1	4
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	-	-	-	-	<b>1</b>	<b>1</b>	-	<b>1</b>	-	<b>3</b>	-	<b>1</b>	<b>1</b>	<b>4</b>
<b>GTA Positions (FTE)</b>														
Approved 2021	-	-	-	-	-	1.00	-	-	-	1.00	-	-	-	1.00
Continued	-	-	-	-	-	1.00	-	-	-	1.00	-	-	-	1.00
New	-	-	-	-	-	-	1.00	-	-	1.00	-	-	-	1.00
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	-	-	-	-	-	<b>1.00</b>	<b>1.00</b>	-	-	<b>2.00</b>	-	-	-	<b>2.00</b>

## I. Major Programme VII-6: Office of Internal Audit

### Introduction

855. The Office of Internal Audit (OIA) assists the International Criminal Court (“the Court”) in achieving its strategic and operational objectives by rigorously 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 Court’s management.

In 2022, the OIA will perform the following activities:

- a) Prepare the general OIA workplan and the OIA ICT workplan on the basis of the Court’s strategic plans and an analysis of the risks that may affect the achievement of the Court’s objectives;
- b) Perform at least nine engagements;
- c) Review the implementation status of recommendations twice during the year, in consultation with the operational managers of the Court, and report on the progress made;
- d) Provide advisory services when requested by Court managers;
- e) Implement and update the quality assurance and improvement programme; and
- f) Prepare various reports for the Audit Committee and attend its meetings.

### Budget resources

**€775.0 thousand**

856. The requested amount has increased by €22.3 thousand (3.0 per cent).

### Staff resources

**€718.8 thousand**

857. The requested amount has increased by €2.0 thousand (0.3 per cent). The OIA comprises four established posts and one GTA position (1.0 FTE). The OIA is not requesting any additional established posts, but requires that the current GTA position be continued.

#### *Established posts: Professional and General Service*

**€586.5 thousand**

858. One Director, Office of Internal Audit (D-1), who is responsible for the administrative management of the OIA, the formulation of a risk-based audit plan, the supervision of the audit work of auditors and the maintenance of a quality assurance and improvement programme. The Director provides guarantees to the three Heads of Organs on the effectiveness and efficiency of governance, risk management and internal controls. In addition, the Director prepares reports for the information of the Audit Committee.

859. One Senior Auditor (P-4) and one Internal Auditor (P-3) who perform audits, provide advisory services, review the implementation of recommendations and carry out additional tasks at the request of the Director.

860. One Internal Audit Assistant (GS-OL) who provides administrative support to the OIA and contributes to the performance of audits. The Audit Assistant also supports the Director in the management of the quality assurance and improvement programme and the drafting of reports for the Audit Committee.

#### *General temporary assistance*

**€132.3 thousand**

861. One Auditor (Information Technology) (P-3), 12 months. Continued, Multi-year. The OIA has one Auditor (Information Technology) who is an expert in information and communication technologies (ICT) and auditing. The incumbent prepares and updates the yearly workplan for ICT activities and performs ICT audits and advisory services. The Auditor (Information Technology) also follows up on the implementation of ICT audit

recommendations, which cannot be done effectively by the other auditors in established posts on account of their lack of technical knowledge in this field. The Auditor (Information Technology) also contributes to the audits performed by the other auditors when these engagements include ICT-related activities.

#### **Non-staff resources**

**€56.2 thousand**

862. Non-staff resources are required for travel (recurrent), training (recurrent) and contractual services (not recurrent). The requested amount has increased by €20.3 thousand (56.5 per cent). This increase relates to the request for funds to contract a consultant to upgrade to and provide the necessary training on TeamMate+, the latest version of the internal audit software used by the OIA for the past 10 years.

#### *Travel*

*€10.5 thousand*

863. The requested amount has decreased by €0.4 thousand (3.7 per cent) and is necessary to enable the OIA to conduct audits in the country offices according to the 2022 Audit Plan.

#### *Training*

*€25.0 thousand*

864. The requested amount has remained the same as that approved for 2021. Auditors are required to undertake regular training to maintain their professional competence. All four auditors of the OIA are certified in internal auditing or IT auditing. The Institute of Internal Auditors and the ISACA (Information Systems Audit and Control Association) require certified auditors to attend 40 hours of continuing professional education (CPE) 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.

865. The cost of a course that provides 25 hours of CPE is approximately €5.0 thousand, depending on the location in Europe. The OIA has contemplated all of the options available to efficiently meet the requirement of 40 hours of CPE. In-house training courses at the Court, conferences, online training and courses given only in the Netherlands were considered. There are, however, limitations to these alternatives (e.g. courses are offered only in Dutch or deal with a limited range of topics). The Court's online training platform can be used by the OIA team but only for non-audit related training courses. In addition, this platform does not issue the appropriate certificate needed to obtain hours of CPE.

#### *Contractual services*

*€20.7 thousand*

866. The requested amount has increased by €20.7 thousand to enable the OIA to contract an external consultant. The consultant's scope of work will be the business-side preparation for the upgrade to TeamMate+, including planning, configuration, training, testing and deployment. IMSS will cover the expenditures associated with licenses and the technical aspect of the upgrade. The OIA plans to upgrade to TeamMate+ in 2022.

867. The OIA has been using TeamMate AM as the internal audit software for the past ten years and has five software licenses. The annual maintenance expenses for this software tool have been covered by the IMSS software maintenance budget. TeamMate AM consists of several modules. OIA mainly uses the Electronic Working Papers (EWP) module for the documentation of audit work, but recently decided to use the TeamCentral module as well for the follow-up of internal audit recommendations, currently conducted through a manual process based on data maintained in SharePoint. During recent discussions with the vendor of TeamMate on the use of TeamCentral, the OIA learned that TeamMate AM will reach end of life by the end of 2023. After this date, the tool will no longer be supported by the vendor and no upgrades will be provided as TeamMate AM is being replaced by TeamMate+, a tool that is a configurable, web-based audit, risk and compliance platform. The migration to TeamMate+ will mean additional costs for the Court.

868. The OIA then prepared a business initiative for IMSS to review the OIA's requirements and possible solutions. OIA requested IMSS to look into the possibility of developing an audit tool in-house. Together with IMSS, the OIA held various consultations with the vendor to discuss the options: (1) continuing with TeamMate AM beyond 2023; (2) upgrading to TeamMate+ on the premises; or (3) upgrading to TeamMate+ in the cloud. The vendor provided a migration quote, which was assessed by IMSS.

869. Developing an in-house tool is not a preferred option as IMSS cannot dedicate internal resources to this project and the total estimated cost (both capital and operational expenses) is close to €40.0 thousand. Purchasing another off-the-shelf product is not a desirable option either; most of the organizations that were benchmarked use TeamMate+ as an audit solution and the migration to new software would require additional resources and entail a lengthy procurement process with no guarantee that a new solution will be any better or cheaper than TeamMate+. Continued use of the existing TeamMate AM beyond the end of 2024 could not be guaranteed by the vendor and should therefore be avoided.

870. On the basis of its assessment of the vendor's quote and the considerations of developing an in-house tool or buying another off-the-shelf product, IMSS has recommended that OIA upgrade to TeamMate+, preferably through cloud hosting.

**Table 47: Major Programme VII-6: Proposed budget for 2022**

Major Programme VII-6 Office of Internal Audit	2020 Expenditures (thousands of euro)			2021 Approved Budget	Resource Changes		Proposed 2022 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				507.6	1.7	0.3	509.3
General Service staff				75.7	1.5	2.0	77.2
<i>Subtotal staff</i>	<i>596.8</i>	<i>-</i>	<i>596.8</i>	<i>583.3</i>	<i>3.2</i>	<i>0.5</i>	<i>586.5</i>
General temporary assistance	109.0	-	109.0	133.5	(1.2)	(0.9)	132.3
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>109.0</i>	<i>-</i>	<i>109.0</i>	<i>133.5</i>	<i>(1.2)</i>	<i>(0.9)</i>	<i>132.3</i>
Travel	-	-	-	10.9	(0.4)	(3.7)	10.5
Hospitality	-	-	-	-	-	-	-
Contractual services	-	-	-	-	20.7	-	20.7
Training	5.5	-	5.5	25.0	-	-	25.0
Consultants	-	-	-	-	-	-	-
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>5.5</i>	<i>-</i>	<i>5.5</i>	<i>35.9</i>	<i>20.3</i>	<i>56.5</i>	<i>56.2</i>
<b>Total</b>	<b>711.3</b>	<b>-</b>	<b>711.3</b>	<b>752.7</b>	<b>22.3</b>	<b>3.0</b>	<b>775.0</b>

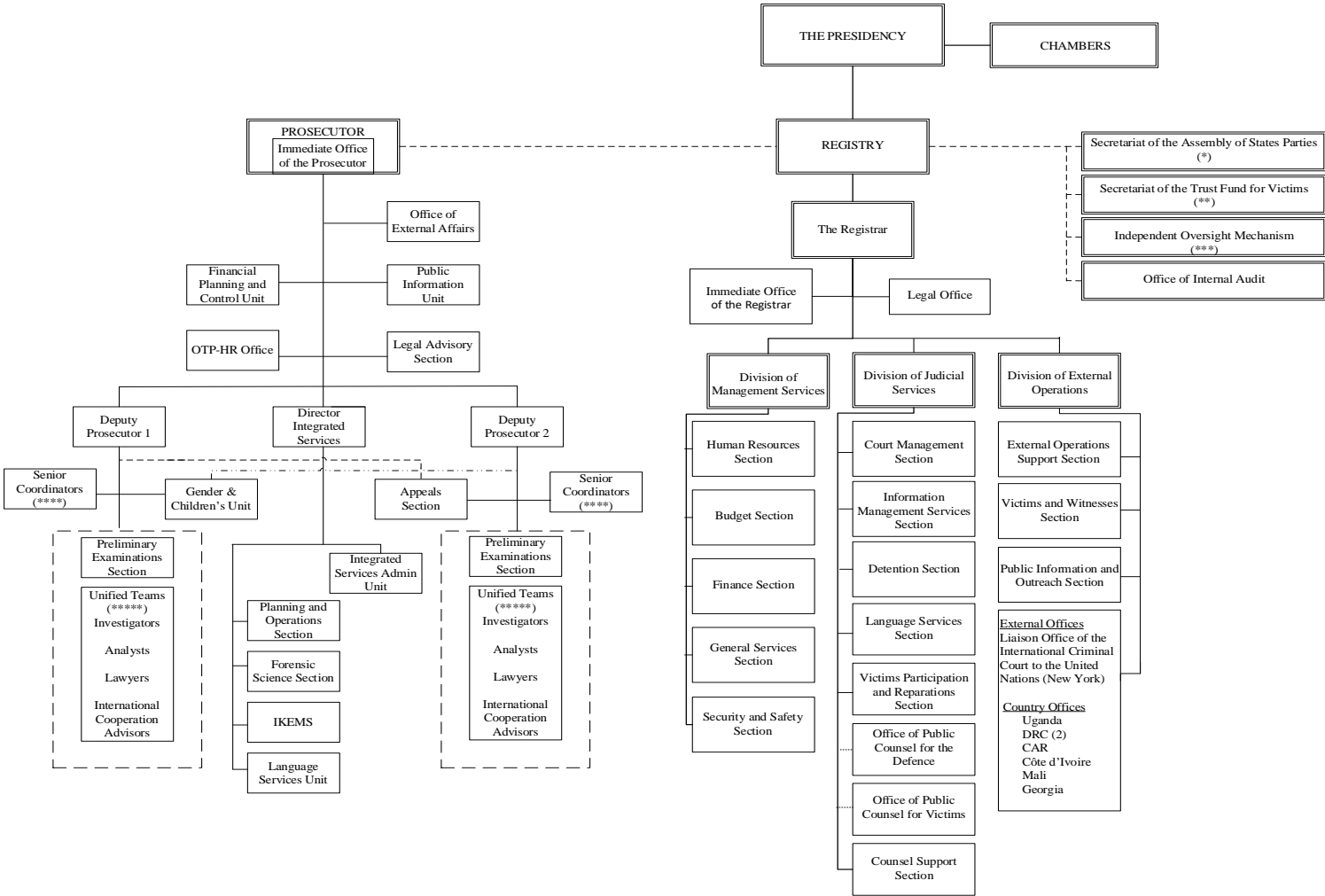
**Table 48: Major Programme VII-6: Proposed staffing for 2022**

VII-6	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
<b>Established Posts</b>														
Approved 2021	-	-	-	1	-	1	1	-	-	3	-	1	1	4
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>1</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>3</b>	<b>-</b>	<b>1</b>	<b>1</b>	<b>4</b>
<b>GTA Positions (FTE)</b>														
Approved 2021	-	-	-	-	-	-	1.00	-	-	1.00	-	-	-	1.00
Continued	-	-	-	-	-	-	1.00	-	-	1.00	-	-	-	1.00
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1.00</b>	<b>-</b>	<b>-</b>	<b>1.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1.00</b>

Annexes

Annex I

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.

(\*\*) The Secretariat of the Trust Fund for Victims (STFV) reports functionally to the Board of the Directors of the Trust Fund for Victims (TFV) and administratively (regulatory compliance) to the Registry. The Board of Directors of the Trust Fund for Victims reports directly to the Assembly of States Parties.

(\*\*\*) The IOM is a subsidiary body of the Assembly of States Parties, established in accordance with article 112(4) of the Rome Statute. The IOM reports directly to the Assembly.

(\*\*\*\*) One Legal Coordinator and one Investigative/Analytical Coordinator

(\*\*\*\*\*) There will be multiple unified teams assigned to different situation and cases

## Annex II

## Assumptions and parameters for the 2022 Proposed Programme Budget

	<i>Parameter</i>	<i>Assumption</i>	<i>Explanation</i>
1.	Number of Court hearing days	421	154 days CAR II.b ( <i>Yekatom and Ngaïssona</i> ); 126 days Mali II ( <i>Al Hassan</i> ); 15 days Uganda ( <i>Ongwen</i> ); 95 days Sudan ( <i>Abd-Al-Rahman</i> ), 30 days Kenya ( <i>Gicheru</i> )
2.	Number of situations under investigation	14	Burundi, CAR I, CAR II, CIV, DRC, Darfur, Georgia, Kenya, Libya, Mali, Myanmar, Afghanistan, Uganda and Palestine
3.	Number of active investigations	8	Bangladesh/Myanmar, Burundi, CIV II, Darfur, Georgia, Libya III, Libya IV and Libya V
4.	Unsealed warrants of arrest pending execution	13	CIV I <i>bis</i> (1); Darfur I (1), II (2), IV (1) and V (1); DRC IV (1); Libya I (1), II (1) and III (2); and Uganda (2)
5.	Number of preliminary examinations	8	Bolivia, Colombia, Guinea, Nigeria, Philippines, Ukraine, Venezuela I and Venezuela II
6.	Number of trial teams <sup>1</sup> (Chambers)	8	Trial Chamber VI (reparations in <i>Ntaganda</i> ), Trial Chamber IX (reparations in <i>Ongwen</i> ), Trial Chamber II (reparations in <i>Lubanga</i> and in <i>Katanga</i> - 2 months), Trial Chamber VIII (reparations in <i>Al Mahdi</i> ), Trial Chamber X ( <i>Al Hassan</i> ), Trial Chamber V ( <i>Yekatom and Ngaïssona</i> ); <i>Abd-Al-Rahman</i> , <i>Gicheru</i>
7.	Number of trial teams (OTP)	5	CAR II.b ( <i>Yekatom and Ngaïssona</i> ), Mali II ( <i>Al Hassan</i> ), Darfur ( <i>Abd-Al-Rahman</i> ), CAR.II.a ( <i>Said</i> ) and Kenya ( <i>Gicheru</i> )
8.	Number of Registry courtroom support teams	2.5	
9.	Number of defence teams financed by legal aid	11	Pre-trial: <i>Gaddafi</i> (reduced), <i>Said</i> Trial: <i>Al Hassan</i> , <i>Yekatom</i> , <i>Ngaïssona</i> , <i>Abd-Al-Rahman</i> , <i>Gicheru</i> and <i>Banda</i> (reduced) Appeals: <i>Ongwen</i> , Reparations: <i>Ntaganda</i> , <i>Al Mahdi</i> (reduced)
10.	Number of victims' representatives financed by legal aid	8	Pre-trial: <i>Said</i> <sup>2</sup> Trial: <i>Al Hassan</i> , <i>Yekatom and Ngaïssona</i> Reparations: <i>Katanga</i> , <i>Lubanga I</i> , <i>Lubanga II</i> , <i>Al Mahdi</i> , <i>Ongwen</i>
11.	Number of LRV teams within the OPCV	9	<i>Ongwen</i> (1), <i>Katanga</i> (1), <i>Lubanga</i> (1), <i>Ntaganda</i> (2), <i>Yekatom and Ngaïssona</i> (2), <i>Abd-Al-Rahman</i> <sup>3</sup> (1), and other proceedings (1)
12.	Number of languages supported in the courtroom	9	1-Acholi, 2-English, 3-French, 4-Bambara, 5-Arabic, 6-Sango, 7-Songhai, 8-Tamasheq, 9-German
13.	Number of case-related languages supported	36	1-English, 2-French, 3-Acholi, 4-Arabic, 5-Arabic (Sudanese), 6-Swahili (Congolese), 7-Kinyarwanda, 8-Lingala, 9-Dioula, 10-Bambara, 11-Mòoré, 12-Ateso, 13-Alur, 14-Sango, 15-Zaghawa, 16-Fur, 17-Tamasheq, 18-Georgian, 19-Russian, 20-Songhai, 21-Lendu, 22-Guéré, 23-Lango, 24-Tigrinya, 25-Fulfulde, 26-Dari, 27-Pashto, 28-Kirundi, 29-Amharic, 30-classified (A), 31-Hebrew, 32-Ukrainian, 33-Burmese, 34-Bengali, 35-Rohingya, 36-classified (B)

<sup>1</sup> Trial teams are Chambers teams which may be assigned to handle preparations for upcoming trials, trial hearings, sentencing hearings and reparations hearings.

<sup>2</sup> The type of legal representation (legal aid or LRV) is to be determined: placeholder for future budgeting.

<sup>3</sup> The type of legal representation (legal aid or LRV) is to be determined: placeholder for future budgeting.

	<i>Parameter</i>	<i>Assumption</i>	<i>Explanation</i>
14.	Number of languages supported for correspondence with States Parties	8	1-English, 2-French, 3-Arabic, 4-Spanish, 5-Dutch, 6-Italian, 7-Portuguese, 8-Sango
15.	Number of final appeals	1	<i>Ongwen</i> (Art. 74)
16.	Number of witnesses appearing for testimony	131	<i>Al Hassan</i> (42), <i>Yekatom and Ngaïssona</i> (59), <i>Abd-Al-Rahman</i> (30)
17.	Expected maximum duration of stay per witness	10	3 days of preparation + 2 days of familiarization + 2 hearing days + 3 days for weekends and/or breaks = 10 days on average per witness
18.	Number of victims applying for participation/reparations <sup>4</sup>	7,800	CAR II (1,000), Mali (500), DRC (800), UGA (3,000), Darfur (1,500), other situation-related (1,000)
19.	Number of witnesses and victims under protection	115	Witnesses/victims and others at risk on account of testimony under VWS protection, including ICCPP and other forms of protection
20.	Number of persons under protection	590	Witnesses/victims and their dependents who could be under the protection and care of the VWS in 2022
21.	Number of suspects/accused appearing before the Court <sup>5</sup>	6	<i>Al Hassan</i> , <i>Ongwen</i> , <i>Yekatom</i> , <i>Ngaïssona</i> , <i>Abd-Al-Rahman</i> , <i>Gicheru</i>
22.	Number of suspects, accused or convicted persons in detention	6	<i>Ongwen</i> , <i>Al Hassan</i> , <i>Yekatom</i> , <i>Ngaïssona</i> , <i>Abd-Al Rahman</i> , <i>Said</i>
23.	Number of cells required	6	Renting model is either 6 or 12 cells (for one detainee: one 6-cell block)
24.	Number of country offices/presences	8	1 in the CAR (Bangui), 1 in Côte d'Ivoire (Abidjan), 2 in the DRC (Kinshasa and Bunia), 1 in Georgia (Tbilisi), 1 in Mali (Bamako), 1 in Uganda (Kampala) and 1 Liaison Office to the United Nations (New York)
25.	Number of planning stage investigations	2	Afghanistan and Palestine

<sup>4</sup> Figures represent the number of individual applications expected to be received. Applications for participation and applications for reparations are counted separately. Submissions of additional information are also counted separately where full Registry data entry and legal assessment is required (e.g. where an additional form is received).

<sup>5</sup> For the purposes of this document only, the term "accused" includes persons who have been acquitted or convicted at first instance and whose cases are awaiting the outcome of a final appeal. Persons appearing before the Court solely for reparations proceedings are outside the scope of this definition.

## Annex III

### List of potential developments which could have an impact on the 2022 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 at (pre-)trial, delaying progress in proceedings on the merits; and
  - c) 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. Procedural developments leading to new activities currently unforeseeable:
  - a) Confirmation of charges leading to the opening of trials.
3. Developments currently unforeseeable, including:
  - a) Arrest or surrender to the Court of persons sought under a warrant of arrest;
  - b) Opening by the Prosecutor of a *proprio motu* investigation in a new situation (after having sought and obtained leave from the Pre-Trial Chamber);
  - c) United Nations Security Council referral of a situation to the Court; and
  - d) State Party referral.

## Annex IV

### Strategic Goals

#### Annex IV (a)

#### List of strategic goals from the International Criminal Court Strategic Plan (2019-2021)

<i>A. Judicial and prosecutorial performance</i>	<i>B. Cooperation and complementarity</i>	<i>C. Organizational performance</i>
<p>Goal 1: Increase the expeditiousness and efficiency of the Court's core activities (preliminary examinations, investigations, trials and reparations) while preserving the independence, fairness and quality of its proceedings, ensuring adherence to the highest legal standards and protecting the safety and well-being of individuals, in particular victims and witnesses</p>	<p>Goal 4: Continue to foster political support and develop modalities of cooperation and operational assistance for all parties as regards preliminary examinations, investigations, protection of witnesses, implementation of warrants of arrest and judicial proceedings</p>	<p>Goal 6: Further increase the level of professionalism, dedication and integrity that is brought to all of the Court's operations</p>
<p>Goal 2: Further develop the Court's approach to victims in all phases of judicial proceedings, including (in cooperation with the Trust Fund for Victims) reparations</p>	<p>Goal 5: Discuss and devise, with States and other stakeholders, new strategic initiatives to better enable the Rome Statute system to manage the shared responsibility to close the impunity gap by, among other things, encouraging domestic implementation of the Rome Statute and other measures of complementarity by States Parties (including provision of support and assistance to victims) and developing a strategy for the completion of situations under investigation</p>	<p>Goal 7: Create and ensure a safe and secure working environment with a focus on staff well-being and continuous improvement</p>
<p>Goal 3: Further develop the mainstreaming of a gender perspective in all aspects of the Court's judicial and prosecutorial work</p>		<p>Goal 8: Achieve more equitable geographical representation and gender balance (GRGB), particularly in higher-level posts</p>
		<p>Goal 9: Manage resources in an effective, coherent, transparent, responsible and adaptable manner and further develop the Court's sustainability and resilience in the face of identified risks</p>
		<p>Goal 10: Build a strategy for the completion of situations under investigation</p>

## Annex IV (b)

### List of strategic goals from the OTP Strategic Plan (2019-2021)

1. Improving performance in relation to the Office's core activities:
  - a) *Strategic Goal 1*: Achieve a high rate of success in court;
  - b) *Strategic Goal 2*: Increase the expediency and efficiency of preliminary examinations, investigations and prosecutions without compromising on quality and well-being of staff;
  - c) *Strategic Goal 3*: Develop with States enhanced strategies and methodologies to increase the arrest rate of persons subject to outstanding warrants of arrest issued by the Court; and
  - d) *Strategic Goal 4*: Refine and reinforce its approach to victims, in particular for victims of Sexual and Gender-Based Crimes (SGBC) and crimes against or affecting children.
2. Enhancing sound management practices:
  - a) *Strategic Goal 5*: Increase the Office's ability to manage its resources in an effective, responsible and accountable manner.
3. Contributing to the effective functioning of the Rome Statute system:
  - a) *Strategic Goal 6*: Further strengthen the ability of the Office and of its partners to close the impunity gap.

## **Annex IV (c)**

### **List of strategic goals from the Registry Strategic Plan (2019-2021)**

1. In view of the essential services it delivers to the Court, the Registry must ensure that it employs the most productive and capable people available and that it strives for excellence in everything it does. To maximize productivity, the Registry has embarked on a three-year programme aimed at increasing staff engagement. In pursuit of excellence in all respects, the Registry has also commenced a three-year programme of continuous improvement.
2. The Court is committed to improving geographical representation and gender balance among its staff. As the largest employer of staff within the Court, the Registry must naturally prioritize this issue. Accordingly, the Registry is undertaking a three-year programme of action to improve geographical representation and gender balance, focusing in the latter case mainly on higher-level posts.
3. The Registry's three priorities are therefore:
  - a) continuous improvement;
  - b) increasing staff engagement; and
  - c) geographical representation and gender balance.

## Annex IV (d)

### Major Programme I: Judiciary

#### Expected results, performance indicators and targets for 2022

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2022</i>
<b>Objectives 1-4 (Strategic Goals 1-3)</b>		
1. Provide effective Presidency planning and support for the efficient management of judicial proceedings	<ul style="list-style-type: none"> <li>Potential issues identified and effectively managed</li> </ul>	<ul style="list-style-type: none"> <li>100%</li> </ul>
	<ul style="list-style-type: none"> <li>Quality of preparation and support for Presidency and judges' meetings</li> </ul>	<ul style="list-style-type: none"> <li>Fully satisfactory</li> </ul>
	<ul style="list-style-type: none"> <li>Efficient management of applications/filings before the Presidency</li> </ul>	<ul style="list-style-type: none"> <li>All decisions issued within agreed timescales</li> </ul>
	<ul style="list-style-type: none"> <li>Timeliness and quality of advice to the President and Vice-Presidents on administrative and managerial issues</li> </ul>	<ul style="list-style-type: none"> <li>Fully satisfactory</li> </ul>
2. Implement and operate in line with appropriate performance indicators for judicial processes and relevant judicial support	<ul style="list-style-type: none"> <li>Continued collection of relevant data in key areas for performance indicator initiative concerning both Court-wide and Judiciary processes</li> </ul>	<ul style="list-style-type: none"> <li>100%</li> </ul>
	<ul style="list-style-type: none"> <li>Use of performance indicators in Court-wide and Judiciary processes</li> </ul>	<ul style="list-style-type: none"> <li>Fully satisfactory</li> </ul>
3. 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"> <li>Time between phases of proceedings shortened, without prejudice to the right of parties, participants and victims to fairness and protection, where applicable</li> </ul>	<ul style="list-style-type: none"> <li>Measurable improvement in comparison with earlier cases</li> </ul>
4. Advance the lessons-learned 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"> <li>Continued harmonization of judicial practice</li> </ul>	<ul style="list-style-type: none"> <li>By end of 2022</li> </ul>
<b>Objectives 5-8 (Strategic Goals 4-5)</b>		
5. Transparent and effective communication and information exchange between Judiciary and Working Groups of the Assembly	<ul style="list-style-type: none"> <li>Number of HWG/SGG meetings attended by a Presidency/Court representative, as appropriate</li> </ul>	<ul style="list-style-type: none"> <li>Representation where appropriate</li> </ul>
6. 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	<ul style="list-style-type: none"> <li>Number of high-level meetings held with States, international organizations and civil society by the President/Presidency</li> </ul>	<ul style="list-style-type: none"> <li>100+ meetings</li> </ul>
	<ul style="list-style-type: none"> <li>Presidency participation in meetings of the Assembly, HWG, SGG and the Committee on Budget and Finance, diplomatic and NGO briefings, etc.</li> </ul>	<ul style="list-style-type: none"> <li>Whenever required</li> </ul>

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2022</i>
7. 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"> <li>• Coordinate efforts with other stakeholders to draw attention to the importance of universality and the APIC and to encourage States that have not ratified the Rome Statute and APIC to do so</li> </ul>	<ul style="list-style-type: none"> <li>• 1 new accession to Rome Statute and 1 to APIC</li> </ul>
8. Conclusion of further sentence enforcement agreements with States	<ul style="list-style-type: none"> <li>• Sentence enforcement agreements concluded</li> </ul>	<ul style="list-style-type: none"> <li>• 1</li> </ul>
<b>Objectives 9-11</b> (Strategic Goals 6-9)		
9. Further improve management of staff performance	<ul style="list-style-type: none"> <li>• Full MP-I compliance with the Court's performance appraisal system, including appropriate input from line managers and judges</li> </ul>	<ul style="list-style-type: none"> <li>• 100%</li> </ul>
	<ul style="list-style-type: none"> <li>• Provision of requested reports and information in a timely and transparent manner</li> </ul>	<ul style="list-style-type: none"> <li>• 100%</li> </ul>
10. Support the arrival of the incoming judges and corresponding departure of outgoing judges.	<ul style="list-style-type: none"> <li>• Organize induction of judges at the Court to introduce them to the Court's procedures, staff and facilities.</li> <li>• Ensure appropriate transition with respect to departing judges</li> </ul>	<ul style="list-style-type: none"> <li>• Fully satisfactory</li> </ul>
11. Effective resource management including identification and implementation of possible further efficiency measures	<ul style="list-style-type: none"> <li>• Improvements in timescales of judicial proceedings through implementation of lessons-learned changes</li> </ul>	<ul style="list-style-type: none"> <li>• Measurable improvements</li> </ul>
12. Efficient use of Chambers staff resources through central management and flexible deployment to meet changing case workload needs	<ul style="list-style-type: none"> <li>• Effective central management of staff resources by Head of Chambers' Staff (P-5)</li> </ul>	<ul style="list-style-type: none"> <li>• 100%</li> </ul>

## Annex IV (e)

## Major Programme II: Office of the Prosecutor

## Programme A – Prosecutor, Programme B – Prosecution Pillar, and Programme C – Integrated Services: Expected results, performance indicators and targets for 2022

<i>Strategic Goal</i>	<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2022</i>
<i>Programme(s) responsible</i>			
<i>Programmes A, B and C</i>			
<b>ICC Goal 1</b>			
<b>OTP Strategic Goal 1:</b> to achieve a high rate of success in court	<ul style="list-style-type: none"> <li>Quality of investigations and prosecutions ensured</li> <li>Review of situations and cases (gap analysis and prioritization)</li> <li>Review of OTP Policy on Case Selection and Prioritisation</li> </ul>	Performance Indicator 1.1, 1.2 and 1.3: Prosecutorial Results	<ul style="list-style-type: none"> <li>Review of situations and cases with gap analysis presented to the Prosecutor</li> <li>Action plan on prioritization approved by the Prosecutor</li> <li>Policy review completed</li> </ul>
<i>Programmes A, B and C</i>			
<b>ICC Goals 1 and 10</b>			
<b>OTP Strategic Goal 2:</b> to increase the speed, efficiency and effectiveness of preliminary examinations, investigations and prosecutions	<ul style="list-style-type: none"> <li>New organizational structure implemented</li> <li>Definition of criteria for allocation of situations and cases leads to allocation of resources to prosecution pillars</li> <li>Definition of new workflows</li> <li>Speed and efficiency of preliminary examinations, investigations and trials increased</li> <li>Increased communication between unified teams and Integrated Services functions through institutionalized periodic meetings</li> <li>Review of OTP policy on situation completion</li> <li>Development of new KPIs to track improvement</li> </ul>	Performance Indicator 7: Productivity of the Office <ul style="list-style-type: none"> <li>New structure is operational</li> <li>Situations and cases are allocated in the prosecution pillars (number of situations and cases allocated/ number of situations and cases)</li> <li>Proposals on workflows in the prosecution pillars are formalized and finalized (number of proposals finalized/number of workflows)</li> <li>Proposal for new KPIs is drafted</li> </ul>	<ul style="list-style-type: none"> <li>OTP reorganized within the new pillars</li> <li>All situations and cases assigned to each prosecution pillar according to the criteria defined by the Prosecutor</li> <li>Resource allocation within the prosecution pillars approved by the Prosecutor</li> <li>Early integration of investigators, lawyers, analysts and international cooperation advisers into preliminary examination (PE) teams, enhanced to strengthen PE function and allow more effective transition from PE to investigation</li> <li>Article 54 focal point included in each team to ensure that both incriminating and exonerating evidence is properly managed and assessed</li> <li>Annual external relations and cooperation plans drafted, circulated and approved, and steps defined for the relevant period, with &gt;80% implemented</li> <li>Network of operational focal points expanded</li> <li>More than 75% of Requests for Assistance</li> </ul>

<i>Strategic Goal</i>	<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2022</i>
			<p>responded to during the period</p> <ul style="list-style-type: none"> <li>KPIs updated or new KPIs identified to track improvements in speed and efficiency of preliminary examinations, investigations and trials</li> <li>Review of OTP completion policy completed</li> </ul>
<i>Programmes A and B</i>			
<b>ICC Goal 4</b>			
<b>OTP Strategic Goal 3:</b> to develop with States enhanced strategies and methodologies to increase the arrest rate of persons subject to outstanding ICC arrest warrants.	<ul style="list-style-type: none"> <li>Further develop coordination with the Registry (SALTT and SALWG)</li> <li>Generate ideas and galvanize support and cooperation</li> </ul>	<p>Performance Indicator 7: Productivity of the Office</p> <p>Performance Indicators 4.7 International Cooperation</p>	<ul style="list-style-type: none"> <li>Network of State partners available to assist with tracking and facilitating surrender strengthened, and new partners identified</li> <li>Capacity to access tracking intelligence enhanced</li> </ul>
<i>Programmes A and B</i>			
<b>ICC Goals 2 and 3</b>			
<b>OTP Strategic Goal 4:</b> to refine and reinforce its approach to victims, in particular as regards victims of SGBC and crimes against or affecting children	<ul style="list-style-type: none"> <li>All preliminary examinations, investigations and prosecutions have a priority focus on SGBC and crimes against or affecting children</li> <li>Policies on SGBC and crimes against and affecting children are fully implemented</li> <li>Office's functions managing SGBC and crimes affecting children more effectively involved in the cases</li> </ul>	<p>Performance Indicator 4.8: SGBC and Policy on Children</p> <ul style="list-style-type: none"> <li>Plans include completion of systematic identification and review of these priority crimes (number of plans with reference/number of plans prepared)</li> <li>Plans for preliminary examinations, investigations and trials include advice and recommendations from the Office's functions managing SGBC and crimes affecting children (number of plans including Gender and Children Unit (GCU) advice/number of plans prepared)</li> </ul>	<ul style="list-style-type: none"> <li>All reporting on core activities shows sufficient effort and findings on these priority crimes</li> <li>GCU contribution and proposals are included in all unified teams' plans</li> </ul>
<i>Programmes A, B and C</i>			
<b>ICC Goals 6, 7, 8 and 9</b>			
<b>OTP Strategic Goal 5:</b> to further increase the Office's ability to manage its resources in an effective, accountable, and responsible manner.	<ul style="list-style-type: none"> <li>Responsible and accountable management</li> <li>Strengthen Immediate Office functions to enable efficient and effective discharge of mandates addressing the</li> </ul>	<p>Performance Indicators 11.1 – 11.4 Financial Planning, Performance and Compliance</p> <p>8.1 – 8.5 Human Resources – Staff Performance and Development</p>	<ul style="list-style-type: none"> <li>Activities portfolio and workflows defined among IOP resources</li> <li>Additional resources to strengthen IOP and increase its effectiveness identified and recruited (e.g. IOP and PIU)</li> </ul>

<i>Strategic Goal</i>	<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2022</i>
	<ul style="list-style-type: none"> <li>Independent Expert Review report recommendations for this area</li> <li>Define allocation of IOP's activities portfolio to streamline workflows and increase effective responsiveness of the Office</li> <li>Define workflows in the Office's pillars to streamline processes and harness the full potential of existing resources and skills</li> <li>Improved communication and engagement with stakeholders</li> <li>Improved well-being</li> <li>Continuous improvement approach further implemented</li> <li>Improved gender/geographical balance</li> <li>Staff adequately trained to perform their duties</li> <li>Full compliance with regulatory framework</li> <li>Optimize implementation of budget and CF resources</li> <li>Explore possibilities offered by article 116 to secure voluntary contributions</li> <li>Explore possibility of expanding cooperation with private-sector partners</li> <li>Prosecution pillars receive effective and efficient support to perform preliminary examinations, investigations and trials</li> <li>Improved information management</li> </ul>	<ul style="list-style-type: none"> <li>Workflows for the new structure defined (number of workflows defined/number of workflows identified)</li> <li>Compliance with staff and financial regulations and rules (exceptions/total occurrences)</li> <li>Staff trained/total staff in leadership framework, staff well-being framework and gender awareness training</li> <li>Milestones of the gender/geographical representation action plan achieved/planned</li> </ul>	<ul style="list-style-type: none"> <li>Workflows for the new structure implemented</li> <li>New communication strategy and model approved by Prosecutor</li> <li>Implement a unified teams approach to planning that allows for rolling forecasts of teams' needs within approved budget allocation</li> <li>Unified teams' plans consistently include contribution by LSU and IKEMS concerning linguistic resource needs and IT support requirements (equipment and software)</li> <li>Establish an OTP data governance board to standardize and adjudicate data and information management-related issues</li> <li>Start move to cloud platform and to adoption of tools to allow on-site digital evidence collection</li> <li>No major negative findings in administrative appeals</li> <li>Transactional audits confirm adequacy of controls in place</li> <li>Full compliance with FRR and financially sound implementation of funds (approved budget and CF) within agreed target rates</li> <li>Action plan following survey results developed and implemented</li> <li>At least 1 lesson learned after any major investigative or prosecutorial event</li> <li>90% of staff complete mandatory training</li> <li>100% of PAF completed on time</li> </ul>
<i>Programmes A and B</i>			
<b>ICC Goal 5</b>			
<b>OTP Strategic Goal 6:</b> to further strengthen the ability of the Office and its partners to close the impunity gap	<ul style="list-style-type: none"> <li>Continue to fine-tune cooperation with UN agencies and international organizations with significant field presences</li> </ul>	<p>Performance Indicator 7: Productivity of the Office</p> <p>Performance Indicators 5.1 – 5.4:</p> <ul style="list-style-type: none"> <li>Quality of interaction with the Office</li> </ul>	<ul style="list-style-type: none"> <li>Develop action plan to enhance cooperation and complementarity</li> <li>100% of first responses to incoming requests sent (positive or negative)</li> </ul>

<i>Strategic Goal</i>	<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2022</i>
	<ul style="list-style-type: none"> <li>and humanitarian or protection mandates</li> <li>• Efforts of national investigative and prosecutorial offices supported upon request</li> <li>• Strengthen partnerships with academia and grassroots organizations to better measure and enhance the Court's catalytic impact</li> </ul>		within 2 months; 80% of substantive responses sent within 6 months

## Annex IV (f)

### Major Programme III: Registry

#### A. Office of the Registrar (OTR)

##### *OTR: Expected results, performance indicators and targets for 2022*

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2022</i>
- Provision of legally sound and client-oriented advice	- % of advice provided within agreed timescales	- 95%
- Timely preparation and submission of high-quality filings	- % of filings submitted within established timescales	- 100%

#### B. Division of Management Services (DMS)

##### *DMS: Expected results, performance indicators and targets for 2022*

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2022</i>
- Provision of a sound SAP environment through timely resolution of technical issues	- Average number of days to resolve SAP service tickets	- 4 working days for the resolution of SAP incidents - 8 working days for the resolution of SAP service requests
- Reduction in health risks incurred by staff at work	- Staff absence % (annual trend)	- Up to 3%
- Safe and secure working environment on Court premises	- Number of security and safety incidents having a negative impact on the use of the Court's premises or occasioning delays in judicial proceedings (annual trend)	- Not to exceed 1 incident in 2022
- Effective and timely security clearance process	- % of security clearances completed on time	- 90%
- Timely provision of accurate and complete accounting records	- No "qualification" of audit opinion for reasons within Finance Section control	- Receive unqualified audit opinion on 2021 financial statements
- Streamlined financial processes	- Number of processes streamlined, including automation through SAP	- Streamline two financial processes
- Timely submission of an accurate budget document	- Number of corrigenda issued (annual trend) - Timeliness of submission - Number of months for budget preparation	- 1 - No delay - 6 months (February to July)
- Accurate and timely reports on budget implementation and forecasting	- % of reports provided on time	- 90%
- Procurement: purchase of value-for-money goods and services through a fair and transparent process	- % of purchase order value put up for competitive tender - % of sole-source procurements that are fully justified and documented	- 60%-70% - 90%-95%
- Premises: proper maintenance and efficient operation, for all users, of the Court's premises	- % of requests to Facilities Management Unit service desk fulfilled on the agreed workday - Number of instances in which part of the building is not fully operational - % of staff satisfied	- 96% - 4 - 96%

<i>- Expected results</i>	<i>- Performance indicators</i>	<i>- Target 2022</i>
- Official travel: timely arrangement of official travel	- % of travel expense reports completed within 3 working days of receipt of the fully completed travel plan	- 92%
- Asset management: maintenance of an accurate and complete database of registered assets	- % of assets registered in the database within 3 working days of completion of the goods-received report in SAP	- 95%
- Timely and cost-effective recruitment of an inclusive workforce	- Duration of recruitment (annual trend)  - Geographical representation and gender parity (annual trend)	- Reduce the average duration of recruitment (from vacancy announcement publication date to Principal approval date) by 5 days  - Increase average applications per job from candidates from under- and non-represented countries by 10% and increase average applications per job from female candidates for P-4 positions and above by 10%
- Promotion of a culture of high staff engagement	- % of staff responding to staff engagement survey (annual trend)	- 67%
- Promotion of a culture of trust based on continuous performance and development conversations	- % of performance conversations and reviews completed on time	- 96%

### C. Division of Judicial Services (DJS)

#### DJS: Expected results, performance indicators and targets for 2022

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2022</i>
- Timely provision of high-quality translations of documents required for judicial proceedings and the administrative work of the Court	- % of proceedings or other Court activities cancelled owing to lack of translation	- 0%
- Provision of high-quality interpretation of judicial proceedings and non-judicial events at Headquarters and in the field	- % of proceedings or events cancelled owing to unavailability of interpretation	- 0%
- Accurate assessment of legal aid entitlements	- Rate of successful appeals	- 50%
- Timely responses to defence requests for assistance	- % of responses provided within agreed timescales	- 80%
- Availability of core systems maintained	- % of availability of core systems (a courtroom system is considered available if an incident concerning it is resolved within the agreed timescale)	- 99.8% during business hours
- Prompt responses to information security incidents to minimize harm and reduce risk of future security breaches	- Number of priority 1 (critical) and priority 2 (high) incidents - Average response time (in minutes) for priority 1 (critical) and priority 2 (high) incidents	- Zero incidents - Responses given within the hour (during business hours)
- Detained persons are kept safe and secure	- Incidence of escape attempts - Incidence of injuries (annual total)	- Zero escape attempts - No more than 12 per year per detained person due to sport
- Timely arrival of detained persons at the Court for hearings, ensuring there are no delays in judicial proceedings caused by late arrival from the detention centre	- % on-time arrival (annual trend)	- 90% on-time arrival

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2022</i>
- Accurate and timely identification of victims for participation in active judicial proceedings	- % of victim application analyses submitted by the Registry which are ratified by the Chamber	- 100%
- Timely submission of Victims Participation and Reparations Section filings	- % of filings submitted by the Chamber's deadline	- 100%
- Availability of courtrooms for hearings	- Number of hearings cancelled owing to unavailability of key support staff	- 0%
	- Number of hearings cancelled owing to non-publication on the Court's calendar (Electronic Court System, Intranet and website)	- 0%
	- Number of hearings cancelled owing to lack of testing by Court Management Section teams	- 0%
- Availability of public filings, evidence and transcripts on the Court's external website	- % of documents made available within agreed timescales	- 100%
- Timely provision of legal services to defence teams by the Office of Public Counsel for Defence	- % of defence requests for assistance satisfactorily responded to in first instance within 24 business hours	- 100%
- Timely submission of filings by the Office of Public Counsel for the Defence	- % of filings submitted by deadlines	- 100%
- Timely provision of services to counsel for victims by the Office of Public Counsel for Victims	- % of counsel requests satisfactorily resolved within agreed timescales	- 100%
- Timely submission of filings by the Office of Public Counsel for Victims	- % of filings submitted by deadlines	- 100%

## D. Division of External Operations (DEO)

### DEO: Expected results, performance indicators and targets for 2022

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2022</i>
- Witnesses called to appear before a Chamber give their evidence on time	- % of necessary logistical solutions and assessment reports to the Chamber delivered within agreed timescales	- 100%
- Effective reduction of risks to witnesses and victims	- Time to witness/victim placement	- within 6 months <sup>1</sup>
	- Cost of witness/victim placement	- €30,000 - €100,000 in the first year of relocation <sup>2</sup>
- Timely provision of accurate integrated analytical assessments	- % delivery within agreed timescales (non-filings, SitReps, Sudan/Libya updates and JAC)	- 85%
	- % delivery within imposed timescales (judicial filings and senior management briefings)	- 100%
	- Number of products requiring substantive collaboration beyond the CAU, e.g. exchange with country offices and/or sections, divisions or organs at Headquarters	- 200

<sup>1</sup> Witness relocations will be achieved within six months of the identification and acceptance, by the receiving State, of a case of relocation to its territory. Delays are anticipated owing to the COVID-19 situation and restrictions on VWS's ability to move around the globe, as a result of which the target (after the impact of COVID-19) may be extended to 12 months.

<sup>2</sup> Average relocation costs are expected to remain at between €30.0 thousand and €100.0 thousand in the first year of relocation, depending on the size of the family, complexity of the requirements of the family and the receiving State.

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2022</i>
- Increase in cooperation agreements; promotion of universality <sup>3, 4</sup>	- Number of new cooperation agreements in negotiation or concluded	- 4
	- Number of new States ratifying the Rome Statute or taking steps to ratify the Rome Statute	- 1
- Timely cooperation by States Parties, other States, regional organizations and international organizations <sup>5</sup>	- % of issues triggering cooperation requests receiving a positive response	- 50%
	- Time taken from transmission of cooperation request to final reply	- 60 days <sup>6</sup>
	- % of operations completed successfully (arrest, surrender, <i>in situ</i> visits/hearings and new situation country assessments)	- 90%
- Effective integrated mission planning and safe travel	- % of missions approved with travel plans	- 95%-98% <sup>7</sup>
- Promotion of public access to the Court's work	- Number of new followers annually on all social media platforms	- 100,000
	- Number of visits to the Court	- 200 groups (100 virtually)/ 8,000 visitors (4,000 virtually)
	- Number of visitors to the Court's website	- 2.5 million
- Victims and affected communities in situation countries are informed of the judicial activities relevant to them	- Number of people attending outreach activities in situation countries	- 45,000
- All clients receive adequate logistical and security support from country offices	- Number of missions supported <sup>8</sup>	- DRC: 100 UGA: 205 CAR: 137 <sup>10</sup> CIV: 33 MLI: 148 GEO: 30
	- Number of security and assessment reports conducted <sup>9</sup>	- NYLO: 10 - DRC: 220 UGA: 666

<sup>3</sup> The ratification of the Rome Statute and the signature of cooperation agreements require several interactions between the Court and States. This indicator reflects the volume of engagement (emails, NVs, letters, calls, meetings, missions, etc.) in the relevant year leading to the possible (a) ratification of the Rome Statute and (b) signature of new cooperation agreements.

<sup>4</sup> Potential impact of COVID-19 in 2021: EOSS has learned in 2020 and 2021 to work successfully remotely and with virtual tools on cooperation agreements and universality; however, it should be noted that, if the current circumstances continue throughout 2022, limited or lack of capacity to travel and engage in high-level meetings and events to promote these two outcomes may hinder EOSS's ability to meet the targets set for 2022, depending on the evolution of the pandemic situation.

<sup>5</sup> As noted above, EOSS learned in 2020 and 2021 to work successfully remotely and with virtual tools, despite the COVID-19 pandemic, towards cooperation targets, including a successful transfer operation in 2020; however, it should be noted that, if the current circumstances continue throughout 2022, limitations on the ability to travel may affect the targets set for 2022, notably regarding the handling of certain requests for cooperation and the execution of successful operations. Additionally, it should be noted that the achievement of these targets is in large part dependent on support from external partners.

<sup>6</sup> Average time (in days) for which a request was open.

<sup>7</sup> The number of mission plans submitted will very much depend on any ongoing travel-related constraints, in line with developments associated with the COVID-19 pandemic.

<sup>8</sup> The approved budget, COVID-19 and the security situation may impact upon the ability to achieve performance targets in a number of ways, including incapacity of staff, host State restrictions and residual risk unacceptable to mission authority.

<sup>9</sup> The approved budget, COVID-19 and the security situation may impact upon the ability to achieve performance targets in a number of ways. For example, incapacity of staff or an inability to access the requisite information may prevent reports being compiled.

<sup>10</sup> This figure is based on the budget request submitted and service requests received. The intention is to support 100% of CAR missions to the fullest extent possible regardless of whether they are included in the service requests received before submission of the budget request.

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2022</i>
		CAR: 52 CIV: 110 MLI: 75 GEO: 50
- Timely responses by host country authorities, and other stakeholders, to cooperation requests from the Court	- % of issues triggering cooperation requests receiving a positive response  - Time taken from transmission of cooperation request to final reply	- DRC: 75% UGA: 75% CAR: 25% <sup>11</sup> CIV: 80% MLI: 90% GEO: 90% NYLO: 90%  - DRC: 60 days UGA: 21 days CAR: 60 days CIV: 30 days MLI: 15 days GEO: 30 days NYLO: 30 days
- Access to justice for victims and affected communities	- Number of planned events conducted with victims and affected communities <sup>12</sup>  - Number of persons in affected communities reached through direct and indirect outreach <sup>13</sup>	- DRC: 50 UGA: 396 CAR: 186 (1 event / 6 months <sup>14</sup> ) CIV: 10 MLI: 21 GEO: 30  - DRC: 4,500 reached directly and 23 million indirectly UGA: 97,680 reached directly and 27 million indirectly GEO: 400 reached directly and 300,000 indirectly CAR: 25,000 reached directly and 3 million indirectly <sup>15</sup> CIV: 500 reached directly and 1.5 million indirectly MLI: 300 reached directly and 8 million indirectly

<sup>11</sup> This target is based on analysis of historical data. However, it should be noted that the attainment or otherwise of the target is, to a significant extent, outside the control of the country office.

<sup>12</sup> Estimated number includes activities for both outreach and victim participation and reparations.

<sup>13</sup> Outreach is also conducted indirectly through television and/or radio programmes.

<sup>14</sup> One outreach event conducted every six months in the location of each identified affected community.

<sup>15</sup> This target for direct outreach assumes an average audience of about 125 persons per event. However, COVID-19 and the security situation may have a significant impact on attendance. As regards indirect outreach, there is no accurate way of monitoring radio broadcast reach in the CAR. The target is based on an assumed coverage of 60% of the CAR population. The country office will deliver programmes to a minimum of 18 community radio stations, the national radio station, and a geographically representative selection of commercial radio stations.

## Annex IV (g)

## Major Programme IV: Secretariat of the Assembly of States Parties

### Expected results, performance indicators and targets for 2022

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2022</i>
<b>Objective 1</b> Conference held as planned	<ul style="list-style-type: none"> <li>- Meetings run smoothly and end on time; reports are adopted</li> <li>- All agenda items are considered</li> <li>- Participants receive substantive and logistical support at meetings, including registration assistance and the provision of documentation and language services</li> <li>- Session participants are satisfied with the arrangements made and information provided</li> </ul>	- n/a
<b>Objective 2</b> Quality edited and translated documents released for processing, production and distribution in a timely manner	<ul style="list-style-type: none"> <li>- States receive and are satisfied with the quality of conference services, including the editing, translation and timely issuance of documents in four official languages,<sup>1</sup> which fully support them in their functions</li> <li>- States receive the required assistance, in particular with obtaining information and documentation about the Assembly and the Court</li> </ul>	- n/a
<b>Objective 3</b> Quality legal advice provided to the Assembly and its subsidiary bodies	<ul style="list-style-type: none"> <li>- States receive substantive legal services, including the provision of documentation, which facilitate and support their work</li> <li>- Members of the Assembly and relevant bodies are satisfied with the sessions</li> </ul>	- n/a
<b>Objective 4</b> Effective dissemination of documentation and information to States Parties (online and otherwise)	<ul style="list-style-type: none"> <li>- The website and extranets of the Assembly, Bureau, Committee on Budget and Finance, and Audit Committee are used frequently</li> </ul>	- n/a

<sup>1</sup> As of 2009, official documents for the Assembly are issued in four official languages only: Arabic, English, French and Spanish.

## Annex IV (h)

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

### Expected results, performance indicators and targets for 2022

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2022</i>
<b>Objective 1</b>		
Impact: As a result of the implementation of reparations awards and assistance programmes, victims and their families overcome harm, lead a dignified life and contribute to reconciliation and peacebuilding within their communities	1. Reparation of harm suffered by victims of grave human rights violations who are direct beneficiaries of Court-ordered individual or collective reparations	3,000
	2. Number of direct beneficiaries whose harm is addressed under the assistance mandate (physical, psychological and material support)	15,000
<b>Objective 2</b>		
The Trust Fund for Victims, acting in alignment with the Court, ensures good governance, accountability and transparency throughout its activities while responding to the requirements of its mandates and is assured of sufficient resources to operate its assistance and reparations programmes in the situations before the Court.	1. Increased revenue from public and public/private donors. Expansion of initial private donor revenue and establishment of new public and public/private funding partnerships	Achieve 100% of minimum public donor revenue, in alignment with resource mobilization (fundraising) amounts estimated by the TFV
	2. Policy development. Completion and roll-out of key policies, in particular on fund management and investment, partnerships and donor vetting	Ensure adoption of these three key policies after conclusion of the consulting process
	3. HR management: Review and realignment of functional areas at the TFV, including fund management, resource mobilization, and internal and external results reporting	Conduct internal functional performance review; implement (any) resulting functional realignment and/or structural changes

## Annex IV (i)

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

#### Expected results, performance indicators and targets for 2022

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2022</i>
<b>Objective 1</b> Contribute to the effective oversight of the Court through timely and professional investigations of allegations of misconduct	- Percentage of cases handled within 6 months of reporting	- 60%

## Annex IV (j)

### Major Programme VII-6: Office of Internal Audit

#### Expected results, performance indicators and targets for 2022

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2022</i>
<b>Objective 1</b> 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 and advisory services engagements performed, as against the validated OIA workplan	Minimum of 9 engagements (audits and advisory services combined)

## Annex V

## Staffing information

## Annex V (a)

## Proposed Court staffing in 2022 by Major Programme

<i>Total Court</i>	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-Staff and above</i>	GS-PL	GS-OL	<i>Total GS-Staff</i>	<b>Total Staff</b>
Major Programme I	-	-	-	-	3	3	21	12	-	39	1	11	12	51
Major Programme II	1	2	-	3	18	36	78	80	24	242	1	79	80	322
Major Programme III	-	1	-	3	22	45	85	92	6	254	15	312	327	581
Major Programme IV	-	-	-	1	1	1	1	1	-	5	2	3	5	10
Major Programme VI	-	-	-	1	-	4	2	2	-	9	-	2	2	11
Major Programme VII-5	-	-	-	-	1	1	-	1	-	3	-	1	1	4
Major Programme VII-6	-	-	-	1	-	1	1	-	-	3	-	1	1	4
<b>Grand Total</b>	<b>1</b>	<b>3</b>	<b>-</b>	<b>9</b>	<b>45</b>	<b>91</b>	<b>188</b>	<b>188</b>	<b>30</b>	<b>555</b>	<b>19</b>	<b>409</b>	<b>428</b>	<b>983</b>

## Annex V (b)

## Changes to the staffing table

<i>Number of Posts</i>	<i>Level</i>	<i>Functional Title</i>	<i>From 2021 Approved Budget</i>	<i>To 2022 Proposed Budget</i>
1	P-3	Field Security Officer	Country Office (Democratic Republic of the Congo)	Country Office (Uganda)
1	P-3	Administration and Operations Officer	Country Office (Democratic Republic of the Congo)	Country Office (Uganda)
1	GS-OL	Administrative Assistant	Country Office (Democratic Republic of the Congo)	Country Office (Uganda)
1	GS-OL	Driver	Country Office (Democratic Republic of the Congo)	Country Office (Uganda)
<b>Total Registry Redeployments:</b>		<b>4</b>		

**Annex V (c)****List of conversions 2022 (GTA to Established posts)**

<i>Number of Posts</i>	<i>Level</i>	<i>From 2021</i>	<i>To 2022</i>	<i>Programme / Section</i>	<i>Functional Title</i>
1	P-2	GTA	Established posts	Office of the Director, DMS	Associate Administrative Officer
1	GS-OL	GTA	Established posts	Office of the Director, DMS	Field Paramedic
1	P-1	GTA	Established posts	Victims Participation and Reparations Section	Assistant Legal Officer
1	GS-OL	GTA	Established posts	Victims Participation and Reparations Section	Data Processing Assistant
1	P-3	GTA	Established posts	Office of Public Counsel for the Defence	Legal Officer
1	P-2	GTA	Established posts	Office of Public Counsel for Victims	Associate Legal Officer
<b>Total Registry Conversions: 6</b>					
1	P-2	GTA	Established posts	Secretariat of the Trust Fund for Victims	Associate Executive Officer
1	P-2	GTA	Established posts	Secretariat of the Trust Fund for Victims	Associate Programme Officer
<b>Total Secretariat of the Trust Fund for Victims Conversions: 2</b>					
<b>Total Conversions: 8</b>					

**Annex VI****Salaries and entitlements for 2022 (thousands of euros)****Annex VI (a)****Judges' salary and entitlements for 2022 (thousands of euros)**

<i>Presidency:</i>	<i>Costs</i>
Special allowance President and Vice-Presidents	28.0
<i>Subtotal Presidency</i>	<i>28.0</i>
<b>Chambers:</b>	
Standard salary costs: 18 full-time judges	3,416.0
Judges' pensions: 18 full-time judges	864.0
<i>Subtotal Chambers</i>	<i>4,280.0</i>
Dependency allowance	154.0
Health insurance premiums	72.0
Accruals for annual leave	98.0
Accruals for relocation	135.0
Estimates of home leave and education grant expenses	287.5
Service-incurred injury insurance: Court requirement	21.6
<i>Subtotal additional requirements</i>	<i>768.1</i>
<b>Total Judges' salaries and entitlements for 2022</b>	<b>5,076.1</b>

## Annex VI (b)

**Standard salary costs for 2022 - Professional and General Service staff at Headquarters (thousands of euros)**

<i>Post level</i>	<i>Net salary</i>	<i>Common staff costs</i>	<i>Representation allowance</i>	<i>Total</i>
	(1)	(2)	(3)	(1)+(2)+(3)=(4)
USG	186.0	77.8	4	267.8
ASG	170.6	71.3	3	244.9
D-1	153.5	64.1		217.6
P-5	129.4	54.1		183.5
P-4	112.4	47.0		159.4
P-3	93.2	39.0		132.3
P-2	75.1	31.4		106.5
P-1	75.1	31.4		106.5
GS-PL	70.3	29.4		99.7
GS-OL	54.4	22.8		77.2

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 VI: 10 per cent
- d) Existing Professional and General Service posts in MP III: 12 per cent
- e) Existing Professional and General Service posts in MPs IV, VII-5 and VII-6: 0 per cent

<i>Delayed recruitment factors</i>					
<i>Post level</i>	(0%)	(5%)	(8%)	(10%)	(12%)
USG	267.8	254.4	246.4	241.0	229.0
ASG	244.9	232.7	225.3	220.4	209.4
D-1	217.6	206.7	200.2	195.8	186.0
P-5	183.5	174.3	168.8	165.2	156.9
P-4	159.4	151.4	146.6	143.5	136.3
P-3	132.3	125.7	121.7	119.1	113.1
P-2	106.5	101.2	98.0	95.9	91.1
P-1	106.5	101.2	98.0	95.9	91.1
GS-PL	99.7	94.7	91.7	89.7	85.2
GS-OL	77.2	73.3	71.0	69.5	66.0

## Annex VII

## Proposed budget for 2022 for the African Union Liaison Office (AULO)

1. In line with part IX of resolution ICC-ASP/9/Res.4 of the Assembly of States Parties,<sup>2</sup> no resources have been allocated to the African Union Liaison Office in the proposed programme budget for 2022. Should the African Union agree to the request of the International Criminal Court (“the Court”) to open a Liaison Office in Addis Ababa, the Court will notify the Committee on Budget and Finance of the need to access the Contingency Fund for up to the amount in the Court’s proposed budget for 2022 of €399,400 in order to proceed with the establishment of such a Liaison Office.

1320	2020 Expenditures (thousands of euros)			2021	Resource Changes		Proposed
African Union Liaison Office	Total	Cont. Fund	Total incl. CF	Approved Budget	Amount	% (thousands of euros)	2022 Budget
Judges							
Professional staff							195.8
General Service staff							69.5
Subtotal staff							265.3
General temporary assistance	-	-	-	-	-	-	-
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
Subtotal other staff	-	-	-	-	-	-	-
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
Subtotal non-staff	-	-	-	-	-	-	134.1
Total	-	-	-	-	-	-	399.4

<sup>2</sup> Official Records... Ninth Session ... 2010 (ICC-ASP/9/20), vol. I, part III, ICC-ASP/9/Res.4.

## Annex VIII

### 2022 estimated income statements

#### Least-Developed Countries Trust Fund (euros)

##### Estimated income 2022

Donor contributions.....	10,000
<i>Subtotal income</i> .....	<i>10,000</i>

##### Estimated expenditure 2022

Travel.....	8,700
Administration costs.....	1,300
<i>Subtotal expenditure</i> .....	<i>10,000</i>

<b>Net income 2022.....</b>	<b>0</b>
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## Annex IX

### Information Technology

#### Annex IX (a)

### Information Technology and Information Management (IT/IM) at the International Criminal Court: Five-Year Strategy (2018-2022)

1. The 2019 Proposed Programme Budget of the International Criminal Court (“the Court”), presented to the Committee on Budget and Finance (“the Committee”) for consideration at its thirty-first session in September 2018, included a total picture of Court-wide investment in staff and non-staff costs for the Court’s Five-Year IT/IM Strategy, as requested at the Committee’s thirtieth session. This annex, based on the 2022 Proposed Programme Budget, gives an updated overview of the total investment for 2017-2022, forecasts of Information Management Services Section (IMSS) annual operating costs to support the relevant systems during and after implementation of the strategy, and a Court-wide breakdown of IT/IM expenditure in 2021 and requested IT/IM expenditure for 2022.

2. The following table is based on actual figures for 2017-2020, the Approved Programme Budget for 2021 and the Proposed Programme Budget for 2022. The report to the Committee in advance of its thirty-seventh session will contain details of actual expenditure per project and the corresponding efficiencies or benefits. The Court intends to present a new Court-wide strategy for 2023-2025 which will determine the next set of IT/IM strategic priorities and initiatives. Thus, 2022 is a gap year for which the Court requests funds to implement the Judicial Workflow Platform (JWP) project under the strategy. It should be noted that the total Court-wide investment for the duration of the existing strategy, including the 2022 gap year, is forecast at €8,377.7 thousand, which is €293.2 thousand less than the Committee’s maximum Court-wide investment threshold of €8,670.9 thousand stated at its thirty-first session.<sup>3</sup> A separate Court-wide report on the strategy will be presented for consideration at the Committee’s thirty-seventh session. The information provided in this annex is limited to the total investment per cost centre and the total Court-wide requested investment per work stream.

**Table 1: Total investment in the Court-wide Five-Year IT/IM Strategy for 2017-2021 and the 2022 gap year (thousands of euros)**

<i>Cost centre</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>Total for duration of strategy (including gap year)</i>
<b>Staff costs</b>							
MP III: Registry							
DMS	-	100	98.6	98.3	107.5		404.4
DJS	-	146.5		147.1	158.0	158.0	609.6
<b>Total staff costs</b>	-	246.5	98.6	245.4	265.5	158.0	1,014.0
Staff costs delta from previous year	-	+246.5	147.9-	+146.8	+20.1	-107.5	-
<b>Non-staff costs</b>							
MP II: OTP	-	135.0	146.0	174.0	174.0	-	629.0
MP III: Registry							
DJS	664.0	824.0	1,364.0	1,439.0	1,563.0	183.7	6037.7

<sup>3</sup> Report of the Committee on Budget and Finance (ICC-ASP/17/15) para 11.

<i>Cost centre</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>Total for duration of strategy (including gap year)</i>
DMS	-	225.0	0.0	20.0	50.0	-	295.0
Total MP III: Registry	664.0	1,049.0	1,364.0	1,459.0	1,613.0	183.7	6,332.7
<b>Total authorized carry-forward</b>			<b>249.0</b>	<b>153.0</b>			<b>402.0</b>
<b>Total non-staff costs</b>	<b>664.0</b>	<b>1,184.0</b>	<b>1,759.0</b>	<b>1786.0</b>	<b>1787.0</b>	<b>183.7</b>	<b>7363.7</b>
Non-staff costs delta from previous year	-	+520.0	+575.0	+27.0	+1	-1603.3	-
<b>Total Court-wide investment</b>	<b>664.0</b>	<b>1,430.5</b>	<b>1,857.6</b>	<b>2,031.4</b>	<b>2,052.5</b>	<b>341.7</b>	<b>8,377.7</b>
<b>Total delta from previous year</b>	<b>-</b>	<b>+766.5</b>	<b>+427.1</b>	<b>+173.8</b>	<b>+21.1</b>	<b>-1,710.8</b>	<b>-</b>

3. The total Court-wide proposed investment for 2022 is €341.7 thousand, consisting of €158.0 in staff costs and €183.7 in non-staff costs. This proposed investment is necessary to augment the existing JWP project team, which is composed of Court staff and external consultants. While the JWP project has continued throughout the COVID-19 crisis, progress has been slower than planned owing to remote working, unforeseen staff vacancies in IMSS, and CMS operational demands related to the concurrent use of two courtrooms. The Court plans to use short-term contracts for the duration of 2022, an approach which is more cost-effective than sourcing commercially and leverages the experience of former employees of sister tribunals.

**Table 2: Summary of investment for 2022 in Court-wide Five Year- IT/IM Strategy projects (thousands of euros)**

<i>2022 Funding for strategy</i>	<i>MP II: OTP</i>	<i>MP III: Registry</i>	<i>Total stream</i>
		<i>DMS</i>	<i>DJS</i>
<b>Staff</b>			
Judicial	-	158.0	158.0
Administrative	-	-	-
<b>Total staff</b>	-	158.0	158.0
<b>Non-staff</b>			
Prosecutorial	-	-	-
Judicial	-	183.7	183.7
Administrative	-	-	-
Information Management	-	-	-
Information Security	-	-	-
Optimizing IT	-	-	-
<b>Total non-staff</b>	-	183.7	183.7
<b>Total</b>	-	341.7	341.7

4. Table 3, below, breaks down the funding requested for the JWP project in 2022 by initiative and cost centre. CMS requires €158 thousand for the eCourt Project Manager, while IMSS requires €183.7 thousand in non-staff contractual services expenditure to fund two short-term positions: a JWP Software programming officer (P-2) and a JWP analyst and Training Assistant (GS-OL).

**Table 3: Breakdown of investment for 2022 in Court-wide Five Year- IT/IM Strategy projects (thousands of euros)**

<i>Initiative</i>		<i>MP II: OTP</i>		<i>MP III: Registry</i>		<i>Total</i>
				<i>DMS</i>	<i>DJS</i>	
		<i>Staff</i>	<i>Non-staff</i>	<i>Staff</i>	<i>Non-staff</i>	
Judicial	Judicial Workflow Platform – Unified Information Repository					
	Judicial Workflow Platform – Evidence and Case Record Gateway			158.0	183.7	341.7
<b>Total</b>				<b>158.0</b>	<b>183.7</b>	<b>341.7</b>

## Annex IX (b)

### Court-wide Information Technology and Information Management (IT/IM) costs

#### Information Management Services Section (IMSS) proposed budget for 2022

1. The budget of €10,533.1 thousand requested for IMSS in 2022 consists of:
  - a) Lights-on costs of €9,844.4 thousand, which in turn consist of €4,758.9 thousand in staff costs and €5,085.5 thousand in non-staff costs. The increase of €49.8 thousand in lights-on costs from the €9,794.6 thousand approved for 2021 is the net impact of (1) an increase of €107.0 thousand in staff costs due to the funding of the Service Assistant post in the Service Operations Unit and annual step increases; and (2) a decrease of €57.2 thousand in non-staff costs from the €5,142.7 approved for 2021. IMSS's continued efforts have resulted in efficiencies and savings of €371.6 thousand to offset unavoidable cost increases as the Court embarks on mandatory upgrades to core services, shifting its focus from capital investment in hardware and software to subscription-based annual licensing.
  - b) €438.0 thousand in non-recurrent investments to replace end-of-life infrastructure in the data centre, courtrooms and conference cluster. Without these investments the Court risks interruption of core activities and non-compliance with maintenance and service agreements.
  - c) €183.7 thousand in additional costs under the Court's Five-Year IT/IM Strategy to fund the Judicial Workflow Platform (JWP) project. The need to maintain the continuity of judicial operations during the COVID-19 pandemic, coupled with unforeseen vacancies in the IMSS and Court Management Section (CMS) staff posts allocated to the JWP team, slowed progress on the business analysis and caused the project to fall further behind schedule. To deliver the first release in 2021, the project team's human resources for business analysis and Documentum development were augmented, leading to faster implementation of the approved budget. The proposed budget requests additional contractual services funds to fully cover the cost of short-term contracts for the key project roles of JWP Software Programming Officer (P-2) and JWP Analyst and Training Assistant (GS-OL). Short-term contracts are more cost-effective than working with commercial vendors.
  - d) €87.6 thousand in non-recurrent investments including migration of legacy judicial records and solution upgrades for external counsel and the Office of Internal Audit (OIA).

#### Court-wide IT/IM costs

2. Court-wide lights-on IT/IM spending includes the established posts and general temporary assistance (GTA) positions in the Registry and in the Office of the Prosecutor (OTP) which are required to support the Court's IT/IM systems and services. The IMSS budget also includes temporary assistance for meetings and overtime. Non-staff lights-on IT/IM expenditure is defined as all expenditure required to support the current state of Court operations and activities; this includes expenditure for travel (specific to the maintenance of the Court's IT/IM systems), contractual services, training, general operating expenses (on communications, rental and maintenance of furniture and equipment, etc.), supplies and materials, and furniture and equipment.

**Table 4: Total Court wide- IT/IM costs by staff and non-staff costs (thousands of euros)**

	2017	2018	2019	2020	2021	2022	Total
<b>Lights-on</b>							
Staff costs	5,887.5	5,946.1	6,535.4	6,782.9	6,350.0	6,313.1	37,815.0
Non-staff costs	5,930.0	6,459.2	5,726.8	5,811.9	6,031.2	6,203.6	36,162.7
<i>Total lights-on</i>	<i>11,817.5</i>	<i>12,405.3</i>	<i>12,262.2</i>	<i>12,594.8</i>	<i>12,381.2</i>	<i>12,516.7</i>	<i>73,977.7</i>
<i>Total delta from previous year</i>		+587.8	-143.1	+332.6	-213.6	+135.5	
<b>IT/IM Strategy</b>							

	2017	2018	2019	2020	2021	2022	Total
Staff costs		246.5	98.6	245.4	265.5	158.0	1,014.0
Non-staff costs	664.0	1,184.0	1,759.0	1,786.0	1,787.0	183.7	7,363.7
<i>Total strategy</i>	<i>664.0</i>	<i>1,430.5</i>	<i>1,857.6</i>	<i>2,031.4</i>	<i>2,052.5</i>	<i>341.7</i>	<i>8,377.7</i>
<b>Other non-recurrent IT/IM Costs</b>							
<i>Non-staff costs</i>						1,046.9	1,046.9
<b>Total Court-wide IT/IM</b>	<b>12,481.5</b>	<b>13,835.8</b>	<b>14,119.8</b>	<b>14,626.2</b>	<b>14,433.7</b>	<b>13,905.3</b>	<b>83,402.3</b>
<i>Total delta from previous year (including strategy)</i>	-	+1,354.3	+284.0	+506.4	-192.5	-528.4	-

3. Table 4 provides a high-level overview of actual and forecast Court-wide IT/IM costs on the basis of 2017-2020 actual expenditure (for non-staff costs), the 2021 Approved Programme Budget and the 2022 Proposed Programme Budget. The total Court-wide IT/IM spend for 2017-2022 is forecast at €83,402.3 thousand. As 2022 is a gap year, with the Court's next IT/IM strategy expected to run from 2023 to 2025, it is not possible to accurately forecast IT/IM costs for 2023-2025 until that strategy is finalized. Further itemization per cost centre is provided in Table 5. The information in Table 4 can be summarized as follows:

a) In 2017, total Court-wide IT/IM costs amounted to €12,481.5 thousand, of which €664.0 thousand was the actual expenditure for the Five Year IT/IM Strategy and €11,817.5 thousand was lights-on costs, including €5,887.5 thousand in staff costs and €5,930.0 thousand in non-staff costs;

b) In 2018, total Court-wide IT/IM costs were €13,835.8 thousand, of which €1,430.5 thousand was investment in Year 2 of the Court's Five-Year IT/IM Strategy. The remaining €12,405.3 thousand included €5,946.1 thousand in staff costs and €6,459.2 thousand in non-staff costs.

c) The total of €14,119.8 thousand for 2019 includes the actual investment of €1,857.6 thousand in Year 3 of the Court's Five-Year IT/IM Strategy. This figure is lower than in the 2019 Approved Programme Budget owing to the vacancy of the position of eCourt Project Manager in CMS and the underspend in non-staff costs for OTP strategic projects. The remaining costs for 2019 consist of the approved staff budget of €6,535.4 thousand and actual non-staff costs of €5,726.8 thousand.

d) The Court's total IT/IM costs of €14,626.2 thousand for 2020 include the actual investment of €2,031.4 thousand in Year 4 of the Court's Five-Year IT/IM Strategy, which is €16.1 thousand less than the €2,047.5 thousand approved for 2020. The remaining forecast expenditure of €12,594.8 thousand includes €6,782.9 thousand in staff costs and €5,811.9 thousand in non-staff costs.

e) The total forecast amount for 2021 is €14,433.7 thousand, including €2,052.5 thousand in staff and non-staff costs for Year 5 of the Court's Five-Year IT/IM Strategy. The remaining €12,381.2 thousand forecast for Court-wide IT/IM expenditure consists of €6,350.0 thousand in staff costs and €6,031.2 thousand in non-staff costs.

f) The 2022 proposed budget includes total Court-wide IT/IM costs of €13,905.3 thousand (a reduction of €528.4 thousand from 2021), of which €12,516.7 thousand represents total Court-wide lights-on costs, including €6,313.1 thousand in staff costs and €6,203.6 thousand in non-staff costs. Lights-on costs for 2022 are €135.5 thousand higher than lights-on costs for 2021; this modest increase is attributable to the recurrent costs of remote working and maintaining operational continuity during the COVID-19 pandemic. Total Court-wide IT/IM costs also include two categories of non-recurrent expenditure: the IT/IM strategy and other non-recurrent IT/IM costs. In 2022, an amount of €341.7 thousand in staff and non-staff resources is requested under the IT/IM strategy, specifically for the JWP project.<sup>4</sup> The remaining non-recurrent IT/IM costs total €1,046.9 thousand, including

<sup>4</sup> To ensure consistency in reporting the total cost to the Court of delivering the Five-Year IT/IM Strategy, the costs of the eCourt Project Manager (P-4) GTA position for the JWP project are allocated to the strategy as a forecast for 2022 rather than a lights-on cost.

€525.6 thousand for capital replacement and other IT projects in IMSS previously included in the lights-on forecast; €150.0 thousand for projects in the Division of Management Services (DMS); €300.0 thousand requested by the Prosecutor for OTP initiatives; €40.2 thousand for the Trust Fund for Victims (TFV); and non-staff costs of €31.1 thousand in the Independent Oversight Mechanism (IOM) and the Office of Internal Audit (OIA) for the non-recurrent purchase of IT hardware and software.

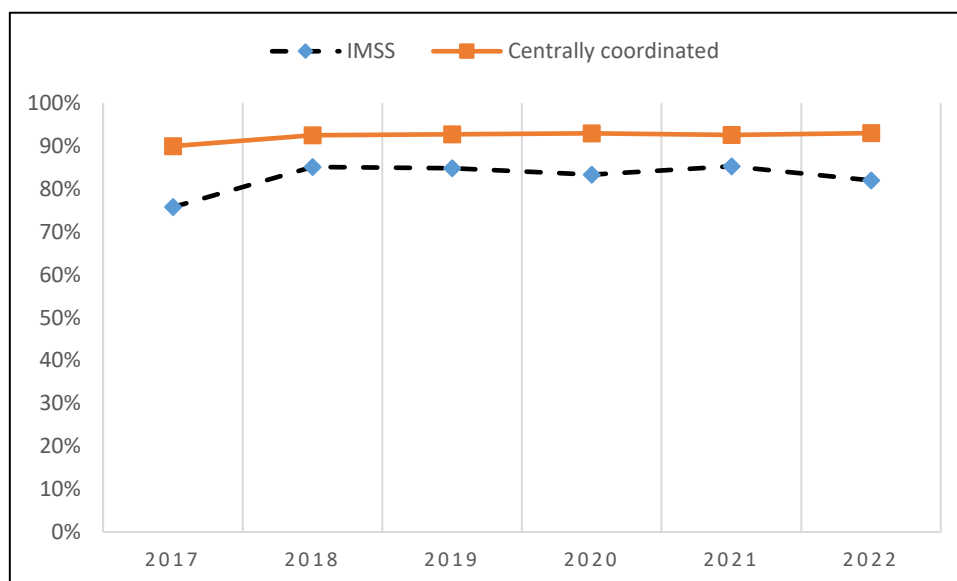
**Table 5: Total Court-wide lights-on staff costs by Major Programme cost centre (thousands of euros)**

<i>Programmes</i>	<i>2017 (Actuals)</i>	<i>2018 (Actuals)</i>	<i>2019 (Actuals)</i>	<i>2020 (Actuals)</i>	<i>2021 (Approved Budget)</i>	<i>2022 (Proposed)</i>	<i>Total</i>
<b>Staff costs</b>							
MP II: OTP	767.7	783.5	773.2	990.5	1,051.3	732.2	5,098.4
MP III: Registry							
DJS – IMSS	4,358.9	4,444.7	5,011.1	5,060.8	4,651.9	4,758.9	28,286.3
DJS – CMS	190.8	196.8	196.8	186.9	133.2	203.7	1,108.2
DJS – VPRS	87.7	90.0	88.7	87.6	94.6	93.7	542.3
DMS – SAP	298.8	306.2	304.6	344.2	317.3	426.6	1,997.7
DEO – Country Offices	110.7	124.9	161.0	112.9	101.7	98.0	709.2
MP IV – Secretariat of the ASP	72.9	0.0	0.0	0.0	0.0	0.0	72.9
<b>Total staff costs</b>	<b>5,887.5</b>	<b>5,946.1</b>	<b>6,535.4</b>	<b>6,782.9</b>	<b>6,350.0</b>	<b>6,313.1</b>	<b>37,815.0</b>
<i>Delta from previous year</i>	-	+58.6	+589.3	+247.5	-432.9	-36.9	-
<b>Non-staff costs</b>							
MP II: OTP	389.4	95.9	73.4	199.3	73.4	305.0	1,136.4
MP III: Registry							
DJS – IMSS	4,492.0	5,496.1	4,858.80	4,842.90	5,142.70	5,085.5	29,918.0
DJS – CMS	0.0	34.7	8.9	12.8	12.8	6.5	75.7
DJS – LSS	31.3	5.3	0.0	0.0	0.0	7.0	43.6
DJS – VPRS	0	5.7	1.4	0.0	3	5.0	15.1
DJS – Detention	21.6	21.6	18.0	18.0	18.0	18.0	115.2
DMS – SAP	454.0	382.0	380.0	359.5	365.9	372.3	2,313.7
DMS – OHU						22.0	22.0
DMS – HRS				33.0	63.0	62.0	158.0
DMS – GSS	82.5	50.3	100.0	50.2	56.8	49.0	388.8
DMS – SSS	15.8	78.5	63.6	63.6	63.6	32.0	317.1
DEO – Country Offices	54.7	33.1	67.8	64.7	65.3	34.2	319.8
DEO – EOSS	12.1	23.3	12.5	15.2	16.1	20.0	99.2
DEO – VWS	202.7	161.4	30.8	37.7	0.0	32.0	464.6
DEO – PIOS	59.8	69.4	81.6	80.0	50.6	90.0	431.4
Total MP III: Registry	5,426.5	6,361.4	5,623.4	5,577.6	5,857.8	5,835.5	34,682.2
MP VI – Secretariat of the TFV	114.1	1.9	30.0	35.0	100.0	33.0	314.0
MP VII – IOM/OIA						31.1	31.1
<b>Total non-staff</b>	<b>5,930.0</b>	<b>6,459.2</b>	<b>5,726.8</b>	<b>5,811.9</b>	<b>6,031.2</b>	<b>6,203.6</b>	<b>36,162.7</b>
<i>Delta from previous year</i>	-	+529.2	-732.4	+85.1	+219.3	+172.4	-

4. The functions and IT/IM services provided by IMSS and other sections do not overlap and the division of responsibilities is documented in a matrix to prevent any duplication or gaps in systems support and services. The provision of daily operational support (lights-on services) is documented by IMSS, OTP, CMS, DMS and the Victims Participation and Reparations Section (VPRS) using RACI (Responsible, Accountable, Consulted, Informed) matrices. These are living documents that are updated for new systems or services. Provided that the scope of services and systems supported across the Court remains consistent, there is no forecast increase in established posts or GTA positions to meet daily operational needs. The increase in staff costs for 2022 is primarily due to structural changes made in the OTP to meet the data management and application needs specific to its operations, which are often confidential in nature. These functions are coordinated with IMSS via a hybrid operating model to ensure that the Registry remains a neutral provider of IT/IM services.

5. The majority of non-staff costs are within the IMSS (central IT/IM) budget. In 2017, the IMSS budget accounted for 75.8 per cent of the total expenditure. In 2018, with further centralization being part of the Court-wide synergies exercise, this figure increased to 85.1 per cent; it is expected to remain consistent until the end of 2021. In 2022 it is expected to decline to 82 per cent of total Court-wide non-staff lights-on costs. This modest decrease is due to the shifting of OTP-specific services over to the OTP budget. On an annual basis, IMSS plans and coordinates expenditure with the OTP and the SAP team in DMS. When these three cost centres are taken together, the coordinated central expenditure as a percentage of non-staff costs is as follows: 90.0 per cent and 92.5 per cent on the basis of 2017 and 2018 actual figures, respectively; 92.8 per cent and 92.9 per cent on the basis of 2019 and 2020 actual figures; 92.6 per cent in 2021; and 93 per cent in the 2022 forecast. This trend is represented graphically in Figure 1, below.

**Figure 1: Percentage of non-staff IT/IM lights-on costs centralized in IMSS (dashed line) and centrally coordinated with OTP and DMS SAP**



6. The remaining 7 per cent of IT/IM expenditure that is not coordinated between IMSS, OTP and the DMS SAP team belongs to three main categories. The first category consists of IT/IM equipment and supplies purchased locally for use by country offices and specialized equipment and supplies specific to services not supported centrally by IMSS. For example, the Audio-Visual Production Unit in the Public Information and Outreach Section (PIOS) uses Mac OS, the industry standard for audiovisual production. Compatible hardware and software is purchased and managed by PIOS throughout the equipment life cycle. The second category is subscriptions to software services that are embedded in a section's operations and do not require any infrastructure support from IMSS, thus remaining under that section's annual operating budget. Two notable examples of such solutions are the mass notification system used by the Security and Safety Section to keep staff informed in the event of an emergency and the SuccessFactors platform used for recruitment and performance

management. These services are better supported by the sections that operate them, and so the costs are decentralized in accordance with a hybrid operating model. Further centralization would require additional IMSS resources to manage the services, including procurement and contract management. Thus the hybrid operating model is more efficient and cost-effective.

7. Forecasts will continue to be updated for each budgetary planning cycle according to the Court's IT/IM ecosystem and its contractual obligations to maintain the systems concerned. The year 2022 is a strategy gap year, and the Court's recently elected President and Prosecutor will work with the Registry to define their strategy priorities for 2023 to 2025. On the basis of their discussions, the Court will formulate its next IT/IM strategy and forecast the total Court-wide IT/IM spend, including lights-on, for the thirty-ninth session of the Assembly of States Parties.

## Annex X

## 2022 Proposed Programme Budget baseline

1. In line with the recommendation of the Committee,<sup>5</sup> the Court presents below a table showing the budget allocated in 2021 compared to the 2022 Proposed Programme Budget. The purpose of the table is to compare baseline resources between 2021 and 2022. The first columns total the 2021 Approved Programme Budget and 2021 Contingency Fund notifications to date and the impact of the United Nations Common System increase, which is an additional cost to the Court's 2021 approved budget baseline. The resulting figure is decreased by Court-wide savings and efficiencies reducing the baseline, which have been identified in Annex XVI. The total 2021 baseline is compared to the 2022 Proposed Programme Budget, and the variance between the two shows an overall increase in the baseline requirement of €14.1 million.

Major Programme	APB 2021 [a]	Additional resources (Contingency Fund) [b]	Reductions to the baseline [c]	UNCS changes [d]	VR changes [e]	Baseline [f=a+b+c+d+e]	2022 PPB [g]	Variance 2022 PPB - baseline [h=f-e]	Variance 2022 PPB - 2021 APB [h=f-a]
1100 - Presidency	1,342.1	-	(184.7)	3.2	-	1,160.6	1,609.9	449.3	267.8
1200 - Chambers	10,414.2	-	-	(29.0)	-	10,385.2	11,760.3	1,375.1	1,346.1
<i>MP I - Judiciary</i>	<i>11,756.3</i>	<i>-</i>	<i>(184.7)</i>	<i>(25.8)</i>	<i>-</i>	<i>11,545.8</i>	<i>13,370.2</i>	<i>1,824.4</i>	<i>1,613.9</i>
<i>MP II - Office of the Prosecutor</i>	<i>47,334.8</i>	<i>-</i>	<i>(206.2)</i>	<i>(109.6)</i>	<i>-</i>	<i>47,019.0</i>	<i>51,328.8</i>	<i>4,309.8</i>	<i>3,994.0</i>
3100 - Office of the Registrar	1,666.2	-	-	(3.2)	-	1,663.0	1,680.5	17.5	14.3
3200 - Division of Management Services (DMS)	18,151.7	-	(394.3)	171.1	-	17,928.5	18,756.3	827.8	604.6
P3300 - Division of Judicial Services (DJS)	34,758.3	-	(279.4)	55.8	-	34,534.7	40,576.0	6,041.3	5,817.7
3800 - Division of External Operations (DEO)	21,207.8	-	(486.8)	(241.5)	-	20,479.5	22,320.6	1,841.1	1,112.8
SP3710 - Staff Council	-	-	-	-	-	-	245.5	245.5	245.5
<i>MP III - Registry</i>	<i>75,784.0</i>	<i>-</i>	<i>(1,160.5)</i>	<i>(17.8)</i>	<i>-</i>	<i>74,605.7</i>	<i>83,578.9</i>	<i>8,973.2</i>	<i>7,794.9</i>
4100 - ASP Conference	724.6	-	-	(2.2)	-	722.4	1,148.9	426.5	424.3
4200 - ASP Secretariat	981.8	-	-	9.9	-	991.7	869.5	(122.2)	(112.3)
4400 - Office of the President of the Assembly	232.2	-	-	(8.4)	-	223.8	254.3	30.5	22.1
4500 - Committee on Budget and Finance	898.4	-	-	1.7	-	900.1	902.9	2.8	4.5
<i>MP IV - Secretariat of the Assembly of States Parties</i>	<i>2,837.0</i>	<i>-</i>	<i>-</i>	<i>1.0</i>	<i>-</i>	<i>2,838.0</i>	<i>3,175.6</i>	<i>337.6</i>	<i>338.6</i>
<i>MP V - Premises</i>	<i>2,270.0</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>2,270.0</i>	<i>2,270.0</i>	<i>-</i>	<i>-</i>
<i>MP VI - Secretariat of the Trust Fund for Victims</i>	<i>3,199.6</i>	<i>-</i>	<i>-</i>	<i>74.5</i>	<i>29.9</i>	<i>3,304.0</i>	<i>3,388.2</i>	<i>84.2</i>	<i>188.6</i>
<i>MP VII-2 - Host State Loan</i>	<i>3,585.1</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>3,585.1</i>	<i>3,585.1</i>	<i>-</i>	<i>-</i>
<i>MP VII-5 - Independent Oversight Mechanism</i>	<i>739.5</i>	<i>-</i>	<i>-</i>	<i>1.6</i>	<i>-</i>	<i>741.1</i>	<i>874.2</i>	<i>133.1</i>	<i>134.7</i>
<i>MP VII-6 - Office of Internal Audit</i>	<i>752.7</i>	<i>-</i>	<i>-</i>	<i>2.0</i>	<i>-</i>	<i>754.7</i>	<i>775.0</i>	<i>20.3</i>	<i>22.3</i>
<b>ICC</b>	<b>148,259.0</b>	<b>-</b>	<b>(1,551.4)</b>	<b>(74.1)</b>	<b>29.9</b>	<b>146,663.4</b>	<b>162,346.0</b>	<b>15,682.6</b>	<b>14,087.0</b>

<sup>5</sup> Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Eighteenth session, The Hague, 2-7 December 2019 (ICC-ASP/18/20), vol. II, part B.1, section II.A.1, para. 15.

## Annex XI

## Strategic dynamic evolution of judicial activity by situation

The figures in these tables reflect the Court-wide allocation of resources per situation.

Table 1: Strategic dynamic evolution of judicial activity by situation (thousands of euros)

Budget per situation: in thousands of euros <sup>(1)(2)</sup>	Operational support (CIS and FO-Ops)														
		Uganda	DRC	Darfur	CAR	Kenya	Libya	Côte d'Ivoire	Mali	Georgia	Burundi	Bangladesh/ Myanmar	Afghanistan	Palestine	
2017 Approved	33,157.9	3,010.5	6,660.8	1,399.9	8,447.3	2,362.7	1,568.0	6,390.0	2,483.1	3,666.0	-	-	-	-	
	(23 cases)	(3 cases)	(2 cases)	(3 cases)	(4 cases)	(2 cases)	(3 cases)	(3 cases)	(2 cases)	(1 case)					
2018 Approved	36,226.1	3,024.5	6,969.4	1,270.3	8,822.7	965.7	1,689.5	6,104.7	2,313.8	3,168.1	-	-	-	-	
	(23 cases)	(3 cases)	(2 cases)	(3 cases)	(4 cases)	(2 cases)	(3 cases)	(3 cases)	(2 cases)	(1 case)					
2019 Approved	36,276.0	2,681.1	1,869.1	1,364.0	7,425.7	268.2	2,286.9	5,876.8	3,316.0	3,614.5	2,159.8	2,159.8	2,159.8	-	
	(23 cases)	(2 cases)	(2 cases)	(3 cases)	(4 cases)	(2 cases)	(3 cases)	(3 cases)	(2 cases)	(1 case)	(1 case)	(1 case)	(1 case)		
2020 Approved	32,782.6	2,597.5	5,549.3	1,293.3	7,639.7	32.4	3,687.5	5,639.2	3,701.9	4,371.3	3,314.3	-	-	-	
	(21 cases)	(2 cases)	(2 cases)	(3 cases)	(3 cases)	(2 cases)	(3 cases)	(2 cases)	(2 cases)	(1 case)	(1 case)				
2021 Approved	31,035.4	2,261.5	3,188.4	2,499.4	8,331.9	0.0	2,475.5	5,139.4	3,819.8	3,521.6	2,794.5	2,487.0	662.9	-	
	(22 cases)	(2 cases)	(1 case)	(3 cases)	(2 cases)	(1 case)	(4 cases)	(3 cases)	(2 cases)	(1 case)	(1 case)	(1 case)	(1 case)		
2022 Proposed	36,864.8	3,011.4	2,539.3	6,223.8	8,395.9	1,114.3	3,068.1	4,239.8	3,216.0	1,946.8	2,687.5	2,214.2	442.9	50.0	
	(22 cases)	(2 cases)	(1 case)	(3 cases)	(2 cases)	(1 case)	(4 cases)	(2 cases)	(1 case)	(1 case)	(1 case)	(1 case)	(1 case)	(1 case)	

<sup>(1)</sup> Excludes costs attributed to court-in-session (CIS) but includes costs attributed to court-in-session operations (CIS-Ops).

<sup>(2)</sup> Excludes Contingency Fund notifications.

Table 2: Breakdown of staff allocation per situation

Staff per situation <sup>(1)(2)</sup>	Operational support (CIS and FO-Ops)																													
			Uganda		DRC		Darfur		CAR		Kenya		Libya		Cote D'Ivoire		Mali		Georgia		Burundi		Bangladesh/ Myanmar		Afghanistan		Palestine			
	EP <sup>(3)</sup>	GTA <sup>(4)</sup>	EP <sup>(3)</sup>	GTA <sup>(4)</sup>	EP <sup>(3)</sup>	GTA <sup>(4)</sup>	EP <sup>(3)</sup>	GTA <sup>(4)</sup>	EP <sup>(3)</sup>	GTA <sup>(4)</sup>	EP <sup>(3)</sup>	GTA <sup>(4)</sup>	EP <sup>(3)</sup>	GTA <sup>(4)</sup>	EP <sup>(3)</sup>	GTA <sup>(4)</sup>	EP <sup>(3)</sup>	GTA <sup>(4)</sup>	EP <sup>(3)</sup>	GTA <sup>(4)</sup>	EP <sup>(3)</sup>	GTA <sup>(4)</sup>	EP <sup>(3)</sup>	GTA <sup>(4)</sup>	EP <sup>(3)</sup>	GTA <sup>(4)</sup>	EP <sup>(3)</sup>	GTA <sup>(4)</sup>		
2017 Approved	303	60.60	24	7.91	42	3.11	19	7.30	56	17.39	6	0.55	14	4.30	45	11.19	2	5.55	21	18.44	-	-	-	-	-	-	-	-	-	
	(23 cases)		(3 cases)		(2 cases)		(3 cases)		(4 cases)		(2 cases)		(3 cases)		(3 cases)		(2 cases)		(1 case)											
2018 Approved	287	61.87	28	6.52	52	4.10	10	1.43	57	15.10	-	1.08	10	5.00	46	9.87	20	5.98	18	18.41	-	-	-	-	-	-	-	-	-	
	(23 cases)		(3 cases)		(2 cases)		(3 cases)		(4 cases)		(2 cases)		(3 cases)		(3 cases)		(2 cases)		(1 case)											
2019 Approved	277	70.60	25	9.96	45	4.75	7	2.33	43	17.00	2	-	14	5.33	42	12.08	11	16.40	19	13.50	14	5.50								
	(23 cases)		(2 cases)		(2 cases)		(3 cases)		(4 cases)		(2 cases)		(3 cases)		(3 cases)		(2 cases)		(1 case)		(1 case)									
2020 Approved	272	55.67	25	7.55	50	8.13	9	1.17	35	15.58	-	0.04	19	11.16	39	12.73	16	16.11	22	18.23	18	8.23	-	-	-	-	-	-	-	
	(21 cases)		(2 cases)		(2 cases)		(3 cases)		(3 cases)		(2 cases)		(3 cases)		(2 cases)		(2 cases)		(1 case)		(1 case)									
2021 Approved	263	54.25	24	4.94	34	5.60	18	3.53	47	18.38	-	-	13	5.48	39	8.67	18	16.97	20	14.54	16	7.38	9	10.67	5	2.03	-	-		
	(22 cases)		(2 cases)		(1 case)		(3 cases)		(2 cases)		(1 case)		(4 cases)		(3 cases)		(2 cases)		(1 case)		(1 case)		(1 case)		(1 case)					
2022 Proposed	282	80.33	32	5.68	29	5.63	29	11.08	41	22.08	5	1.01	13	8.42	37	6.71	13	17.09	9	11.08	13	6.33	10	5.78	3	0.36	-	-		
	(22 cases)		(2 cases)		(1 case)		(3 cases)		(2 cases)		(1 case)		(4 cases)		(2 cases)		(2 cases)		(1 case)		(1 case)		(1 case)		(1 case)		(1 case)			

<sup>(1)</sup> Excludes staff attributed to court-in-session (CIS) but includes staff attributed to court-in-session operations (CIS-Ops).

<sup>(2)</sup> Excludes staff related to Contingency Fund notifications.

<sup>(3)</sup> Based on budget headcount by situation.

<sup>(4)</sup> Based on budget FTE by situation.

## Annex XII

### Budget allocation per active investigation in Major Programme II (in thousands of euros)(\*)

<i>Situation</i>	<i>2022 estimated budget allocation</i>	<i>2021 budget allocation</i>
1. Bangladesh/Myanmar	2,057.7	2,398.6
2. Burundi	2,444.1	2,791.7
3. Côte d'Ivoire II	2,702.8	3,297.8
4. Darfur (**)	4,375.1	1,223.3
5. Georgia	1,281.2	2,868.4
6. Libya (***)	2,785.0	2,706.5

(\*) The Office of the Prosecutor will prioritize a total of eight active investigations in 2022: Bangladesh/Myanmar, Burundi, Côte d'Ivoire, Darfur, Georgia and Libya (three cases). The table above reflects the data in the budget system, SAP Business Planning and Consolidation (BPC). However, the budget system does not allow allocation of the same resources to multiple active investigations in the same year. Therefore, the table presents a snapshot as at the beginning of the year and assumes that levels remain unchanged throughout 2022. In 2021, CAR II.b was at the trial stage, while CAR II.a was at the pre-trial stage. Because investigative activities for both cases come under the head of trial support in the 2022 proposed programme budget, the CAR is no longer included in this table. Similarly, the DRC also no longer appears in the table. For 2021 the table included a line for the DRC because activities had been planned for 2020 in that situation (but not for 2021). Investigations in the situations in Afghanistan and Palestine are at the planning stage.

(\*\*) The resources shown for Darfur include the team handling investigations and the team allocated to the Pre-Trial for the case The Prosecutor vs. Ali Muhammad Ali Abd-Al-Rahman. At the time of the preparation of the 2022 proposed budget, since Confirmation of Charges had not taken place yet, only one WBS element (FOP-SUD) was available for Darfur and all resources working in that situation have been included under that WBS code.

(\*\*\*) The Office had planned to focus on one line of investigation in the situation in Libya (Libya III) in 2021. However, it has continued to monitor the evolution of all cases in that situation and intends, in 2022, to conduct investigative activities in Libya IV and Libya V as well.

## Annex XIII

### Yearly increases in Approved Programme Budgets 2015-2021 (thousands of euros)

<i>Major Programme</i>	<i>Approved Budget 2015</i>	<i>Approved Budget 2016</i>	<i>Approved Budget 2017</i>	<i>Approved Budget 2018</i>	<i>Approved Budget 2019</i>	<i>Approved Budget 2020</i>	<i>Approved Budget 2021</i>	<i>2015-2021 increase</i>
<i>MPI: Judiciary</i>								
<b>Total</b>	12,034.1	12,430.6	12,536.0	12,712.0	12,107.6	12,081.5	11,756.3	-277.8
<b>Variance previous year</b>	1,988.3	396.5	105.4	176.0	-604.4	-26.1	-325.2	
<b>Variance previous year in %</b>	19.8%	3.3%	0.8%	1.4%	-4.8%	-0.2%	-2.7%	-2.3%
<b>Actual expenditure</b>	11,023.8	12,702.8	12,232.3	12,168.7	11,592.6	11,193.5	11,132.2	108.4
<b>Implementation rate in %</b>	91.6%	102.2%	97.6%	95.7%	95.7%	92.6%	94.7%	Aver. 95.7%
<i>MPII: Office of the Prosecutor</i>								
<b>Total</b>	39,612.6	43,233.7	44,974.2	45,991.8	46,802.5	47,383.4	47,334.8	7,722.2
<b>Variance previous year</b>	6,392.6	3,621.1	1,740.5	1,017.6	810.7	580.9	-48.6	
<b>Variance previous year in %</b>	19.2%	9.1%	4.0%	2.3%	1.8%	1.2%	-0.1%	19.5%
<b>Actual expenditure</b>	40,581.2	41,960.3	44,432.0	43,735.0	46,447.1	45,015.5	45,285.1	4,703.9
<b>Implementation rate in %</b>	102.4%	97.1%	98.8%	95.1%	99.2%	95.0%	95.7%	Aver. 97.6%
<i>MPIII: Registry</i>								
<b>Total</b>	65,025.9	72,759.2	76,632.6	77,142.5	76,651.2	75,916.9	75,784.0	10,758.1
<b>Variance previous year</b>	-1,267.2	7,733.3	3,873.4	509.9	-491.3	-734.3	-132.9	
<b>Variance previous year in %</b>	-1.9%	11.9%	5.3%	0.7%	-0.6%	-1.0%	-0.2%	16.5%
<b>Actual expenditure</b>	67,988.3	73,278.6	78,811.5	75,956.2	77,360.5	75,410.0	75,708.2	7,719.9
<b>Implementation rate in %</b>	104.6%	100.7%	102.8%	98.5%	100.9%	99.3%	99.9%	Aver. 101.0%
<i>MPVI: Secretariat of the Trust Fund for Victims</i>								
<b>Total</b>	1,815.7	1,884.5	2,174.5	2,541.5	3,130.3	3,226.1	3,199.6	1,383.9
<b>Variance previous year</b>	229.9	68.8	290.0	367.0	588.8	95.8	-26.5	
<b>Variance previous year in %</b>	14.5%	3.8%	15.4%	16.9%	23.2%	3.1%	-0.8%	76.2%
<b>Actual expenditure</b>	1,542.9	1,640.7	1,704.3	2,031.3	2,803.8	2,955.6	3,254.7	1,711.8
<b>Implementation rate in %</b>	85.0%	87.1%	78.4%	79.9%	89.6%	91.6%	101.7%	Aver. 87.6%

\* Expenditures for 2021 are forecast expenditures as at June 2021.

## Annex XIV

### Proposed Capital Investments (2022-2025)

1. 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.<sup>1</sup> The table below provides an overview As requested by the Committee on Budget and Finance (“the Committee”), the International Criminal of these costs for the years 2022-2025. In line with past practice, the amounts required for capital investment under the Court’s 2022 Proposed Programme Budget have been organized by priority and reduced to a minimum.

2. Capital replacements related to the Court’s premises included in these estimates have been identified and submitted in a report to the Committee.<sup>2</sup> In that report, 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 (2022-2025) (euros)**

<i>Capital investment</i>	<i>2022</i>	<i>2023</i>	<i>2024</i>	<i>2025</i>
Vehicles	-	425,000	430,000	440,000
Capital replacements at the Court’s premises in The Hague	331,600	1,409,670	162,858	6,748,782
Investments related to the Court’s Five-Year IT/IM Strategy	183,700	-	-	-
Other IT capital investments	438,000	641,000	1,282,000	1,758,000
<b>Total capital investment</b>	<b>953,300</b>	<b>2,475,670</b>	<b>1,874,858</b>	<b>8,946,782</b>

#### A. Vehicles

3. The costs indicated in the table above are based on the replacement plan for vehicles in the field for the years 2022-2025. Vehicles are distributed and transferred among country offices according to operational needs.

#### B. Capital replacements at the Court’s Premises in The Hague

4. The estimates for capital replacements shown in Table 1 form part of the rolling plan presented in the aforementioned report to the Committee.

#### C. Investments related to the Court’s Five-Year IT/IM Strategy

5. In accordance with the Court’s Five-Year IT/IM Strategy, a capital investment of €183.7 thousand is required in 2022 for the Judicial Workflow Platform (JWP) to augment the project team with a JWP Software Programming Officer and a JWP analysis and training assistant.

#### D. Other IT capital investments

6. The Court requires an IT investment of €4,119.0 thousand over the course of the next four years to replace end-of-life infrastructure in the Court’s two data centres, the Court’s network, and hardware and other IT equipment in the courtrooms. The network and data centre hardware is the backbone of the Court’s ICT infrastructure while the courtroom hardware and associated IT equipment is essential to the Court’s core judicial operations. The components were implemented during the Court’s Permanent Premises Project and have a

<sup>1</sup> *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Tenth session, New York, 12-21 December 2011* (ICC-ASP/10/20), vol. II, part B.II, para. 22.

<sup>2</sup> CBF/34/10/4.

five- to fifteen-year lifespan depending on the hardware. Wherever possible, the Court tries to minimize the impact of hardware replacement needs on the budget by maximizing the useful lifespan of the hardware and employing gradual replacement strategies. However, in certain cases the complete replacement of infrastructure components is unavoidable and can even be more economically viable.

7. For 2022, IMSS is requesting a total of €438.0 thousand to replace end-of-life hardware: €263.0 thousand for the data centres, €105.0 thousand for courtroom hardware and the remaining €70.0 thousand for network infrastructure. These figures are included in the total Court-wide IT costs detailed in Annex X.

8. For 2023, IMSS forecasts a total investment of €641.0 thousand: €235.0 thousand for the network, €286.0 thousand for the courtrooms and €120.0 thousand for the data centre infrastructure renewal.

9. For 2024, IMSS forecasts a total investment of €1,282.0 thousand: €770.0 thousand for the ICT network, €392.0 thousand for the courtroom infrastructure and the remaining €120.0 thousand for the data centres.

10. For 2025, IMSS forecasts a total capital replacement investment of €1,758.0 thousand: €970.0 thousand for the Court's ICT network, €630.0 thousand for the data centres and the remaining €158.0 thousand for the courtroom infrastructure.

11. The forecasts presented here are based on currently available data on technological obsolescence, historical wear and tear, the Court's technology requirements and known ICT solutions. The Court will continue to update its forecasts annually.

## Annex XV

### Maintenance, operating costs and mid-term capital replacement plan for the Court's premises in 2022 (thousands of euros)

1. Overtime is required for facilities management technicians who respond to emergency calls to perform actions such as urgent repairs or operations outside working hours.
2. Maintenance of premises includes costs such as cleaning, landscaping, adjustments to premises, waste management and pest control.
3. Utilities costs comprise electricity, heating/cooling and sewage charges.
4. Maintenance of furniture and equipment involves repairs to furniture and soft furnishings.
5. Supplies and materials include crockery and cutlery for the cafeteria, and supplies for small repairs carried out directly by the Court's facilities management staff.
6. Furniture is replaced when broken beyond repair. This amount concerns the Headquarters building only.

<b>General Services Section</b>	
Overtime	20.0
Maintenance of premises	864.3
Utilities	864.0
Maintenance of furniture and equipment	30.0
Supplies and materials	9.0
Furniture	35.0
<i>Subtotal General Services Section</i>	<i>1,822.3</i>
<b>Major Programme V – Premises</b>	
Capital replacements 2022	331.6
Preventive and corrective maintenance	1938.4
<i>Subtotal Major Programme V – Premises</i>	<i>2,270.0</i>
<b>Total</b>	<b>4,092.3</b>

## Annex XVI

### Savings and efficiencies achieved in 2021 and estimates for 2022

1. In accordance with the requests made by the Assembly of States Parties (“the Assembly”) and the Committee on Budget and Finance (“the Committee”), this annex provides detailed information on savings, efficiencies, non-recurrent costs and additional cost reductions. For the background on this initiative please refer to the relevant sections of the requests on savings and efficiencies.<sup>3</sup>

#### A. Savings

Description	Achieved output (2022 PPB)	2021 Costs avoided (baseline maintained) (thousands of euros)	2022 Reduction in baseline (thousands of euros)
Non-renewal of maintenance and support licence for Titus message marking.	Non-renewal of the maintenance and support licence for Titus message marking in 2021 due to reduced functionality and compatibility with remote working solutions will result in a baseline reduction of €13.0 thousand per annum from 2021 onwards.	-	13.0
Reduction in support costs for digital recording system.	On-the-job training for Audio-Visual Technicians to take over the first-line support role has enabled negotiation of a reduction in support costs from €206.0 thousand in 2021 to €142.0 thousand in 2022 (under lights-on costs).	-	64.0
Storage consolidation.	Consolidation of obsolete data storage in 2021 will reduce annual costs from €75.0 thousand to €50.0 thousand.	-	25.0
Upgrade and optimization of tape storage.	IMSS has found a way to upgrade its tape storage solution to allow for higher capacity per tape, thereby reducing the number of tapes required and stored offsite and reducing the relevant expenditure under lights-on costs from €25.0 thousand in 2021 to €5.0 thousand per annum as of 2022.	-	20.0
Non-renewal of maintenance and support for IBM SPSS add-on PS QUAESTIO PRO.	Following a review of usage and strategy it was decided to decommission this tool. The IMGB has approved non-renewal of the support from 2022 onwards.	-	5.4
Non-renewal of maintenance and support for Prezi presentation software.	In view of the consolidation of the application landscape, the IMGB has approved the non-renewal of the Prezi subscription.	-	1.5
Partnership with the United National International Computing Centre (UNICC): change of provider and recurrent reduction in costs to maintain the Court’s website, including the public streaming function.	IMSS has reviewed its hosting solutions and identified a new provider. UNICC is a not-for-profit cost-recovery organization which, through its extensive UN common system client base, is able to deliver cost-effective scalable solutions. The solution is open-source (Drupal), unlike SharePoint. UNICC has implemented several website hosting projects and has a proven track record with other organizations such as IOM, UNJSPF and UNOG. Lights-on support costs for the Court’s website will be reduced from €91.6 thousand in 2021 to €75.0 thousand per annum as of 2022.	-	75.0

<sup>3</sup> 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. I, part III, ICC-ASP/15/Res.1, section L, paras. 1-2; ICC-ASP/16/10, paras. 38-51 and Annex X; ICC-ASP/16/Res.1, section K, para. 2; ICC-ASP/17/5, para. 17.

Description	Achieved output (2022 PPB)	2021 Costs avoided (baseline maintained) (thousands of euros)	2022 Reduction in baseline (thousands of euros)
Rationalization of records management licensing costs.	IMSS is standardizing the Court's content management solution. Content will be moved in phases to SharePoint. The existing solution (HPE Records Manager) will be gradually phased out, reducing the number of licenses required each year. Maintenance costs will fall accordingly.	-	30.0
Interviews at HQ and remote interviews: in the OTP Investigation Division, since 2018 (security permitting), Europe-based witnesses have travelled to HQ as opposed to having 2 investigators travel to the witness's location. For 2022, the forecast includes only remote interviews.	For 2021, 25 HQ interviews and 30 remote interviews are forecast. This saves 2 investigators' travel costs. The total saving is €194.7 thousand, less the cost of witness travel to HQ in 25 instances. For 2022, 30 remote interviews are planned. HQ interviews will no longer be used. 30 remote interviews will save 2 investigators' travel costs, DSA and meeting room costs. The expected saving is €106.2 thousand.	150.7	106.2
Increased field presence in the Investigation Division: investigative capacity has been created in the field.	For 2021 it is forecast that 2 missions will not need to take place thanks to the presence of the following staff/positions in the field: 1. Situation-Specific Investigation Assistant (SSIA) #1 Côte d'Ivoire 2. SSIA #2 Côte d'Ivoire 3. SSIA Georgia 4. SSIA CAR 5. Assistant Investigator (P-1) Mali Funds required for travel and staff costs will be reduced, resulting in a saving of €214.0 thousand in 2021. The forecast saving in 2022 is €100.0 thousand on the assumption that field presences will be established in other situations yet to be determined.	214.0	100.0
Following discussion with MINUSMA Mission Support, meters have been installed at the Court's premises to reflect the actual costs incurred by MINUSMA for the provision of utilities, resulting in major savings in water and electricity use.	The new price agreement is expected to result in savings of €45.1 thousand. Use of premises is also expected to be less intensive than in 2021, thanks to remote working arrangements, leading to planned savings of €30.8 thousand.	-	30.8
Training by CMS staff of country office staff to manage video link support at country offices, resulting in travel savings for CMS.	Once COVID-19 restrictions are over, CMS travel will only be required for video links not taking place in a country office. In contrast with approved travel costs of €30.9 thousand in 2021 on an assumption of 90 witnesses, €13.4 thousand is requested for 2022 on an assumption of 101 witnesses.	-	17.5
Remote interpretation solutions will be used where possible and appropriate. Experience from the COVID-19 crisis has shown that remote interpretation can be a viable option e.g. for short meetings in locations with adequate technical infrastructure and for some non-judicial events.	Reduction in the increase in travel expenses based on service requests. Travel costs for interviews reduced by €16.0 thousand. 85 days of trips at UK DSA of EUR 330/day avoided. 60 days of support to VWS at EUR 97/day avoided. 20 days of travel for non-local field interpreters, at an estimated total cost of €6.7 thousand, avoided. Remote interpretation to support VWS activities, at a cost of €33.8 thousand, avoided.	90.4	-
A reduction is applied to the volume of field interpretation and situation language translation requests expected to be submitted by main service users, based on maximum and average expenditures by those service users over the previous 3 years.	Reduction in the increase in expenses for individual contractors based on service requests. Days of service at G-7 level reduced by 1,114 at an estimated EUR 112/day (local rate).	125.0	-

Description	Achieved output (2022 PPB)	2021 Costs avoided (baseline maintained) (thousands of euros)	2022 Reduction in baseline (thousands of euros)
In 2021, the Country Office (Côte d'Ivoire) initiated a competitive call for tenders for the provision of residential services, centralizing the provision of services previously organized through multiple vendors.	The estimates from multiple vendors totalled €73.9 thousand whereas the single-vendor estimate was €62.0 thousand. The selection of the centralized vendor as of 1 July 2021 will generate savings amounting to €10.9 thousand .	10.9	-
Following the introduction of the online Learning Management System, the Court has been able to reduce the amount of Court-wide training resources requested in the Registry's human resources budget.	Reduction of training resource requirements by €49.6 thousand.	-	49.6
Review of the services provided by the Facilities Management Unit of the General Services Section showed that the same services could be offered through a more flexible team structure.	Abolition of 3 GS-OL posts and addition of 1 P-3 post with the net effect of a reduction in the number of posts and a reduction in staff costs.	-	87.3
In 2020, the Kosovo Specialist Chambers started detention operations in Building 4 and took over an agreed share of duties. The Detention Section has been able to decrease the number of Custody Officers accordingly.	From a total of €1,940.0 thousand in general operating expenses in 2020, the Detention Section achieved a reduction of €106.0 thousand in 2021, which is expected to lead to a baseline reduction in 2022.	106.0	-
The Security and Safety section would ordinarily require 7 GTA Security Officers (as in the past) to provide security and safety services for 2 courtrooms concurrently. However, following revision of its business model and careful consideration of the activities expected to take place in 2022, the Section proposes to implement a flexible and more efficient approach whereby staffing needs are temporarily covered by 3 (FTE) GTA Security Officers and overtime in the amount of €112.0 thousand.	The proposed approach will allow the Section to achieve savings in the amount of approximately €99.6 thousand, representing the difference between, on the one hand, the cost of 3 GS-OL posts and overtime, and, on the other, the cost of 7 GS-OL posts.	-	257.4
<b>Total</b>		<b>697.0</b>	<b>882.7</b>

## B. Efficiencies

Description	Achieved output (2022 PPB)	2021 Costs avoided (baseline maintained) (thousands of euros)	2021 Efficiencies (thousands of euros)
The preparation of the 2022 PPB was the first instance of generalized use of the Business Planning and Consolidation (BPC) tool introduced 2 years ago. Comprehensive use of the tool allowed for more efficient use of staff time at the input phase, easier review of data by management, and quicker and more reliable production of management reports. With the operationalization of BPC, all sections are now in a position to enter their requirements for the following year's budget in the online platform. Data entered by each section can be easily reviewed by Directors and compiled in management reports by the Budget Section after Director approval. The reports produced are quickly available and error-free, as opposed to the unwieldy Excel-based compilations used previously.	For the Budget Section, the estimated efficiency gain is expected to correspond to approximately 2 weeks of work for a Budget Assistant (GS-OL) during the 3 months of intensive budget preparation between March and June. The task of Budget Assistants has changed from inputting data in a spreadsheet for creation of the budget to verifying BPC input in the SAP-based solution. The impact on the rest of the Court has not been evaluated.	-	4.5
The Budget Section plans to implement a new Court-wide process in 2022 to enable Certifying Officers to initiate transfers of funds in SAP, thereby eliminating the current resource-intensive paper-based process. The new process is expected to improve the quality of funds management by Certifying Officers while making the work of the Budget Section more efficient.	For the Budget Section, the estimated efficiency gain is expected to correspond to approximately 30% of the workload of a Budget Assistant.	23.0	-
Looking at ways to improve the current payroll and budget control process, DMS sections have identified an SAP tool to enhance data exchange between the Human Resources Section and the Budget Section: Personnel Cost Planning (PCP/PBC). The tool allows data transfer between the different modules of SAP involved in the payroll process, which will allow sections to improve that process by creating forecasting scenarios and possibly pre-booking salary costs in SAP.	With the implementation of the first phase of this new SAP solution, the Budget Section is expecting to reduce the number of transactions performed during monthly payroll runs by at least 50% in 2022. This corresponds to a reduction in time spent from about 1 day/month to half a day/month. The time gained will be used to analyse staff costs in order to enhance implementation forecasts and ultimately improve staff resource management to achieve higher year-end implementation rates.	-	2.1
Improved correlation and analysis via the Court's Threat Intelligence Platform.	This will allow the Information Security Unit to focus on more pressing information security events and indicators, reducing time spent on determining the relationships between, and relevance of, isolated events and incidents, and in turn enhancing the effectiveness and efficiency of the Unit in improving the visibility of information security risks during working hours. The existing procedure requires that suspicious events be identified, correlated and analysed for potential harm. The new process achieves this via automation, reducing the effort and time required of a human operator. The estimated reduction in effort is equivalent to 0.1 GS-OL FTE across the Unit.	-	7.7

Description	Achieved output (2022 PPB)	2021 Costs avoided (baseline maintained) (thousands of euros)	2021 Efficiencies (thousands of euros)
Improved policy and procedural controls for responding to and managing information security incidents at the Court.	Estimated saving of effort equivalent to 0.1 FTE overall across the Information Security Unit (distributed across 2 GS-OL, 1 P-3 and 1 P-4). IT/IM strategy and investments have reduced staff time by automating information security monitoring and reporting. Response time has also been reduced to meet the target of less than 30 minutes.	-	11.2
Increased automation of security event collection and analysis in the Court's Active Directory system	This saving is due to process automation within an existing manual procedure. The existing procedure requires that suspicious Active Directory events be identified, correlated and analysed for potential harm. The new process achieves this via automation, reducing the effort and time required of a human operator. The estimated reduction in effort is equivalent to 0.1 GS-OL FTE across the Unit.	-	7.7
Online training opportunities for staff to make better use of online subscriptions and freely available materials, and to facilitate and improve their access to relevant publications and research materials.	The Court has liaised with its existing vendors as well as the UN Headquarters Library and other database providers to offer dedicated free online training opportunities for Court staff and external counsel. In total, 186 individuals benefitted from 5 training sessions at no cost to the Court. These sessions reduce the time spent by Library staff on recurrent requests and by other Court staff on information retrieval. It is estimated that a complex research request answered by the Library is equivalent to 2.5 hours of staff time at P-2 level. A conservative estimate would therefore be that the staff trained saved an average of 2.5 hours on research, for a total of 465 hours of staff time saved.	29.9	-
Non-renewal of maintenance and support for Systran machine-assisted translation	Based on the research conducted by the owner of the software, OTP has suggested decommissioning the system from 2023 and ending official support and maintenance in 2022.	-	29.9
Automated early-morning system health checks are to be executed on all core IT components at country offices, generating an email detailing any problems found, which can then be dealt with pre-emptively rather than reactively.	Pre-emptive reporting of IT problems at country offices, enabling swifter and more efficient problem resolution.	-	-
Implementation of a new (low-level) satellite solution for Bangui providing greater bandwidth and a backup line, greatly improving the efficiency of the country office.	The service has not been operational long enough for a comparison in terms of connectivity issues, but the country office now has a second line dedicated to video teleconferencing for the same price as a single line before. As a result the connection no longer has to be discontinued during witness testimony.	-	-
The OTP Investigation Division has temporarily redeployed 2 staff members from other duties to assist the Darfur investigation team and the Investigative Analysis Section (on the situation in Côte d'Ivoire II), respectively, deprioritizing their existing tasks.	No recruitment processes necessary. Efficiency estimated at 1 month's work at P-3 level.	10.0	-
Within the Forensic Science Section, self-guided video tutorials on data collection and handling have been introduced. OTP users can self-enrol, which has freed up staff resources by not requiring any trainer time to run or schedule the sessions. The courses are (1) Automated data collection in OTP investigations and (2) Handling data through AXIOM Portable Case.	Efficiency equivalent to 10 days' work at P-3 level per year.	-	5.5

Description	Achieved output (2022 PPB)	2021 Costs avoided (baseline maintained) (thousands of euros)	2021 Efficiencies (thousands of euros)
The Forensic Science Section has introduced interactive mapping applications to replace paper and static maps.	The time saved through interactive mapping is equal to 3 months FTE at P-3 level.	-	30.7
Improvement in user training by the eCourt team: from in-person training to online video-recorded training.	After the initial work of creating the videos, training will be made available to end-users at will without requiring additional GS-OL time on the part of CMS. Efficiency gain estimated at 5 hours at P-2 level and 5 hours at GS-OL level.	-	0.6
Expertise retention: continuous promotion of mobility and optimization of human resources during periods of low hearing activity by deploying CMS staff to other teams in the Section or elsewhere in the Registry or Court, or to other international organizations on a staff exchange basis.	Assistance within CMS: hearing support staff assist other teams; Court Reporters assist Transcript Coordinators; 1 Audio-Visual Production Assistant assists eCourt support team; 1 GS-OL Court Records assistant regularly assists Court Clerks to prevent hearing cancellation in case of staff shortage. Assistance to other sections: 1 GS-OL assists VPRS for 75 hours FTE/month; 1 P-2 assists VPRS (116 days in 2020).	-	-
Improvement of administrative processing of year-end attendance records: creation and maintenance of a secured filing system in SharePoint to store the signed final attendance records of 30 CMS staff members for access by HRS. This is an efficient tool for HRS to monitor the review of attendance and has increased the efficiency of the process, which previously entailed copious correspondence and reminders to staff, leave certifications and messages to OHU. HRS has responded positively to this new working method and it may be extended to other sections.	Expected efficiency: on the basis of a month-long review process, an average of 3 working days at GS-OL level.	-	1.7
In judicial proceedings, physical binders of printed information (up to 10 binders per witness) prepared by parties were replaced by digital binders prepared once in the Ringtail evidence management system and made accessible to relevant users, leading to cost recovery on the actual quantity issued and approved.	Implementation in 2021 in 2 active cases led to savings of physical resources (printing) and work hours for GS-OL trial team staff in OTP and external counsel teams. The practice will be generalized in the future.	-	-
Improvement in processing user requests for assistance from the eCourt support team: from email to a centralized automated (SolvIT) system.	The centralized SolvIT system saves time on liaising with other teams in IMSS and forwarding tasks, and reduces request turnaround time. Because multiple parties are involved and there is no baseline, the resulting savings are difficult to estimate.	-	-
Clean-up and streamlining of Registry evidence metadata case-by-case (active cases). This continuous improvement measure is being implemented to remove unnecessary metadata fields and simplify downstream processes.	This new approach will save time for the eCourt team and Case Managers on disclosure uploads, and will facilitate migration to the JWP. The impact is difficult to estimate since the workload reduction is not uniform.	-	-
Creation of an automated process for Miscellaneous Obligating Documents (MODs).	This new SAP solution obviates the need for manual creation of MODs and will save approximately half a working day per month for a Finance Assistant. The time gained will be used to improve control of aged MOD advances.	-	2.1
Creation of an assessed contributions website to obviate the need for printing, stamping, scanning and mailing of letters.	Estimated efficiency of approximately 7 working days per year for the Associate Accounts and Contributions Officer (P-2). The time gained will be used to update and maintain the website. Postage and printing costs will also be reduced. States Parties will have easy online access to up-to-date information on their contributions.	-	2.4

Description	Achieved output (2022 PPB)	2021 Costs avoided (baseline maintained) (thousands of euros)	2021 Efficiencies (thousands of euros)
Automation of the completion of travel expense reports (TERs) via a paperless process.	The implementation of this SAP project in the Finance Section will save time by obviating the need to manually log the TERs received for settlement and attach the RM links to the TERs in SAP. The expected total reduction amounts to approximately 1 half day per month for the Finance Assistant (GS-OL), who will use the time saved to identify and resolve bottlenecks in the travel expense settlement process. This project will also benefit all travellers and country offices thanks to immediate receipt of TERs completed by the Finance Section.	-	2.2
On days within the contract period of field interpreters on which their assignment is cancelled due to changes in the Court schedule, remote terminology workshops are organized as a replacement activity.	Situation language terminology is consolidated without additional expense. The number of days of service required of 3 interpreters at an estimated local rate of €94/day is reduced by 11 days.	-	3.0
Through the flexible use of staff resources, additional language services are provided by LSS staff members who can translate from or into languages such as Arabic and Dutch; staff of the French Translation Unit assist with occasional operational interpretation assignments.	Reduction in cost of outsourcing Arabic and Dutch translation: about 86 thousand fewer words to be outsourced at €0.15 per word.	-	13.0
Where possible, field and operational interpretation assignments are performed by staff interpreters instead of individual contractors (accredited freelance field interpreters from the LSS roster). This solution is possible only for language combinations available in-house and when there are no hearings or other events at HQ requiring the services of staff interpreters.	Efficiencies on contractor fees and efficient use of in-house resources. 45 days of service covered by in-house staff at SG-PL level for an estimated efficiency gain of €257 per day.	-	11.6
Efficiencies achieved in procurement and grants management for the reparations process, including collective and individual awards, work with implementing partners and TFV overheads. Implementation of an efficient process for the purchase of goods.  The investment in SAP Grants Management (GM) for procurement and reparations transactions was a necessary technical improvement in the system architecture to ensure accurate data input and further reporting in accordance with the decisions of the Trial Chambers.	The TFV expects to achieve greater transparency and improved reporting to third parties. In the absence of a baseline at this time, the TFV can report that it is now able to execute reparations transactions in SAP GM and has incorporated 4 new implementing partners into its reparations programmes. This has been done with the same number of staff responsible for assisting with funds management. Once staff are proficient in the use of the system, additional reparations work with implementing partners is expected to be absorbed with the same amount of resources. The efficiency gain achieved is estimated at 0.1 FTE GS-OL.	-	7.7
The OTP preliminary examination process was reorganized to promote closer Office-wide integration, enhance the transition from preliminary examinations to investigations and further expand internal harmonization of standards and practices and internal knowledge transfer.	Thanks to closer collaboration by staff members from PES, ID and PD on preliminary examination analysis, the handover of cases from preliminary examination status to investigation status has been made easier. Case information no longer needs to be reworked by ID analysts to be usable within the Division's investigative analysis tools.	-	-

Description	Achieved output (2022 PPB)	2021 Costs avoided (baseline maintained) (thousands of euros)	2021 Efficiencies (thousands of euros)
Introduction of an automated SAP user management system.	SAP user maintenance was previously performed manually on the basis of SAP service requests. Automated SAP user management has reduced maintenance activities by 50% (1 GS-OL workday per month). The time gained will be spent on further automation and improvements in the administration of the SAP team.	-	4.2
The development of reports to monitor SAP licence usage at the Court (SAP licence management reporting) has increased the SAP team's ability to monitor licence usage on a monthly basis, thus limiting the work required for licence consolidation and reporting.	This is expected to reduce the licence reporting workload by 50% (2.5 GS-OL workdays per year). The time gained will be spent on further automation and improvements in the administration of the SAP team.	-	0.9
Development of online learning management solutions: improvement of the learning management system (LMS) master data interface.	Use of the LMS master data interface by HRS required a number of manual steps which have now been replaced by a fully automated interface, reducing the associated workload by 0.5 GS-OL workdays per month. The time gained will be spent on further automation and improvements in the administration of the SAP team.	-	2.1
Implementation of an automated Certified Sick Leave approval system.	The automated approval process has made sick leave approval less cumbersome for the OHU team. It has not changed the baseline but has enabled OHU to prioritize issues arising from the COVID-19 pandemic. Sick leave review time has been reduced by about 4 minutes GS-OL per case at about 25 cases per month.	-	0.9
Reduction of HQ cleaning contract costs	Cleaning contract costs reduced from €840.0 thousand pre-COVID-19 to €715.0 thousand for 2021 and 2022.	125.0	-
<b>Total</b>		<b>187.9</b>	<b>151.7</b>

### C. Non-recurrent costs

Description	Achieved output (2022 PPB)	2022 Reduction in baseline (thousands of euros)
Estimated costs of appointment for newly-elected Judges	Onboarding costs for incoming judges not applicable in 2022.	184.7
<b>Total</b>		<b>184.7</b>

## D. Additional cost reductions

Description	Achieved output (2022 PPB)	2021 Costs avoided (baseline maintained) (thousands of euros)	2022 Reduction in baseline (thousands of euros)
Increased use of online information security training during the COVID-19 pandemic for Information Security Unit staff	Increased use of online information security training during the COVID-19 pandemic, replacing ordinary in-person training, has resulted in savings of between €5.0 thousand and €10.0 thousand in 2020-2021 on the costs of training, travel and DSA for the Unit. However, the maintenance of necessary technical qualifications has been adversely affected.	10.0	-
Reduction in internet service provision costs due to country office downsizing in Kinshasa	Internet service provision costs in 2021 were €45.7 thousand. With the office move, the Court has been able to improve the connection quality (fibre-optic instead of VSAT) and reduce the annual cost of internet service provision to €17.0 thousand.	-	28.0
The downsizing of the Registry's operations in the DRC began in 2021 and will continue in 2022 with the closing of the country office premises in Kinshasa. The Court will retain the ability to liaise with the host Government and UN agencies and to provide limited transportation services through local staff based in Kinshasa. Likewise, whereas the country office in Abidjan will remain on the same premises as in the trial support phase, the Registry has taken active steps to shift resources from Côte d'Ivoire to Mali. Staff at the Mali country office will increasingly oversee activities in Côte d'Ivoire, for example in the areas of management and outreach.	In an effort to implement flexible solutions and take stock of the changes in operational requirements, 11 posts in country offices have been defunded in 2022.	-	456.0
<b>Total</b>		<b>10.0</b>	<b>484.0</b>

## Annex XVII

ICC Five-Year Time-Series Assumptions and Parameters:  
2018-2022

Comparison of assumptions and parameters: 2018-2022														
Parameter		2018 Approved and Actuals			2019 Approved and Actuals			2020 Approved and Actuals			2021 Approved		2022 Proposed	
		Approved	Actuals	Description	Approved	Actuals	Description	Approved	Actuals	Description	Approved	Description	Proposed	Description
1	Number of Court hearing days	400	93	Two courtrooms: CIV - 13 days, CAR I - 8 days, CAR II - 1 day, Darfur - 5 days, DRC - 5 days (for the completion of the Defence case), MLI - 3 days, UGA - 57 days, ICC-RoC46(3)-01/18 – 1 day (Rohingya people deportation). Variation mainly due to delays in the <i>Ongwen</i> and <i>Gbagbo and Blé Goude</i> cases, while a reduction in the number of defence witnesses also reduced the expected number of court hearing days in the <i>Bosco</i> case.	294	94	<i>Gbagbo and Blé Goudé</i> (CIV)[1]: 3 days; <i>Ongwen</i> (Uganda)[2]: 58 days; <i>Al Hassan</i> (Mali II): 8 days; <i>Ntaganda</i> (DRC): 4 days; <i>Lubanga</i> (DRC): 1 day; <i>Bemba</i> (CAR): 1 day; <i>Bemba et al.</i> (CAR): 2 days; <i>Al Bashir</i> (Darfur): 1 day; <i>Gaddafi</i> (LBV): 2 days; situation in Comoros: 2 days; <i>Ngaissona</i> (CAR II): 1 day; <i>Yekatom and Ngaissona</i> (CAR II): 7 days; situation in Afghanistan: 3 days; and <i>Banda</i> (Darfur): 1 day	0	71	<i>Al Hassan</i> : 48 days; <i>Gbagbo and Blé Goudé</i> : 4 days; <i>Ongwen</i> : 3 days; <i>Ntaganda</i> : 3 days; situation in Afghanistan: 1 day; <i>Abd-Al-Rahman</i> : 4 days; <i>Yekatom and Ngaissona</i> : 1 day; <i>Gicheru</i> : 1 day; <i>Gaddafi</i> : 1 day; 5 days in other proceedings, closed session/non-public	200	CAR II.b ( <i>Yekatom and Ngaissona</i> ): 100 days; Mali II ( <i>Al Hassan</i> ): 100 days	421	CAR II.b ( <i>Yekatom and Ngaissona</i> ): 154 days; Mali II ( <i>Al Hassan</i> ): 126 days; Uganda ( <i>Ongwen</i> ): 15 days; Sudan ( <i>Abd-Al-Rahman</i> ): 95 days; Kenya ( <i>Gicheru</i> ): 30 days
2	Number of situations under investigation	10	11	Burundi; CAR I; CAR II; CIV; DRC; Georgia; Kenya; Libya; Mali; Darfur; and Uganda	11	12	Burundi; CAR I; CAR II; CIV; DRC; Darfur; Georgia; Kenya; Libya; Mali; Uganda; and Bangladesh/ Myanmar	11	13	Afghanistan; Bangladesh/ Myanmar; Burundi; CAR I; CAR II; CIV; DRC; Darfur; Georgia; Kenya; Libya; Mali; and Uganda	13	Burundi; CAR I; CAR II; CIV; DRC; Darfur; Georgia; Kenya; Libya; Mali; Bangladesh/ Myanmar; Afghanistan; and Uganda	14	Burundi; CAR I; CAR II; CIV; DRC; Darfur; Georgia; Kenya; Libya; Mali; Bangladesh/ Myanmar; Afghanistan; and Uganda; and Palestine
3	Number of active investigations	6	7	Burundi; CAR II.a (Séléka); CAR II.b (anti-Balaka); CIV II; Georgia; Libya III; and Mali	8	9	Burundi; CAR II.a (Séléka); CAR II.b (anti-Balaka); CIV II; Darfur; Georgia; Libya III; Libya IV; Bangladesh/ Myanmar	9 <sup>1</sup>	10	Afghanistan; <sup>2</sup> Bangladesh/ Myanmar; Burundi; CAR II; CIV II; Darfur; Georgia; Libya III; Libya IV; and Mali	9 <sup>3</sup>	Burundi; CAR II; CIV II; Darfur; Georgia; Libya III; Mali; Bangladesh/ Myanmar; and Afghanistan	8	Bangladesh/ Myanmar; Burundi; CIV II; Darfur; Georgia; Libya III; Libya IV; and Libya V

<sup>1</sup> Nine active investigations but Darfur and DRC account for 12 months in total.

<sup>2</sup> On 5 March 2020, the Appeals Chamber decided unanimously to authorize the Prosecutor to commence an investigation into alleged crimes under the jurisdiction of the Court in relation to the situation in the Islamic Republic of Afghanistan. While the OTP has been authorized to investigate, it has also received a request from Afghanistan pursuant to article 18 of the Rome Statute. The Office has been carefully analysing the information in its possession and considering whether the information the Government of Afghanistan has provided has an impact on its own intended investigation. In view of this ongoing assessment, in addition to practical restrictions due to the world health crisis, the Office has not taken active investigative steps but is meeting its obligations under the Statute.

<sup>3</sup> Nine active investigations but not all for the full year: CAR II.a (6 months) and Georgia (6 months).

## Comparison of assumptions and parameters: 2018-2022

Parameter	2018 Approved and Actuals				2019 Approved and Actuals				2020 Approved and Actuals				2021 Approved		2022 Proposed	
	Approved		Actuals		Description		Approved		Actuals		Description		Approved		Description	
4	Unsealed warrants of arrest pending execution	14	15	Libya I (1); Libya II (1); Libya III (2); Darfur I, II and IV (4); <sup>4</sup> Darfur III (1); CIV I <i>bis</i> (1); DRC III and IV (1); Kenya article 70 (3); and Uganda (1)	16	16	CIV I <i>bis</i> (1); Darfur I (2), II, IV and V (2), III (1); DRC IV (1); Kenya article 70 (3); Libya I (1); Libya II (1); Libya III (2); and Uganda (2)	16	14	CIV I <i>bis</i> (1); Darfur I (1); <sup>5</sup> II, IV and V (2) and III (1); DRC IV (1); Kenya article 70 (2); <sup>6</sup> Libya I (1), II (1) and III (2); and Uganda (2)	16	CIV I <i>bis</i> (1); Darfur I (1), II (2), IV (1) and V (1); DRC IV (1); Kenya article 70 (3); Libya I (1), II (1) and III (2); and Uganda (2)	13	CIV I <i>bis</i> (1); Darfur I (1), II (2), IV (1) and V (1); DRC IV (1); Libya I (1), II (1) and III (2); and Uganda (2)		
5	Number of preliminary examinations	8-10	11	Afghanistan; Colombia; Gabon (closed on 21 September 2018); Guinea; Iraq/UK; Nigeria; Palestine; Ukraine; The Philippines (opened 8 February 2018); Venezuela (opened 8 February 2018); Bangladesh/Myanmar (opened 6 September 2018).	9	9	Colombia; Guinea; Iraq/UK; Nigeria; Palestine; Philippines; Ukraine; Venezuela; and Bangladesh/Myanmar	9	10	Bolivia; Colombia; Guinea; Iraq/UK; Nigeria; Palestine; Philippines; Ukraine; Venezuela I; and Venezuela II	9	Colombia; Guinea; Iraq/UK; Palestine; <sup>7</sup> Philippines; Ukraine; Venezuela I; and Venezuela II	8	Bolivia; Colombia; Guinea; Nigeria; Philippines; Ukraine; Venezuela I; and Venezuela II		
6	Number of trial teams <sup>8</sup> (Chambers)	5	7	Trial Chamber I ( <i>Gbagbo and Blé Goudé</i> ); Trial Chamber VI ( <i>Ntaganda</i> ); Trial Chamber IX ( <i>Ongwen</i> ); Trial Chamber VII ( <i>Bemba et al</i> (Article 70)); Trial Chamber VIII ( <i>Al Mahdi</i> ); Trial Chamber II Reparations ( <i>Lubanga</i> ); and Trial Chamber III Reparations ( <i>Bemba</i> )	6	6	Trial Chamber I ( <i>Gbagbo and Blé Goudé</i> ); Trial Chamber VI Trial and Reparations ( <i>Ntaganda</i> ); Trial Chamber IX ( <i>Ongwen</i> ); Trial Chamber II Reparations ( <i>Lubanga and Katanga</i> ); Trial Chamber VIII Reparations ( <i>Al Mahdi</i> ); ( <i>Al Hassan</i> )	4	6	Trial Chamber VI Reparations ( <i>Ntaganda</i> ); Trial Chamber IX ( <i>Ongwen</i> ); Trial Chamber X ( <i>Al Hassan</i> ); Trial Chamber V ( <i>Yekatom and Ngaïssona</i> ); Trial Chamber II Reparations ( <i>Lubanga and Katanga</i> ); and Trial Chamber VIII Reparations ( <i>Al Mahdi</i> )	6	Trial Chamber VI Reparations ( <i>Ntaganda</i> ); Trial Chamber IX ( <i>Ongwen</i> ); Trial Chamber II Reparations ( <i>Lubanga and Katanga</i> ); Trial Chamber VIII Reparations ( <i>Al Mahdi</i> ); Trial Chamber X ( <i>Al Hassan</i> ); and Trial Chamber V ( <i>Yekatom and Ngaïssona</i> )	8	Trial Chamber VI (reparations in <i>Ntaganda</i> ); Appeals Chamber or Trial Chamber IX (appeal or reparations in <i>Ongwen</i> ); Trial Chamber II (reparations in <i>Lubanga</i> and in <i>Katanga</i> - 2 months); Trial Chamber VIII (reparations in <i>Al Mahdi</i> ); Trial Chamber X ( <i>Al Hassan</i> ); and Trial Chamber V ( <i>Yekatom and Ngaïssona</i> ), (Abd-Al-Rahman) (Gicheru)		
7	Number of trial teams (OTP)	3	3	DRC ( <i>Ntaganda</i> ); CIV ( <i>Gbagbo and Blé Goudé</i> ); and Uganda ( <i>Ongwen</i> )	3	3	Uganda ( <i>Ongwen</i> ); Mali II ( <i>Al Hassan</i> ); and CAR II.b ( <i>Yekatom and Ngaïssona</i> )	2	3	CAR II.b ( <i>Yekatom and Ngaïssona</i> ); Mali II ( <i>Al Hassan</i> ); and pre-trial team for Darfur I ( <i>Abd-Al-Rahman</i> )	3	CAR II.b ( <i>Yekatom and Ngaïssona</i> ); Mali II ( <i>Al Hassan</i> ); and Darfur ( <i>Abd-Al-Rahman</i> )	5	CAR II.b ( <i>Yekatom and Ngaïssona</i> ); Mali II ( <i>Al Hassan</i> ); Darfur ( <i>Abd-Al-Rahman</i> ); CAR II.a ( <i>Said</i> ); and Kenya ( <i>Gicheru</i> )		
8	Number of Registry courtroom support teams	2	2	2 full courtroom teams to ensure maximum use of courtroom capacity with minimal increases in required resources	2	1 <sup>+</sup>	In the light of reduced judicial activities, fewer than 2 courtroom teams were required to provide support	1	1		1		2.5			

<sup>4</sup> This is the joinder of Darfur I with Darfur II and IV.<sup>5</sup> Ali Muhammad Ali Abd-Al-Rahman was transferred to the Court's custody on 9 June 2020 after surrendering himself voluntarily in the Central African Republic.<sup>6</sup> On 2 November 2020, Paul Gicheru surrendered to the authorities of the Netherlands pursuant to this warrant of arrest for offences against the administration of justice consisting in corruptly influencing witnesses of the Court. On 3 November 2020, Paul Gicheru was surrendered to the Court's custody after the completion of the necessary national proceedings.<sup>7</sup> Pending a decision of the Pre-Trial Chamber.<sup>8</sup> Trial teams are Chambers teams which may be assigned to handle preparations for upcoming trials, trial hearings, sentencing hearings and reparations hearings.

## Comparison of assumptions and parameters: 2018-2022

Parameter	2018 Approved and Actuals			2019 Approved and Actuals			2020 Approved and Actuals			2021 Approved		2022 Proposed	
	Approved	Actuals	Description	Approved	Actuals	Description	Approved	Actuals	Description	Approved	Description	Proposed	Description
9	Number of LRV teams within the OPCV	7	Trial: <i>Gbagbo and Blé Goudé</i> (1); <i>Ntaganda</i> (2); and <i>Ongwen</i> (1) Reparations: <i>Bemba</i> (1); <i>Lubanga</i> (1); and <i>Katanga</i> (1)	6	8	Pre-Trial: <i>Yekatom and Ngaissona</i> (2) Trial: <i>Ongwen</i> (1) Trial then Appeal: <i>Gbagbo and Blé Goudé</i> (1) Trial then Appeal and preparation for reparations: <i>Ntaganda</i> (2) Reparations: <i>Lubanga</i> (1); and <i>Katanga</i> (1)	4	9	Trial: <i>Ongwen</i> (1) Trial then Appeal: <i>Gbagbo and Blé Goudé</i> (1) Trial then Appeal and preparation for reparations: <i>Ntaganda</i> (2) Pre-Trial: <i>Yekatom and Ngaissona</i> (2) Reparations: <i>Lubanga</i> (1); and <i>Katanga</i> (1) Other proceedings (1)	9	<i>Ongwen</i> (1); <i>Katanga</i> (1); <i>Lubanga</i> (1); <i>Ntaganda</i> (2); <i>Yekatom and Ngaissona</i> (2); <i>Gbagbo and Blé Goudé</i> (1); and other proceedings (1) <sup>9</sup>	9	<i>Ongwen</i> (1); <i>Katanga</i> (1); <i>Lubanga</i> (1); <i>Ntaganda</i> (2); <i>Yekatom and Ngaissona</i> (2); <i>Abd-Al-Rahman</i> (1); <sup>10</sup> and other proceedings (1)
10	Number of languages supported in the courtroom	9	9 1-English, 2-French, 3-Swahili (Congolese), 4-Kinyarwanda, 5-Acholi, 6-Arabic, 7-Lingala, 8-Ateso, 9-Lango	10	10	1-Arabic, 2-English, 3-French, 4-Swahili (Congolese), 5-Kinyarwanda, 6-Acholi, 7-Sango, 8-Lingala, 9-Ateso, 10-Lango	3	6	1-Acholi, 2-English, 3-French, 4-Arabic, 5-Swahili, 6-Songhai	6	1-Acholi, 2-English, 3-French, 4-Bambara, 5-Arabic, 6-Sango	9	1-Acholi, 2-English, 3-French, 4-Bambara, 5-Arabic, 6-Sango, 7-Songhai, 8-Tamasheq, 9-German
11	Number of case-related languages supported	29	32 1-English, 2-French, 3-Acholi, 4-Arabic, 5-Arabic (Sudanese), 6-Swahili (Congolese), 7-Kinyarwanda, 8-Lingala, 9-Dioula, 10-Bambara, 11-Ateso, 12-Alur, 13-Sango, 14-Zaghawa, 15-Tamasheq, 16-Georgian, 17-Russian, 18-Songhai, 19-Lendu, 20-Guééré, 21-Lango, 22-Tigrinya, 23-Fulfulde, 24-Dari, 25-Pashto, 26-Kirundi, 27-Kihema, 28-Mòoré, 29-Amharic, 30-classified, 31-Hebrew, 32-Ukrainian	29	27	1-English, 2-French, 3-Acholi, 4-Arabic, 5-Arabic (Sudanese), 6-Swahili (Congolese), 7-Kinyarwanda, 8-Lingala, 9-Dioula, 10-Bambara, 11-Ateso, 12-Alur, 13-Sango, 14-Zaghawa, 15-Tamasheq, 16-Georgian, 17-Russian, 18-Songhai, 19-Lendu, 20-Dutch, 21-Lango, 22-Burmese, 23-Bangla (Bengali), 24-Dari, 25-Pashto, 26-Kirundi, 27-Rohingya	33	24	1-English, 2-French, 3-Acholi, 4-Arabic, 5-Arabic (Sudanese), 6-Swahili (Congolese), 7-Kinyarwanda, 8-Lingala, 9-Dioula, 10-Bambara, 11-Bangla (Bengali), 12- Burmese, 13-Sango, 14-Zaghawa, 15-Tamasheq, 16-Georgian, 17-Songhai, 18-Lango, 19-Dari, 20-Dutch, 21-Pashto, 22-Kirundi, 23-Rohingya, 24- Hebrew	36	1-English, 2-French, 3-Acholi, 4-Arabic, 5-Arabic (Sudanese), 6-Swahili (Congolese), 7-Kinyarwanda, 8-Lingala, 9-Dioula, 10-Bambara, 11-Mòoré, 12-Ateso, 13-Alur, 14-Sango, 15-Zaghawa, 16- Fur, 17-Tamasheq, 18-Georgian, 19-Russian, 20-Songhai, 21-Lendu, 22-Guééré, 23-Lango, 24-Tigrinya, 25-Fulfulde, 26-Dari, 27-Pashto, 28-Kirundi, 29-Amharic, 30-classified (A), 31-Hebrew, 32-Ukrainian, 33-Burmese, 34-Bengali, 35-Rohingya, 36-classified (B)	36	1-English, 2-French, 3-Acholi, 4-Arabic, 5-Arabic (Sudanese), 6-Swahili (Congolese), 7-Kinyarwanda, 8-Lingala, 9-Dioula, 10-Bambara, 11-Mòoré, 12-Ateso, 13-Alur, 14-Sango, 15-Zaghawa, 16- Fur, 17-Tamasheq, 18-Georgian, 19-Russian, 20-Songhai, 21-Lendu, 22-Guééré, 23-Lango, 24-Tigrinya, 25-Fulfulde, 26-Dari, 27-Pashto, 28-Kirundi, 29-Amharic, 30-classified (A), 31-Hebrew, 32-Ukrainian, 33-Burmese, 34-Bengali, 35-Rohingya, 36-classified (B)

<sup>9</sup> This team covers the residual proceedings in which the OPCV is involved (*Gaddafi* admissibility, *Comoros* appeal, etc.).<sup>10</sup> The type of legal representation (legal aid or LRV) is to be determined: placeholder for future budgeting.

## Comparison of assumptions and parameters: 2018-2022

Parameter		2018 Approved and Actuals			2019 Approved and Actuals			2020 Approved and Actuals			2021 Approved		2022 Proposed	
		Approved	Actuals	Description	Approved	Actuals	Description	Approved	Actuals	Description	Approved	Description	Proposed	Description
12	Number of languages supported for correspondence with States Parties	8	9	1-English, 2-French, 3-Arabic, 4-Spanish, 5-Dutch, 6-German, 7-Portuguese, 8-Georgian, 9-Russian	8	7	1-English, 2-French, 3-Sango, 4-Spanish, 5-Italian, 6-Portuguese, 7-Georgian	7	8	1-English, 2-French, 3-Arabic, 4-Spanish, 5-German, 6-Portuguese, 7-Italian, 8-Acholi	8	1-English, 2-French, 3-Arabic, 4-Spanish, 5-Dutch, 6-Italian, 7-Portuguese, 8-Sango	8	1-English, 2-French, 3-Arabic, 4-Spanish, 5-Dutch, 6-Italian, 7-Portuguese, 8-Sango
13	Number of final appeals	9 <sup>11</sup>	8 <sup>12</sup>	<i>Bemba</i> (main case) – conviction and sentence; <i>Bemba et al.</i> (article 70) – conviction and re-sentencing <i>Katanga</i> reparations; <i>Al Mahdi</i> – reparations; <i>Lubanga</i> – reparations	5 <sup>13</sup>	5	<i>Ntaganda</i> (article 74; article 76); <i>Gbagbo and Blé Goudé</i> (article 74); <i>Bemba et al.</i> (article 76); and <i>Lubanga</i> .	1 <sup>14</sup>	2	<i>Ntaganda</i> ; and <i>Gbagbo and Blé Goudé</i>	4	<i>Ntaganda</i> (article 74, article 76) ; <i>Gbagbo and Blé Goudé</i> (article 74); and <i>Ongwen</i> (article 74) <sup>15</sup>	1	<i>Ongwen</i> (article 74)
14	Number of witnesses appearing for testimony	132	39	Average time: 3 days per witness Assumptions were based on the number of Court days and average duration of witness testimony in the absence of indication from the Defence teams on the number of witnesses to testify at the time the budget was prepared. Only one Defence witness testified in the <i>Bosco</i> case, One Prosecution witness in the <i>Gbagbo and Blé Goudé</i> case and the Defence presentation of witnesses did not start in 2018. 37 witnesses testified in the <i>Ongwen</i> case.	103	44	The acquittal in the <i>Gbagbo and Blé Goudé</i> case significantly affected the projection made at the time of budget preparation. The average duration of testimony was slightly less than 1 day and a half	0	20	Represents the total number of witness appearances for the <i>Al Hassan</i> and the <i>Yekatom and Ngaissona</i> trials	90	<i>Al Hassan</i> (50); and <i>Yekatom and Ngaissona</i> (40)	131	<i>Al Hassan</i> (42); <i>Yekatom and Ngaissona</i> (59) and <i>Abd-Al-Rahman</i> (30)

<sup>11</sup> Number of trial judgments being appealed. In all, 18 appeals have been filed by the parties in respect of the following decisions: *Bemba* main case (Accused appealing conviction; Accused and Prosecutor appealing sentence; one appeal against reparations decision); *Bemba et al.* article 70 case (five Accused appealing conviction; three Accused and Prosecutor appealing sentence); *Ntaganda* (conceivably one appeal); *Katanga* (Accused, OPCV and LRV appealing reparations decision); *Al Mahdi* (LRV appealing reparations decision).

<sup>12</sup> Number of trial judgments being appealed. In all, 19 appeals have been filed by the parties in respect of these decisions: *Bemba* main case (Accused appealing conviction; Accused and Prosecutor appealing sentence); *Bemba et al.* article 70 case (five Accused appealing conviction; three Accused and Prosecutor appealing sentence; one party appealing resentencing decision); *Katanga* (Accused, OPCV and LRV appealing reparations decision); *Al Mahdi* (LRV appealing reparations decision); *Lubanga* (two appeals against reparations decision).

<sup>13</sup> Number of trial judgments being appealed. More than one appeal might be lodged against a given judgment, resulting in a higher workload.

<sup>14</sup> The nature of the appeals process is such that, until a judgment is issued by a Trial Chamber, it cannot be said that a final appeal is “certain”. However, it is highly likely that a decision of a Trial Chamber (either to convict or acquit) will result in at least one appeal.

<sup>15</sup> The nature of the appeals process is such that, until a judgment is issued by the Trial Chamber in *Ongwen*, it cannot be said that a final appeal is “certain”. However, it is highly likely that the decision of the Trial Chamber (either to convict or acquit) will result in at least one appeal.

## Comparison of assumptions and parameters: 2018-2022

Parameter	2018 Approved and Actuals			2019 Approved and Actuals			2020 Approved and Actuals			2021 Approved		2022 Proposed	
	Approved	Actuals	Description	Approved	Actuals	Description	Approved	Actuals	Description	Approved	Description	Proposed	Description
15 Expected maximum duration of stay per witness	14	12	8 preparation and/or familiarization days + 3 hearing days + 3 days (weekends/possible breaks) = 14 days on average per witness. Most of the witnesses who testified appeared in the <i>Ongwen</i> case in which the Chamber did not authorise preparation of witnesses by the calling party.	10	16	5 preparation and/or familiarization days + 2 hearing days + 3 days (weekends/possible breaks) = 10 days average per witness. One expert witness stayed for 16 days. The longest duration for a fact witness was 12 days. Both witnesses appeared in the <i>Ongwen</i> case	10	37	5 preparation and/or familiarization days + 2 hearing days + 3 days (weekends/possible breaks) = 10 days average per witness. The figure reflects a longer period between arrival and testimony of one witness compared to the overall average	10	3 preparation days + 2 familiarization days + 2 hearing days + 3 days (weekends and/or breaks) = 10 days on average per witness	10	3 preparation days + 2 familiarization days + 2 hearing days + 3 days (weekends and/or breaks) = 10 days on average per witness
16 Number of victims applying for participation/ reparations <sup>16</sup>	7,400	5,624 <sup>17</sup>	AFG (771); BAN (21); CAR I ( <i>Bemba</i> )(29); CIV II (3,899); DRC VI ( <i>Ntaganda</i> )(47); MLI ( <i>Al Mahdi</i> and <i>Al Hassan</i> )(849); SDN (8).	7,500	5,134	CAR II.b (1,251); Mali II (968); Bangladesh/ Myanmar (339); CAR I (2,248); DRC (328)	4,250 <sup>18</sup>	4,538	Applications for participation and/or reparations: AFG (10); CAR II (900); DRC (485); Mali I and II (2,368); and Sudan (775)	7,800	CAR II (500); Mali (800); AFG (500); MMR (500); DRC (1,000); UGA (2,500); and Darfur (2,000)	7,800	CAR II (1,000); Mali (500); DRC (800); UGA (3,000); Darfur (1,500); and other situations (1,000)
17 Number of witnesses and victims under protection	100	130	Witnesses/victims under VWS protection include: ICCPP, assisted move assessment and other forms of protection	90	75	The number decreased due to the successful implementation of risk reduction measures aimed at protecting a witness or victim	170	108	Witnesses/victims and others at risk on account of testimony under VWS protection, including ICCPP and other forms of protection	75	Witnesses/victims and others at risk on account of testimony under VWS protection, including ICCPP and other forms of protection	115	Witnesses/victims and others at risk on account of testimony under VWS protection, including ICCPP and other forms of protection
18 Number of persons under protection	575	548	A total of 548 (130 witnesses/victims and 418 dependents) were under the protection and care of the VWS in 2018.	450	388	The number decreased due to the successful implementation of risk reduction measures aimed at protecting a witness or victim	650	569	108 witnesses/victims and 461 dependents	470	Witnesses/victims and their dependents who could be under the protection and care of the VWS in 2021	590	Witnesses/victims and their dependents who could be under the protection and care of the VWS in 2022
19 Number of suspects/ accused appearing before the Court <sup>19</sup>	9	9	Bemba; Kilolo; Mangenda; Ntaganda; L. Gbagbo; Blé Goudé; Ongwen; Al Hassan; and Yekatom.	8	8	Al Hassan; Bemba; Ntaganda; L. Gbagbo; Blé Goudé; Ongwen; Yekatom; and Ngaïssona	0	7	Al Hassan; Abd-Al-Rahman; Gbagbo; Blé Goudé; Gicheru; Ongwen; and Ntaganda	8	Al Hassan; Ntaganda; Ongwen; Yekatom; Ngaïssona; Gbagbo; Blé Goudé; and Abd-Al-Rahman	46	Al Hassan; Ongwen; Yekatom; and Ngaïssona; <i>Abd-Al-Rahman</i> ; <i>Gicheru</i>

<sup>16</sup> Figures represent the number of individual applications expected to be received. Applications for participation and applications for reparations are counted separately. Submissions of additional information are also counted separately where full Registry data entry and legal assessment is required (e.g. where an additional form is received).

<sup>17</sup> This figure includes any type of information received from victims (i.e. application forms for participation and/or reparations, representation forms and follow-up documents complementing the two categories of form).

<sup>18</sup> Figures represent the number of individual applications expected to be received. Applications for participation and applications for reparations are counted separately. Submissions of additional information are also counted separately where full Registry data entry and legal assessment is required (e.g. where an additional form is received).

<sup>19</sup> For the purposes of this document only, the term “accused” includes persons who have been acquitted or convicted at first instance and whose cases are awaiting the outcome of a final appeal. Persons appearing before the Court solely for reparations proceedings are outside the scope of this definition.

## Comparison of assumptions and parameters: 2018-2022

Parameter	2018 Approved and Actuals				2019 Approved and Actuals			2020 Approved and Actuals			2021 Approved		2022 Proposed	
	Approved	Actuals	Description		Approved	Actuals	Description	Approved	Actuals	Description	Approved	Description	Proposed	Description
20	Number of suspects, accused or convicted persons in detention	6	8	Bemba; Ntaganda; L. Gbagbo; Blé Goudé; Ongwen; Al Mahdi; Al Hassan (surrendered on 31 March 2018); Yekatom (surrendered on 17 November 2018).	5	7	Ntaganda; L. Gbagbo; Blé Goudé; Ongwen; Al Hassan; Yekatom; and Ngaißsona	1	7	Ntaganda; Ongwen; Al Hassan; Yekatom; Ngaißsona; Abd-Al-Rahman; and Gicheru	6	Al Hassan; Ntaganda; Ongwen; Yekatom; Ngaißsona; and Abd-Al-Rahman	6	Al Hassan; Ongwen; Yekatom; Ngaißsona; Abd-Al-Rahman; and Said
21	Number of cells required	6	6 <sup>20</sup>	Renting model: either 6 or 12 cells. For 5 detainees: one 6-cell block	6	12	Implementation of judicial and administrative decisions	6	12	Renting model is either 6 or 12 cells. For one detainee: one 6-cell block	6	Renting model is either 6 or 12 cells. For one detainee: one 6-cell block	6	Renting model is either 6 or 12 cells. For one detainee: one 6-cell block
22	Number of defence teams financed by legal aid	14	15	Pre-Trial: <i>Al Hassan; Yekatom</i> ; Trial: <i>Ntaganda; L. Gbagbo; Blé Goudé; Ongwen</i> ; Appeals: <i>Bemba</i> (Art. 70); <i>Kilolo</i> ; <i>Mangenda</i> ; <i>Babala</i> ; <i>Arido</i> ; Reparations: <i>Lubanga; Katanga; Al Mahdi; and Banda</i> .	10	11	Pre-Trial: <i>Banda; Al Hassan</i> ; and <i>Yekatom and Ngaißsona</i> ; Trial: <i>Ntaganda; L. Gbagbo; Blé Goudé</i> ; and <i>Ongwen</i> Reparations: <i>Katanga; Lubanga</i> ; and <i>Al Mahdi</i>	11	13	Pre-Trial: <i>Abd-Al-Rahman</i> ; and <i>Gicheru</i> Trial: <i>Al Hassan</i> ; and <i>Yekatom and Ngaißsona</i> Appeals: <i>Ntaganda; Ongwen; Gbagbo</i> ; and <i>Blé Goudé</i> Trial (reduced): <i>Banda</i> Reparations (reduced): <i>Al Mahdi; Katanga</i> ; and <i>Lubanga</i>	11	Pre-trial: <i>Gaddafi</i> (reduced); and <i>Abd-Al-Rahman</i> Trial: <i>Al Hassan; Yekatom and Ngaißsona</i> ; and <i>Banda</i> (reduced) Appeals: <i>Ntaganda; Ongwen; Gbagbo</i> ; and <i>Blé Goudé</i> Reparations: <i>Al Mahdi</i> (reduced)	11	Pre-trial: <i>Gaddafi</i> (reduced); <i>Said</i> Trial: <i>Al Hassan; Yekatom and Ngaißsona</i> ; <i>Abd-Al-Rahman</i> , <i>Gicheru</i> and <i>Banda</i> (reduced) Appeals: <i>Ongwen</i> Reparations: <i>Ntaganda</i> ; and <i>Al Mahdi</i> (reduced)
23	Number of victims' representatives financed by legal aid	6	6	<i>Lubanga</i> (two teams); <i>Katanga</i> ; <i>Bemba</i> ; <i>Al Mahdi</i> ; <i>Ongwen</i> .	5	7	<i>Katanga</i> ; <i>Lubanga</i> (I and II); <i>Al Mahdi</i> ; <i>Ongwen</i> ; <i>Al Hassan</i> ; and <i>Yekatom and Ngaißsona</i>	7	7	<i>Katanga</i> ; <i>Lubanga</i> (I and II); <i>Al Mahdi</i> ; <i>Ongwen</i> ; <i>Al Hassan</i> ; and <i>Yekatom and Ngaißsona</i>	9	Pre-trial: <i>Abd-Al-Rahman</i> <sup>21</sup> Trial: <i>Al Hassan</i> <i>Yekatom and Ngaißsona</i> ; and <i>Banda</i> (reduced) Reparations: <i>Katanga; Lubanga</i> (I and II); <i>Al Mahdi</i> ; and <i>Ongwen</i>	8	Pre-trial: <i>Said</i> ; <sup>22</sup> Trial: <i>Al Hassan</i> ; and <i>Yekatom and Ngaißsona</i> Reparations: <i>Katanga; Lubanga</i> (I and II); <i>Al Mahdi</i> ; and <i>Ongwen</i>
24	Number of country offices/presences <sup>23</sup>	8	7	2 in the DRC (Kinshasa and Bunia); 1 in Uganda (Kampala); 1 in the CAR (Bangui); 1 in Côte d'Ivoire (Abidjan); 1 in Mali (Bamako); and 1 in Georgia (Tbilisi)	7	7	1 in the CAR (Bangui); 1 in Côte d'Ivoire (Abidjan); 2 in the DRC (Kinshasa and Bunia); 1 in Georgia (Tbilisi); 1 in Mali (Bamako); and 1 in Uganda (Kampala)	8	8	1 in the CAR (Bangui); 1 in Côte d'Ivoire (Abidjan); 2 in the DRC (Kinshasa and Bunia); 1 in Georgia (Tbilisi); 1 in Mali (Bamako); 1 in Uganda (Kampala); and 1 Liaison Office to the United Nations (New York)	8	1 in the CAR (Bangui); 1 in Côte d'Ivoire (Abidjan); 2 in the DRC (Kinshasa and Bunia); 1 in Georgia (Tbilisi); 1 in Mali (Bamako); and 1 Liaison Office to the United Nations (New York)	8	1 in the CAR (Bangui); 1 in Côte d'Ivoire (Abidjan); 2 in the DRC (Kinshasa and Bunia); 1 in Georgia (Tbilisi); 1 in Mali (Bamako); 1 in Uganda (Kampala); and 1 Liaison Office to the United Nations (New York)
25	Number of planning stage investigations												2	Afghanistan and Palestine

<sup>20</sup> As a result of a decision from a Chamber, additional cells had to be rented for almost five months, but the year started and ended with six cells.

<sup>21</sup> The type of legal representation (legal aid or LRV) is to be determined: placeholder for future budgeting.

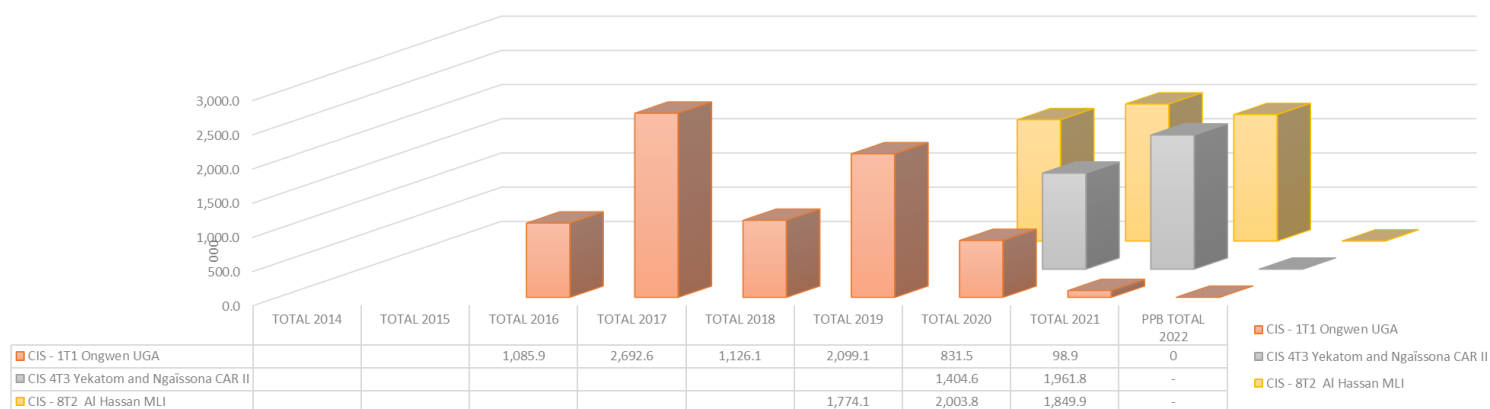
<sup>22</sup> The type of legal representation (legal aid or LRV) is to be determined: placeholder for future budgeting.

<sup>23</sup> The "field offices" have been renamed "country offices" as of the 2019 Proposed Programme Budget.

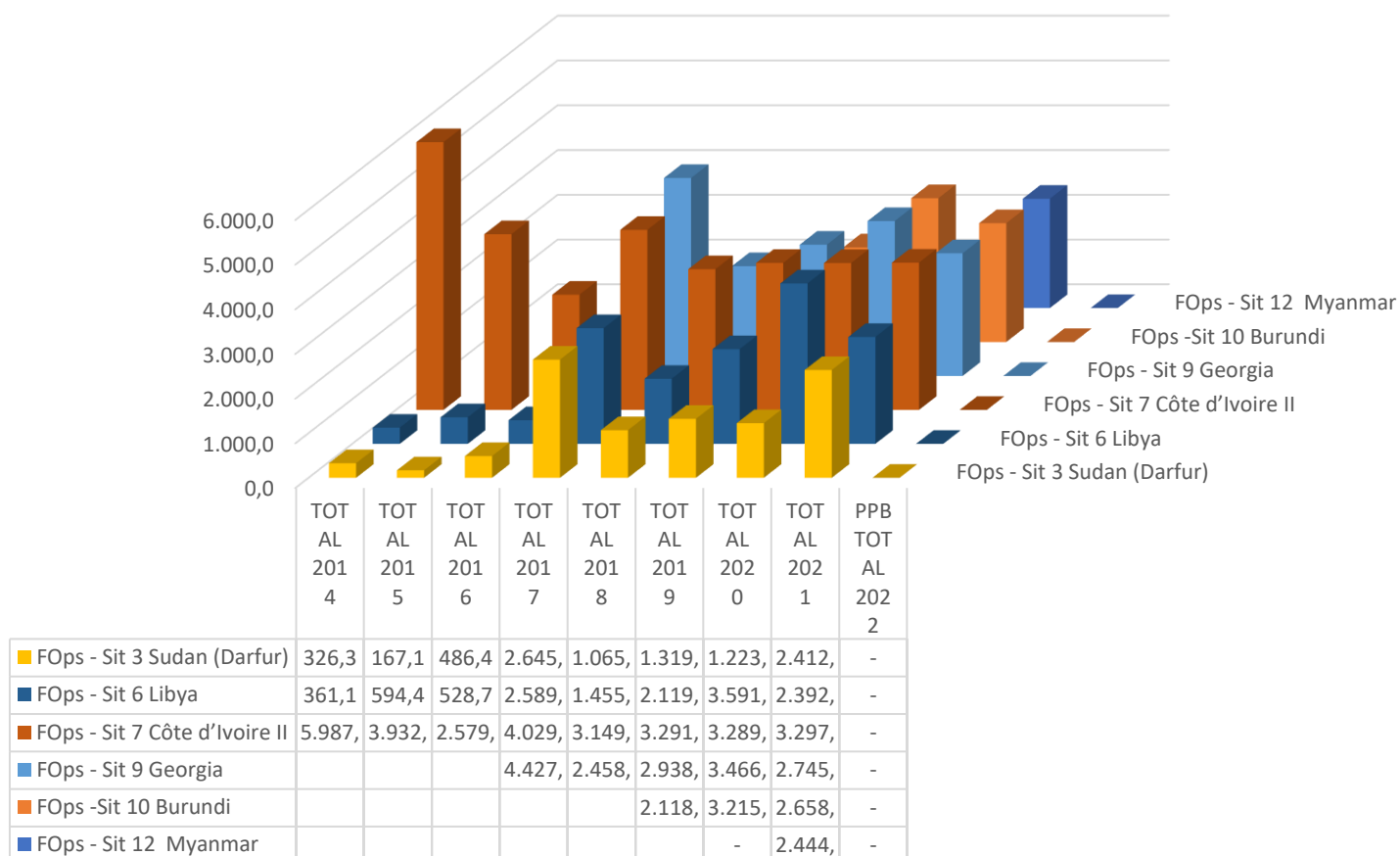
## Annex XVIII

## MP II Resource Allocation by Situation

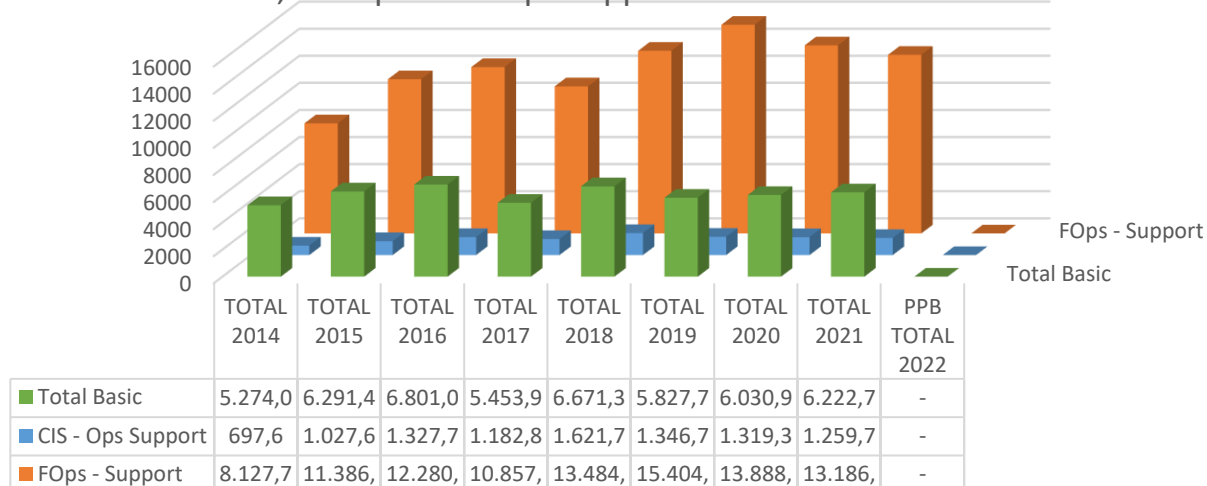
MP II Court In Session (CIS) / Cases at Trial Resource Allocation



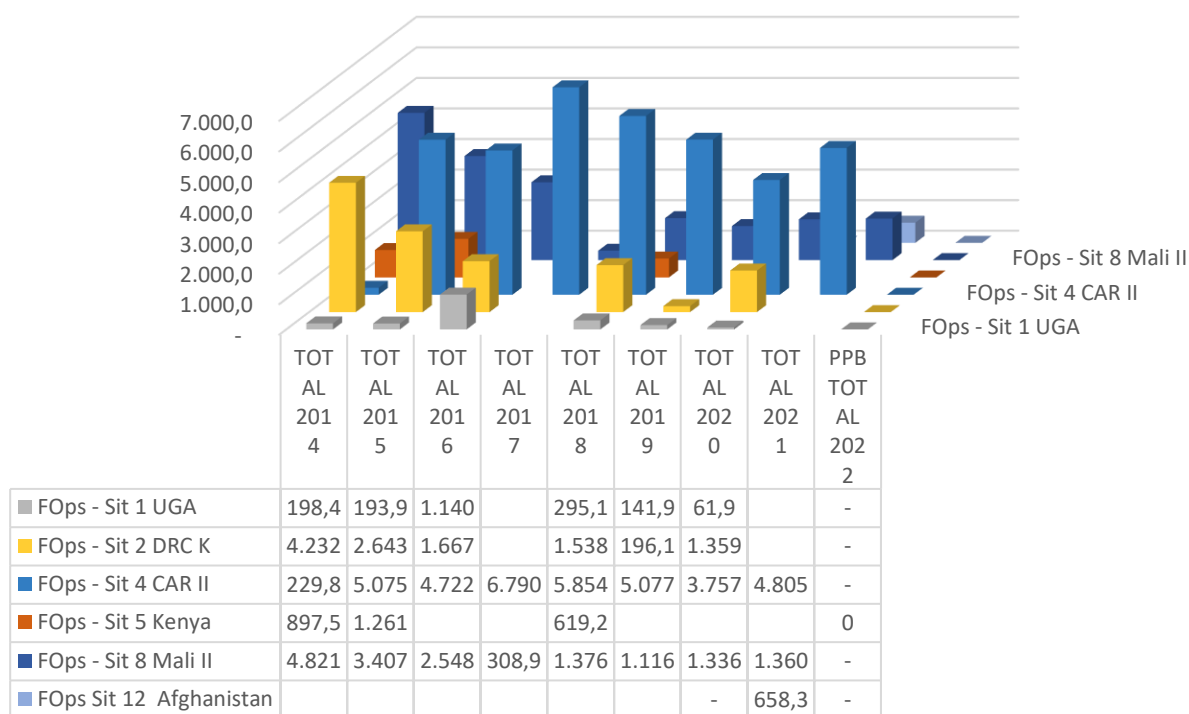
MP II Active Investigations Resource Allocation



## Basic, CIS Ops and FOps Support Resource Allocation



## Other situations and cases



2020 Budget Allocation Technical Information		
SITUATIONS	Current Cat. Key	Trial/Case Description
Trial General	CIS Ops	Court-in-Session Operatic
UGA	CIS 1T1	Court-in-Session - Ongwe
CAR	CIS 4T3	Court-in-Session - Yekator
MLI	CIS 8T2	Court-In-Session - Al Hassan MLI
ICC GEN	Basic	ICC Basic
Situation General	FOps	FO Operational support
AFG	FOps Afghanistan	FO Afghanistan
BDI	FOps Burundi	FO Burundi
CAR	FOps CAR II(a)	FO Central African Republ
CAR	FOps CAR II(b)	FO Central African Republ
CIV	FOps CIV II	FO Côte d'Ivoire
GEO	FOps GEO	FO Georgia
LBY	FOps Libya	FO Libya
MLI	FOps Mali II	FO Mali II
MMR	FOps Myanmar	FO Bangladesh/Myanmar
SUD	FOps Sudan	FO Sudan (Darfur)

## Annex XIX

### Major Programme II – Office of the Prosecutor Budget proposal by Programme (former structure presentation)

1. The new structure in the Office of the Prosecutor has replaced the organization by Programme (e.g.: 2100, 2200, 2300 and 2400) with a pillars' organization. In order to maintain continuity with the previous budgets' presentation of the information, this Annex shows the 2022 budget proposal using the former Programme format. Starting with the 2023 Proposed Programme Budget, the information will only be presented in the pillars' format. By that time, a three-year series with the new format will be available.

Major Programme II Office of the Prosecutor	2020 Expenditures (thousands of euro)			2021 Approved Budget	Resource Changes		Proposed 2022 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				27,999.3	872.1	3.1	28,871.4
General Service staff				5,032.6	245.7	4.9	5,278.3
<i>Subtotal staff</i>	<i>32,348.9</i>	<i>-</i>	<i>32,348.9</i>	<i>33,031.9</i>	<i>1,117.8</i>	<i>3.4</i>	<i>34,149.7</i>
General temporary assistance	9,915.5	117.6	10,033.1	11,200.2	1,643.7	14.7	12,843.9
Temporary assistance for meetings	3.0	-	3.0	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>9,918.5</i>	<i>117.6</i>	<i>10,036.1</i>	<i>11,200.2</i>	<i>1,643.7</i>	<i>14.7</i>	<i>12,843.9</i>
Travel	1,212.0	10.5	1,222.5	1,973.7	276.1	14.0	2,249.8
Hospitality	3.0	-	3.0	5.0	-	-	5.0
Contractual services	417.9	-	417.9	370.0	188.4	50.9	558.4
Training	6.6	-	6.6	10.0	90.0	900.0	100.0
Consultants	90.6	19.7	110.3	50.0	100.0	200.0	150.0
General operating expenses	633.1	-	633.1	440.0	237.0	53.9	677.0
Supplies and materials	88.4	7.1	95.5	80.0	35.0	43.8	115.0
Furniture and equipment	141.7	-	141.7	174.0	306.0	175.9	480.0
<i>Subtotal non-staff</i>	<i>2,593.2</i>	<i>37.3</i>	<i>2,630.5</i>	<i>3,102.7</i>	<i>1,232.5</i>	<i>39.7</i>	<i>4,335.2</i>
<b>Total</b>	<b>44,860.6</b>	<b>154.9</b>	<b>45,015.5</b>	<b>47,334.8</b>	<b>3,994.0</b>	<b>8.4</b>	<b>51,328.8</b>

II	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
<b>Established Posts</b>														
Approved 2021	1	1	-	3	18	36	77	79	25	240	1	79	80	320
New	-	1	-	-	-	-	1	1	-	3	-	3	3	6
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	(1)	(1)	-	(3)	(3)	(4)
<b>Proposed 2022</b>	<b>1</b>	<b>2</b>	<b>-</b>	<b>3</b>	<b>18</b>	<b>36</b>	<b>78</b>	<b>80</b>	<b>24</b>	<b>242</b>	<b>1</b>	<b>79</b>	<b>80</b>	<b>322</b>
<b>GTA Positions (FTE)</b>														
Approved 2021	-	-	-	-	0.08	7.00	34.58	24.50	9.00	75.17	1.00	28.25	29.25	104.42
Continued	-	-	-	-	1.00	7.00	34.50	24.00	8.00	74.50	1.00	27.17	28.17	102.67
New	-	-	-	-	-	3.42	1.00	6.17	-	10.58	-	4.50	4.50	15.08
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Proposed 2022</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1.00</b>	<b>10.42</b>	<b>35.50</b>	<b>30.17</b>	<b>8.00</b>	<b>85.08</b>	<b>1.00</b>	<b>31.67</b>	<b>32.67</b>	<b>117.75</b>

Immediate Office of the Prosecutor	2020 Expenditures (thousands of euros)			2021 Approved Budget	Resource Changes		Proposed 2022 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				4,290.9	(7.0)	(0.2)	4,283.9
General Service staff				2,517.6	59.1	2.3	2,576.7
<i>Subtotal staff</i>	<i>6,161.8</i>	<i>-</i>	<i>6,161.8</i>	<i>6,808.5</i>	<i>52.1</i>	<i>0.8</i>	<i>6,860.6</i>
General temporary assistance	2,754.8	0.3	2,755.1	3,552.6	334.1	9.4	3,886.7
Temporary assistance for meetings	3.0	-	3.0	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>2,757.8</i>	<i>0.3</i>	<i>2,758.1</i>	<i>3,552.6</i>	<i>334.1</i>	<i>9.4</i>	<i>3,886.7</i>
Travel	124.7	-	124.7	400.5	45.3	11.3	445.8
Hospitality	3.0	-	3.0	5.0	-	-	5.0
Contractual services	411.5	-	411.5	370.0	90.1	24.4	460.1
Training	0.3	-	0.3	10.0	90.0	900.0	100.0
Consultants	-	-	-	50.0	100.0	200.0	150.0
General operating expenses	10.2	-	10.2	7.5	2.5	33.3	10.0
Supplies and materials	88.4	7.1	95.5	80.0	35.0	43.8	115.0
Furniture and equipment	141.7	-	141.7	174.0	306.0	175.9	480.0
<i>Subtotal non-staff</i>	<i>779.8</i>	<i>7.1</i>	<i>786.9</i>	<i>1,097.0</i>	<i>668.9</i>	<i>61.0</i>	<i>1,765.9</i>
<b>Total</b>	<b>9,699.4</b>	<b>7.4</b>	<b>9,706.8</b>	<b>11,458.1</b>	<b>1,055.1</b>	<b>9.2</b>	<b>12,513.2</b>

Jurisdiction, Complementarity and Cooperation Division	2020 Expenditures (thousands of euros)			2021 Approved Budget	Resource Changes		Proposed 2022 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				3,093.9	(17.3)	(0.6)	3,076.6
General Service staff				348.0	7.0	2.0	355.0
<i>Subtotal staff</i>	<i>3,079.5</i>	<i>-</i>	<i>3,079.5</i>	<i>3,441.9</i>	<i>(10.3)</i>	<i>(0.3)</i>	<i>3,431.6</i>
General temporary assistance	661.5	-	661.5	467.3	159.9	34.2	627.2
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>661.5</i>	<i>-</i>	<i>661.5</i>	<i>467.3</i>	<i>159.9</i>	<i>34.2</i>	<i>627.2</i>
Travel	102.9	-	102.9	305.7	(199.9)	(65.4)	105.8
Hospitality	-	-	-	-	-	-	-
Contractual services	-	-	-	-	8.3	-	8.3
Training	-	-	-	-	-	-	-
Consultants	-	-	-	-	-	-	-
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>102.9</i>	<i>-</i>	<i>102.9</i>	<i>305.7</i>	<i>(191.6)</i>	<i>(62.7)</i>	<i>114.1</i>
<b>Total</b>	<b>3,843.9</b>	<b>-</b>	<b>3,843.9</b>	<b>4,214.9</b>	<b>(42.0)</b>	<b>(1.0)</b>	<b>4,172.9</b>

Investigation Division	2020 Expenditures (thousands of euros)			2021 Approved Budget	Resource Changes		Proposed 2022 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				11,555.2	399.3	3.5	11,954.5
General Service staff				1,679.8	98.8	5.9	1,778.6
<i>Subtotal staff</i>	<i>13,695.8</i>	<i>-</i>	<i>13,695.8</i>	<i>13,235.0</i>	<i>498.1</i>	<i>3.8</i>	<i>13,733.1</i>
General temporary assistance	4,781.2	64.2	4,845.4	5,129.6	739.5	14.4	5,869.1
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>4,781.2</i>	<i>64.2</i>	<i>4,845.4</i>	<i>5,129.6</i>	<i>739.5</i>	<i>14.4</i>	<i>5,869.1</i>
Travel	945.7	7.3	953.0	1,068.4	424.6	39.7	1,493.0
Hospitality	-	-	-	-	-	-	-
Contractual services	6.4	-	6.4	-	77.5	-	77.5
Training	6.3	-	6.3	-	-	-	-
Consultants	10.2	8.7	18.9	-	-	-	-
General operating expenses	622.9	-	622.9	432.5	234.5	54.2	667.0
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>1,591.3</i>	<i>16.1</i>	<i>1,607.4</i>	<i>1,500.9</i>	<i>736.6</i>	<i>49.1</i>	<i>2,237.5</i>
<b>Total</b>	<b>20,068.3</b>	<b>80.3</b>	<b>20,148.6</b>	<b>19,865.5</b>	<b>1,974.2</b>	<b>9.9</b>	<b>21,839.7</b>

Prosecution Division	2020 Expenditures (thousands of euros)			2021 Approved Budget	Resource Changes		Proposed 2022 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				9,059.3	497.1	5.5	9,556.4
General Service staff				487.2	80.8	16.6	568.0
<i>Subtotal staff</i>	<i>9,411.9</i>	<i>-</i>	<i>9,411.9</i>	<i>9,546.5</i>	<i>577.9</i>	<i>6.1</i>	<i>10,124.4</i>
General temporary assistance	1,718.0	53.1	1,771.1	2,050.7	410.2	20.0	2,460.9
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>1,718.0</i>	<i>53.1</i>	<i>1,771.1</i>	<i>2,050.7</i>	<i>410.2</i>	<i>20.0</i>	<i>2,460.9</i>
Travel	38.7	3.1	41.9	199.1	6.1	3.1	205.2
Hospitality	-	-	-	-	-	-	-
Contractual services	-	-	-	-	12.5	-	12.5
Training	-	-	-	-	-	-	-
Consultants	80.4	11.0	91.4	-	-	-	-
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>119.1</i>	<i>14.2</i>	<i>133.3</i>	<i>199.1</i>	<i>18.6</i>	<i>9.3</i>	<i>217.7</i>
<b>Total</b>	<b>11,249.0</b>	<b>67.3</b>	<b>11,316.3</b>	<b>11,796.3</b>	<b>1,006.7</b>	<b>8.5</b>	<b>12,803.0</b>