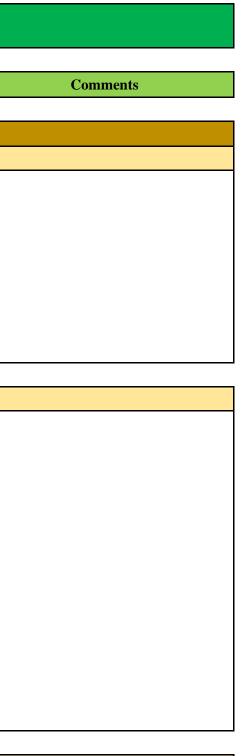
INDEPENDENT EXPERT REVIEW: CATEGORIZATION OF RECOMMENDATIONS AND REMAINING ISSUES Prepared by the Review Mechanism

tions	Cluster (Sub)-Section	Assembly	Assembly & Court	Court
М			I. GOVERNANCE	
			A. Unified Governance	
]	1. Structure of the Court: (1) ICC/Court Governance, (2) ICC/IO Governance			
	2. Decision-Making Process and Internal Legal Framework			
	3. Content of Internal Legal framework			
2	4. Working Culture at the Court			

B. Chambers Governance (Working Environment and Culture, Structure, Management and Organisation

Working Environment and Culture,
 Chambers Structure and
 Organisation (1) Static and Dynamic
 Case Teams Led by référendaires (2)
 Specialised Pre-trial Team (3)
 Transferability of Case Teams (4) Role
 of Presiding Judges (5) Legal Staff
 Support to Judges, 3. Managment in
 Chambers (1) Head of Chmabers Staff
 (2) Legal Advisers to Divisions (3)
 Quality of Legal Support Staff and
 Professional Development (4)
 Administrative Assistants

C. OTP Governance	
1. The OTP Structure, 2. The OTP Regulatory Framework (1) Current OTP Regulatory Framework (2) Areas Not Addressed Under the Current Framework	Consid Protect protect and negotia witness enjoyed seekers protect



Consider Reviewing the Witness Protection Programme: Offering more protection to witnesses, both detained and non-detained. If possible, negotiating protection to undetained witnesses to enjoy rights and privileges enjoyed by refugees and asylum seekers when they are under protection/The OTP and the Registry

needs to draw lessons from the jurisprudence of the Court regarding the subject of non-refoulement for detained witnesses and consider mechanism that accords more protection to witnesses. SALC can provide detailed elaboration on the nature of protection envisaged under this category drawing lessons from the experience that its clients had under this programme.

3. OTP Management and Leadership Structures (1) Prosecutor and Deputy Prosecutor - *Roles of Prosecutor and Deputy Prosecutor, Issue of two Deputy Prosecutors*

3. (2) Executive Committee (ExCom)

3. (3) Immediate Office of the Prosecutor (IOP) - *Chef de Cabinet, Public Information Unit (PIU)*

3. (4) Integrated Teams

4. OTP Staffing (1) Staff Qualifications

4. (2) Quantity of Staff

 D. Registry Governance

 1. Election of the Registrar and Deputy Registrar
 R76, R77, R78

 2. Various Sections of the Registry
 Field offices

II. HUMAN RESOURCES

A. General; B. Working Environment and Culture, Staff Engagement, Staff Welfare; C. Bullying and Harassment;

D. Management of Human Resources

E. Adequacy of Human Resources - Recruitment; F. Short-Term Appointments, Local Recruitment

G. Performance Appraisal

H. Staff Training and Development

I. Multilingualism

J. Flexibility, Scalability and Mobility in Staffing

1. Internal Mobility 2. External Mobility 3. Secondments

4. Tenure

III. ETHICS AND PREVENTION OF CONFLICTS OF INTEREST

A. Ethics Framework

Court staff and/or officials, Individuals affiliated with the Court

B. Prevention of Conflict of Interest

IV. INTERNAL GRIEVANCE PROCEDURES

A. General; B. Accountability of Judges

1. Disciplinary Mechanisms and Complaints 2. Disciplinary Standards 3. A Readjusted Disciplinary R124, R125 Arrangement 4. Judicial Council of the Court

V. BUDGET PROCESS

A. Court Budget Process, B. Committee on Budget and Finance (CBF) C. Enhancing Trialogue D. Assembly of States Parties E. Miscellaneous

VI. PERFORMANCE INDICATORS AND STRATEGIC PLANNING

A. Efficiency B. Effectiveness

VII. EXTERNAL RELATIONS

A. Relations with the United Nations B. Role of the Court's New York Liason Office to the UN (NYLO) Relations with UN Agencies and Other International and Regional Organisations

D. Relations with Civil Society and Media Organisations

E. Communications Strategy F. Outreach Strategy

G. External Political Measures against the Court

OSM: C

VIII. ELECTION OF THE PRESIDENCY

IX. WORKING METHODS

A. Induction and Continuing Professional Development

1. Induction Programme 2. Timing 3. Contents 4. Continuing Professional Development

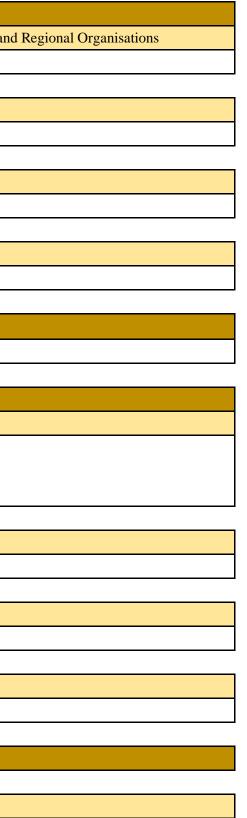
B. Full-Time Service of New Judges

C. Code of Judicial Ethics

D. Judicial Collegiality

X. EFFICIENCY OF THE JUDICIAL PROCESS AND FAIR TRIAL RIGHTS

A. Pre-Trial Stage



1. Disclosure of Evidence 2. Confirmation of Charges 3. Length of Pre-Trial Stage 4. Chambers Practice Manual and Judicial Case Management

B. Trial Stage 1. Transfer of the Case to Trial Division 2. No Case to Answer 3. Amicus Curiae 4. Evidence Admitted vs Submitted 5. Witness Preparation/Proofing 6. Prior Recorded Testimony and Live Testimony by Means of Audio or Video-Link Technology 7. Management of the Trial 8. Court Activities in situ and Site Visits 9. Brief Absence of a Judge 10. Technology in the Judicial Process (1) Case Law Database (2) Other Digital Resources and Legal Tools (3) Effect on the Defence and Legal **Representatives of Victims**

C. Interlocutory Appeals

D. Management of Transitions in the Judiciary

1. Continuing in Office on Expiry of Term 2. Designation of an Alternate Judge 3. Appointment of a Substitute Judge

R214, R215

XI. DEVELOPMENT OF PROCESSES AND PROCEDURES TO PROMOTE COHERENT ANDACCESSIBLE JURISPRUDENCE AND DECIS

A. Standard of Review in Appeals B. Departure from Established Practice and Jurisprudence C. developing a Deliberation Culture D. Judgment Structure and Drafting E. Conflicts Between Different Legal Systems and Best Practices

OCL	I.	TD
OSM	1: U	'IP

XII. OTP SITUATIONS AND CASES: PROSECUTORIAL STRATEGIES OF SELECTION, PRIORITISATION, HIBERNATION AND CLOSURE

A. Initial Situation and Case Selection: Preliminary Examinations

ON-MAKING	

 Situation Selection During Phase 1
 Situation Selection during PRs (Phases 2-4) (1) Narrower Standards for Admissibility (2) Feasibility Considerations in Situation Selection and Prioritisation

B. Selection and Prioritisation of Cases and Perpetrators

 The Criteria for Case Selection and Prioritisation (1) The Policy in relation to Selecting and Charging Suspects (2) Defining a Case: Charging Practices (3) Case Prioritisation: Feasibility Issues

2. The Process of Case Selection and Prioritisation

C. Situation Prioritisation, Hibernation and Closure

XIII. PRELIMINARY EXAMINATIONS

A. Concerns Related to Preliminary Examinations Section (PES)

B. Length of PE Activities, Time Limits

C. Complementarity and Positive Complementarity

1. Complementarity Assessments for Admissibility (Article 17) 2. Positive Complementarity

D. Transparency of Preliminary Examinations

XIV. INVESTIGATIONS

A. Investigative Strategy

		1
		1

B. Investigative Technique and Tools

1. Cooperation for Evidence Collection

2. Cooperation Requests - JCCD International Cooperation Section

3. Developing Technical Expertise within the ID (1) Financial Investigations (2) Tracking and Arrests of Fugitives (3) Remote Investigations

C. ID Field Presence in Situation Countries

D. Evidence Assessment and Analysis

XV. OTP INTERNAL QUALITY CONTROL MECHANISMS

A. Evidence Reviews: Internal and Peeer Review

B. Trial Monitoring

C. Lessons Learnt

 OSM: R
 XVI. DEFENCE AND LEGAL AID

 A. Institutional Representation

B. Legal Aid

XVII. VICTIM PARTICIPATION

A. Outline of the System B. The System in Operation C. Recognition of Victims as Participants D. Concerns about the System as a Whole E. Legal Representation of V Reparations Phase

Victims F. Tracing Victims in the
U U

A. Curr B. 1. General (Judicial) Principles on Reparations 2. Specialised Reparations Chamber 3. Non-Stay of Reparation Proceedings 4. Individual Requests for Reparations 5. Registry-Led Victim Application Process 6. New Potential Beneficiary Requests and Information 7. Reparations Experts 8. Mutually Agreed Protocols 9. Chambers Oversight Role in Implementation	urrent Framework for Victims		: REPARATIONS AND ASS ne Statute System, and its Fu		Related to Reparations	
B. 1. General (Judicial) Principles on Reparations 2. Specialised Reparations Chamber 3. Non-Stay of Reparation Proceedings 4. Individual Requests for Reparations 5. Registry-Led Victim Application Process 6. New Potential Beneficiary Requests and Information 7. Reparations Experts 8. Mutually Agreed Protocols 9. Chambers	intent Framework for victuris		ne Statute System, and its Fu	Ictioning B. Judicial Matters		
1. Delivery of Mandate 2. Governance,	R357	C. The TFV and its	Secretariat: Governance and	Functioning		
Oversight and Management			X. OVERSIGHT BODIES			
		A	A ASP - Court Relations			
		B. Internal ar	nd External Oversight Mecha	nisms		
		C	Secretariat of the ASP			
	XX	K. IMPROVEMENT OF	THE SYSTEM OF NOMINA	ATION OF JUDGES		
	XXI.	. DEVELOPMENT OF T	THE RULES OF PROCEDU	RE AND EVIDENCE		

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

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

