

Seventh session

The Hague

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**Report of the Bureau on the strategic planning process
of the International Criminal Court**

Note by the Secretariat

Pursuant to paragraph 21 of resolution ICC-ASP/6/Res.2 of 14 December 2007, the Bureau of the Assembly of States Parties hereby submits for consideration by the Assembly its report on the Strategic Plan of the International Criminal Court. The report reflects the outcome of the informal consultations held by The Hague Working Group of the Bureau.

Report of the Bureau on the strategic planning process of the International Criminal Court

I. Executive summary

1. In general, the Court has made good progress in implementing the Strategic Plan of the Court. Furthermore the Court has shown interest in discussing with States Parties the use of the Plan and its general implementation, as well as the different components, notwithstanding the challenges it has faced in terms of providing documentation on the different subjects addressed by the Working Group.

2. The Court is either on-track with **implementing its strategic objectives** or is projected to achieve them on time. The Court has also embarked on a revision of the short and long-term strategic objectives and has invited States Parties to provide input into this process. This process will result in the Revised strategic goals and objectives of the International Criminal Court for 2009 – 2018. Additionally, the Court is currently conducting a risk management analysis. Once completed, and with appropriate mitigation strategies devised, the results will be incorporated into the existing strategic planning framework of the Court.

3. With regard to **outreach**, the Court has made progress in implementing its strategy. A range of new communication tools have been employed and partnerships with local NGOs have been established. However, more work needs to be done, in particular, with regard to evaluation and impact assessment and the outreach plan for the Central African Republic, including its implementation, in addition to making the relevant parts of the outreach strategy more forward looking and giving it a defined strategic focus. The Court will continue the work on its outreach strategy, also with regard to the interface with the strategy for victims.

4. The **geographical location of the activities of the Court** remains high on the Court's agenda. As regards in-situ proceedings, Chambers considered the issue earlier this year and the Court undertook a major planning exercise to this end. Valuable experience was gained from this exercise, although it was eventually decided not to go ahead with relocating part of the proceedings, due to security concerns expressed by the prospective host State. The Court continues to consider the issue, but remains mindful of the substantial costs and risks associated with in-situ proceedings. Meanwhile, general field operations continue to be enhanced, providing the Court with valuable insights.

5. The Court has increased its efforts in 2008 on developing a **strategy for victims**. The strategy is not yet complete, but a first draft has been produced and submitted to the States Parties and NGOs for consultation. Whilst the draft represents a first step forward, there are a number of outstanding issues, in particular, making the draft forward looking and ensuring that it has strategic focus should remain a priority. On the recommendation of the Working Group, the Court will continue to develop and improve the strategy.

6. The **links between the budget and the Strategic Plan** continue to be developed. The Committee on Budget and Finance ("the Committee"), at its eleventh session, did not find reason to comment on the issue other than welcoming progress made and the priorities selected for 2009. Nonetheless, the Working Group has noted the fact that the dialogue at the level of policies and strategies between the Court and States Parties is of key importance for a proper understanding of the Court's needs in the context of budgetary discussions.

7. In conclusion, substantial progress has been made. However, much work remains to be done with most of the priority issues identified by the Assembly of States Parties ("the Assembly"). Further revisions and refinements of the Strategic Plan should be made in a dialogue with States Parties and the Court should keep States informed of progress being made in this regard.

II. Introduction

8. In resolution ICC-ASP/6/Res.2,¹ adopted on 14 December 2007, the Assembly “recommend[ed] that the Court continue to engage with the Bureau on the strategic planning process and its concrete implementation.” The Assembly also identified a number of priority areas, namely “location of the activities of the Court, position of victims, outreach and communication activities of the Court, and the relationship between the Strategic Plan and the budget.”² The Assembly also invited the Court to submit to the next session of the Assembly of States Parties an update on the Strategic Plan in the light of the dialogue engaged with the Bureau. Furthermore, the Assembly also requested the Bureau “to continue the dialogue with the Court on Outreach through The Hague Working Group.”³

9. At its 3rd meeting, on 1 April 2008, the Bureau of the Assembly approved the appointment of Ambassador Hlengiwe Mkhize (South Africa) as facilitator for the strategic planning process with a special focus on victims issues and outreach, with the Coordinator of The Hague Working Group (“the Working Group”), Ambassador Kirsten Biering (Denmark) addressing the remaining issues of the Strategic Plan.

10. At the 6th, 7th and 11th meetings of the Working Group, held, respectively, on 18 and 20 June and 11 September 2008, the facilitator and the Coordinator submitted several discussion papers outlining the approach to be taken in addressing the issues related to the strategic planning process

11. On the initiative of the facilitator and the Coordinator, a number of Working Group meetings were held to discuss the various elements of the strategic planning process of the Court. Furthermore, the facilitator and Coordinator held consultations with Court officials and NGOs on the issue, some of which were attended by States Parties. The following sections describe the outcome of these processes for each individual priority area and include recommendations for the Assembly, States Parties and the Court, also with regard to the future work to be undertaken in relation to the strategic planning process of the Court.

12. The underlying premise for the work undertaken was that the Strategic Plan and its components form an internal management tool for the Court. As such, the aim of the Working Group was not to embark on a redrafting exercise with regard to the Plan or to engage in “micro management” of the Court. Rather, the aim was to enter into a dialogue with the Court with a view to giving States Parties an opportunity to comment on the activities carried out by the Court and provide input to the Court on these issues, as well as enabling States Parties to stay abreast of developments in the strategic planning process.

13. The Court has shown an interest in discussing with the States Parties activities undertaken and progress made with regard to its strategic planning process and the different components of the Strategic Plan, which has been greatly valued by the Working Group.

¹ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Sixth session, New York, 30 November - 14 December 2007* (International Criminal Court publication, ICC-ASP/6/20), vol. I, part III, resolution ICC-ASP/6/Res.2, paragraph 21.

² The Assembly referred to the priority areas identified in resolution ICC-ASP/5/Res.2: *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fifth session, The Hague, 23 November to 1 December 2006* (International Criminal Court publication, ICC-ASP/5/32), part III, resolution ICC-ASP/5/Res.2, paragraph 3.

³ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Sixth session, New York, 30 November - 14 December 2007* (International Criminal Court publication, ICC-ASP/6/20), vol. I, part III, resolution ICC-ASP/6/Res.2, paragraph 20.

III. Progress in implementing the Strategic Plan

14. The Court submitted a document entitled “ICC Strategic Plan Implementation and Updating Progress,” dated 18 June 2008, regarding the concrete implementation of the Plan. At its 6th meeting, on 18 June 2008, the Working Group heard a presentation by Court officials and had the opportunity to discuss the progress made in implementing the Plan.

15. From the presentation, it followed that, of the 20 three-year strategic objectives set out in the Strategic Plan of the Court,⁴ 11 are achieved or on-track. Nine are not on-track but will be achieved within the time horizon. Hence, the Court expects all the strategic objectives to be achieved on time.

16. The Court also informed the Working Group that, regarding the 12 priorities set out for 2008, five have been achieved or are on-track to be achieved within the time horizon.⁵ The remaining seven priorities were not yet on-track but would still be achieved within the set time limits. It was not expected that any of the objectives for 2008 would not be achieved.

17. The Court gave a presentation on its planning of priorities for 2009. Seven priority objectives have been identified for 2009, which will contribute to the overall implementation of the Plan.⁶

18. The Court further informed the Working Group that, as the first short-term period for the Strategic Plan was coming to an end, it was currently revising its overall ten-year strategic objectives for 2009 – 2018. The Court invited States Parties to provide input into this process, either during consultations or in writing before 4 July 2008. That date coincided with the internal deadline for submitting proposals from the management of the organs of the Court. No proposals were submitted by States Parties.

19. Furthermore, the Court informed the Working Group that it was currently undertaking a risk-assessment and mitigation exercise. Following the identification of risks and analysis of possible mitigation strategies, the Court will update the overall Strategic Plan as well as revise the strategic priorities for 2009. This process is expected to be completed by the end of 2008.

20. On 26 August 2008, the Coordination Council of the Court approved the Revised strategic goals and objectives for new 2009 – 2018.⁷

21. Overall, the Court has made substantial progress in revising and implementing the Strategic Plan. In some areas, there is still work to be done and it remains to be seen if the Court will meet the deadline for all its strategic objectives. In addition, developing and refining performance indicators for all goals and objectives should remain a priority. However, it is clear that a number of positive developments have taken place as is also evident from the Revised strategic goals and objectives, which will be submitted to the seventh session of the Assembly.

Recommendation 1

The Court should continue to undertake all efforts in developing the Strategic Plan, implementing it, revising it as appropriate, and ensure that States Parties are continuously kept informed of progress made.

⁴ The Strategic Plan of the International Criminal Court (ICC-ASP/5/6, annex).

⁵ Report on the activities of the Court (ICC-ASP/6/18, para. 69) and Proposed programme budget for 2008 of the International Criminal Court (ICC-ASP/6/8, para. 9).

⁶ Proposed programme budget for 2009 of the International Criminal Court (ICC-ASP/7/9, para. 9).

⁷ Report on the activities of the Court (ICC-ASP/7/25, annex).

Recommendation 2

States Parties and the Court should continue the dialogue on the development and implementation of the Plan, based on the Strategic Plan, the Revised strategic goals and objectives of the International Criminal Court for 2009 – 2018 and other relevant documents.

IV. Outreach

22. At the 7th meeting of the Working Group, on 20 June 2008, the Court informed the Working Group of progress made in the implementation of the outreach strategy of the Court.⁸ The strategy comprises three separate components: a generic overall strategy, situation-specific strategies and an impact assessment part.

23. The Court informed the Working Group that, while progress has been made in outreach by ensuring that messages are redefined, there remain a number of challenges, including the underdevelopment of the telecommunications network, the lack of resources of local NGOs and media, the poor infrastructure, the diversity of languages, a poor security environment and high illiteracy rates.

24. A wide variety of outreach tools are now being employed by the Court. The outreach programme has advanced from initially being focused on the publication of documents for educated groups to now include audio-visual tools, radio and specially produced pamphlets and other printed material, all aimed at making the Court and its activities more easily understood among a wide and differentiated audience. In some cases, special techniques have been employed, such as theatre.

25. The outreach activities have been targeted at relevant groups within communities directly linked to crimes under investigation by the Court and concentrated in specific geographical areas. The Court informed the Working Group that outreach activities are, as far as possible, aligned with the current judicial activities of the Court.

26. The Court has made progress in its outreach activities in the Democratic Republic of the Congo. The activities have expanded to Ituri and an increased number of people have been reached. Outreach activities in the Democratic Republic of the Congo are currently focused on publicizing the hearings and making the judicial proceedings accessible to the general public and the communities most affected by the crimes. The Court is constantly gaining new experiences with outreach, and the development of best practices continues.

27. The Court informed the Working Group that, in Northern Uganda, outreach is focused on strengthening existing programmes and partnerships and creating new ones pertaining to the youth. In addition, activities targeting the grassroots populations most directly affected by the conflict and the internally displaced communities of northern and north-eastern regions have been undertaken. The tools used in Uganda are mainly radio and drama/theatre performances.

28. Due to security concerns, outreach activities for the Darfur situation are limited to activities in the refugee camps in Eastern Chad. Even these activities, however, remain limited. Outreach methods utilized in the refugee camps include theatre/drama and radio. Outreach activities targeting camp leaders have been conducted in four refugee camps in Eastern Chad to assess the feasibility of further or similar activities.

⁸ Strategic Plan for Outreach of the International Criminal Court (ICC-ASP/5/12).

29. The Court informed the Working Group that a draft strategy was being developed for the Central African Republic. The Court was currently experiencing recruitment delays and hence lacked personnel on the ground, hampering the development of the strategy. The Court had, however, recently filled the vacancy of Field Outreach Assistant.

30. The Court does not currently undertake comprehensive outreach activities with regard to situations that have not progressed beyond the analysis stage.

31. The Court informed the Working Group that it had created a manageable and sustainable assessment plan for outreach programmes. It further indicated that it was regularly monitoring the implementation and impact of the outreach strategy using the following methods:

- a) Surveys conducted in connection with the outreach activities aimed at relevant groups that participated. The surveys are continuously updated and refined, aiming at properly reflecting people's knowledge, attitudes, beliefs, expectations and behaviours toward the Court;
- b) Analysis of the evolution of the most frequently asked questions by participants during the outreach activities;
- c) Feedback from key stakeholders, NGOs and the media; and
- d) Testing of standardised data collection and registration forms used for analysing feedback from relevant communities.

32. The Working Group welcomed the progress made by the Court in its outreach activities and noted significant improvements in the methods and tools used. However, concerns were expressed in relation to the lack of progress in the Central African Republic, particularly since there has been an arrest and surrender in that situation. Whilst the difficulties prevailing in the situation in the Central African Republic were noted, it was emphasised that a strategy would need to be in place and be implemented as soon as possible. Also, the Court was encouraged to find creative ways, bearing in mind the security concerns, to strengthen its outreach activities in Darfur, particularly because of the developments in that situation.

33. Concerns were expressed with regard to the impact assessment, as there seemed to be a lack of qualitative indicators and the ability to concretely measure the impact of the outreach activities. Effective evaluation and impact assessment was essential for optimizing the activities undertaken in a cost-effective and efficient manner, as well as for analysing budgetary needs.

34. The Working Group encouraged the Court to continuously align the outreach activities with current judicial decisions, with a view to ensuring that all stakeholders' expectations were managed in an effective and appropriate way.⁹

35. In the context of the strategy for victims, the importance of ensuring full coherence between outreach and the strategy for victims was noted. Concerns were raised about the number of victims being reached. It was suggested that, in the context of the current outreach activities, improvements to engage a greater number of victims could be made, as well as in the context of victims' participation.

36. The Court pledged to consider the States Parties' recommendations, and States Parties encouraged the Court to continue to develop and refine its outreach programme.

⁹ Inter alia, with regard to the Lubanga case.

Recommendation 3

The Court should continue to develop and adapt its Strategic Plan for Outreach, in particular, with regard to improving evaluation and qualitative impact assessment tools, taking into account judicial and other activities of the Court, as appropriate.

Recommendation 4

The Court should undertake all efforts to complete its outreach strategy for the Central African Republic and, by ensuring that vacant positions are filled, begin to implement the strategy in a timely manner.

Recommendation 5

The Court and States Parties should continue the dialogue on the outreach activities of the Court, including the further development of the Court's outreach strategy and the link with the strategy for victims.

V. Geographical location of the activities of the Court

37. One of the short-term strategic objectives of the Court is to formulate different options for the geographical location of the activities of the Court.¹⁰ Article 3 of the Rome Statute, which establishes the seat of the Court in The Hague, allows the Court “whenever it considers it desirable” to sit elsewhere.

38. At its 11th meeting, on 24 September 2008, the Court made a presentation to the Working Group on the status of the work undertaken with regard to the location of the activities of the Court, in particular, judicial proceedings, and had the opportunity to discuss with the Working Group the progress made.

39. The discussion took place in the context of the considerations of Trial Chamber I on the possibilities of in-situ proceedings in the case against Mr. Thomas Lubanga Dyilo. However, the discussion was broad and covered both the general activities of the Court, as well as judicial proceedings.

40. The point of departure for assessing options for different locations of the activities of the Court must be a determination of the “interests of justice,”¹¹ including, inter alia, the right balance between the ability to conduct fair and efficient trials and proceedings and ensuring the visibility of justice. From this perspective, the Court is continuously examining ways of bringing its activities closer to the situations under investigation, including enhancement of the field presence of the Court in relevant countries.

41. In order to consider which of its current activities should be localized outside The Hague and the modalities for doing so, the Court has developed a methodology analysing all elements involved (which activities, what implications, what level of decentralization) as well as evaluating the impact of such actions.

42. Before deciding on which activities might be decentralized, the Court looked at its different functions: analysis of situations and investigations, prosecutions, victims and witnesses issues, outreach, public counsel, Chambers, enforcement and support (including security, detention and court management).

¹⁰ Strategic Plan of the International Criminal Court (ICC-ASP/5/6, para. 33).

¹¹ See article 3 of the Rome Statute and rule 100 of the Rules of Procedure and Evidence.

43. The Court had concluded that establishing a permanent presence in a location other than The Hague, as far as entire judicial proceedings in concerned, will probably involve substantial additional costs. Hence, the option of conducting full trials in, or close to, situation countries should be approached cautiously. The Court also brought to the attention of the Working Group the fact that, even if a suitable location for the conduct of a trial is on the same continent as the relevant situation country, this does not necessarily mean that the trial is brought closer to the victims. It was noted that such activities may also raise questions related to the principle of complementarity.

44. As regards the possibility of conducting parts of a trial in-situ, for example, opening statements, the Court had gained very valuable experience from the considerations relating to the Lubanga case. Whilst the Court had developed a standard model for such activities, the specific case showed very clearly the difficulties and complexities in conducting in-situ proceedings, including the difficulties in applying a standard model to specific situations. Such an operation affects all the aspects of the Court's activities and, as such, is not only a matter of logistical planning.

45. The Court had also determined that, in order to fully assess the possibilities of in-situ proceedings, it would need to complete a full trial to gain sufficient experience. However, the Court continues to assess all options in this regard. Furthermore, it was noted that, as regards the judicial proceedings of the Court, it was for the judges to decide if, when and how.

46. Given the complex nature and potential budgetary implications of the issue, the Court expressed the wish that further general considerations of the issue should be carried out in consultation with States Parties, in particular, with regard to the relocation of judicial proceedings.

47. Notwithstanding the above-mentioned challenges, the Court continues to expand its general field activities apart from judicial proceedings. This is done in different ways, such as missions by different organs of the Court, liaison/information offices, the outreach programme, limited or standard field offices, and a general increase of activities in the situation countries. These activities contribute to enhancing the visibility of the Court.

48. The Court is in the process of reviewing the operation of its field offices and related general activities, with the involvement of a number of experts. This analysis is expected to be completed by the end of the year, and the Court will inform States Parties accordingly.

Recommendation 6

The Court should continue to analyse and assess options for different geographical locations of the activities of the Court, including in-situ proceedings, taking into account all relevant factors, and keep States Parties informed of progress made.

Recommendation 7

States Parties and the Court should continue the dialogue on the analysis, assessment and progress made in locating the activities of the Court outside The Hague with a view to further refining and evaluating such relocated activities and the desirability of further decentralization.

VI. Victims

49. The Working Group held several meetings to discuss with the Court the progress in formulating an operational strategy for all aspects of dealing with the issue of victims.

50. At its 7th meeting, on 20 June 2008, the Court presented a preliminary paper to the Working Group, which provided an overview of the strategy for victims. The Working Group was informed that the strategy is being formulated with the involvement of all organs of the Court, including the Trust Fund for Victims. The Court further indicated that the delay in finalizing the strategy for victims could partly be attributed to a number of victims-related issues that were currently before the Appeals Chamber.

51. The Court had previously emphasized that the Judiciary played a very important role in defining the Court's approach to victims, and that the Court was cautious not to encroach on this role. This has been one of the underlying assumptions for the work undertaken and which sets certain limits to what could be dealt with by various other parts of the Court.

52. At the 11th meeting, on 24 September 2008, the Court presented a paper entitled "Draft ICC Strategy in relation to Victims" to the Working Group for consultation. The Court highlighted that the draft document was still a work in progress and requested input from States Parties to further its work on the strategy.

53. The draft document is comprised as follows:

- (a) The first part would present the general framework and the factors influencing the strategy, and would outline the strategy in six main areas:
 - (i) Informing victims of their rights before the Court and keeping them informed;
 - (ii) Protection;
 - (iii) Support and assistance to victims;
 - (iv) Participation of victims;
 - (v) Reparation; and
 - (vi) Legal representation.
- (b) The second part would be devoted to measuring the impact of such strategies on victims.

54. The Court indicated that the draft document did not include any new activities for the Court at this stage, but rather reflected the current situation and attempted to clarify how the different organs of the Court would interact and interface in relation to victims. The Court highlighted the impact of judicial activities and the fact that a full judicial "cycle" had not yet been completed, as barriers for completing the strategy and making it forward-looking.

55. The Court indicated that it would probably not be in a position to present a final strategy to the seventh session of the Assembly of States Parties.

56. The Working Group welcomed the progress made and the fact that, for the first time, a full overview of the processes related to victims would be available. However, the Working Group expressed serious concern with respect to the apparent lack of operational and forward-looking elements in the document. The draft document appeared to be more of a description of the current state of affairs rather than a strategy as such. The Group strongly encouraged the Court to incorporate operational goals and measurable objectives into the draft document and to provide strategic focus and forward-looking guidance for its users.

57. The Working Group expressed understanding for the independent factors, such as judicial proceedings, influencing the ability of the Court to shape its strategy. It noted, however, that this was likely to always be the case. Hence it was important to differentiate between areas that could be adapted by the Court, for example, outreach to victims, and areas

that could be affected by judicial decisions. In one sense, the judicial activities of the Court could be perceived as a “risk-factor” in relation to the finalization and implementation of the strategy, for which ways of mitigation could be designed. In that way, work could continue whilst anticipating the outcome of the proceedings.

58. Concern was also expressed as regards the possible budgetary implications of the strategy. Whilst the Court did not anticipate any new activities, it did realise that a number of budgetary uncertainties existed with regard to the strategy for victims.

59. Furthermore, concerns were expressed over the lack of impact assessment tools, notably, qualitative performance indicators.

60. The Working Group encouraged the Court to continue the work on the strategy for victims, with particular emphasis on making the draft document more strategic in nature by ensuring that it included goals, operational elements, tools for impact assessment, assessment of possible budgetary implications and, as a further point, ensured full coherence with other activities of the Court, notably the outreach strategy.

61. The Court indicated that it would take the suggestions into account in its future work.

Recommendation 8

The Court should undertake all efforts to develop, refine and finalize the draft document on a strategy for victims, taking into account the inputs provided by the Working Group and by other stakeholders, in particular with a view to making the document operational, forward- looking and to develop measurable objectives and performance indicators.

Recommendation 9

The Court should keep the States Parties informed on progress made in developing a fully functional strategy for the victims. The Court and States Parties should continue the dialogue on how best to develop this strategy.

VII. The relationship between the Strategic Plan and the budget

62. As part of its Strategic Plan development, the Court selected 12 priority strategic objectives for the coming years out of the total of 20 strategic objectives in the Plan. From the priority strategic objectives, the Court derived the main objectives for its 2009 activities, which fall into the following main categories:

- a) Trials and investigations into cases;
- b) Cooperation;
- c) Witness and victim protection;
- d) Security and safety;
- e) Human resources;
- f) Risk management; and
- g) Non-bureaucratic administration

63. In the proposed programme budget for 2009, the 2009 objectives are the basis for the yearly plan and results-based budget approach of each major programme, programme and sub-programme.

64. The new activities undertaken by the Court are all linked to the strategic priorities for 2009. While not all of the strategic priorities require additional resources, the variable budget increases reflect the chosen priorities.

65. The Committee did not find any reason to comment on the link between the Strategic Plan and the budget proposal for 2009 as such, other than welcoming the fact that one of the priorities for 2009 is related to streamlining administrative procedures and policies resulting in a more cost-efficient administration. The Working Group emphasised the need for continuous harmonization of budgetary and strategic planning processes.

Recommendation 10

The Court should continue to develop and clarify the links between the Strategic Plan and the budget and reflect the progress made in relevant documents submitted to the Committee on Budget and Finance, the Bureau and the Assembly, with a view to making the budgetary process as transparent and strategic as possible.

VIII. Conclusion and future approach

66. The Court continues to make progress on the implementation of the Strategic Plan. The Court expects all strategic objectives, derived from the strategic goals, to be achieved within the time horizon agreed. There appears, however, to be some uncertainties related to a number of these objectives.

67. In 2008, the Court defined an approach to revising the Strategic Plan. The process has resulted in the Revised strategic goals and objectives of the International Criminal Court 2009 – 2018.¹² This document should form the basis for any future work that the Assembly of States Parties and the Bureau would wish to undertake.

68. Much work remains to be done. There are still a number of uncertainties with regard to the realization of all the strategic objectives. It would also seem that there remains scope for improving even further the dialogue with States Parties on the activities undertaken by the Court on its Strategic Plan.

69. The Court continues to make progress on the implementation of the strategy for outreach. However, there remains a need to develop qualitative performance indicators of the outreach activities, as well as the need to fully develop and implement strategies for all situation countries.

70. Whilst the Court has made progress in developing a draft strategy for victims, much remains to be done in finalizing the strategy. The risks associated with judicial decisions should be identified and considered, where appropriate, at the earliest possible stage, with the aim of mitigating possible consequences for the strategy.

71. In the continued dialogue with the Court, States Parties should continue to keep in mind that, as established in 2006, the Strategic Plan belongs to the Court and that in the course of its on-going dialogue concerning the Plan, the States Parties should not attempt to “micromanage” the Court.

72. If the Strategic Plan is, as the Court itself acknowledges, a useful tool for the Court, it can also help States Parties in better understanding the needs of the Court, not only concerning budgetary matters but also regarding their obligation to cooperate with and

¹² Report on the activities of the Court (ICC-ASP/7/25, annex).

support the Court on a variety of operational issues. Thus, the continued dialogue between the Court and States Parties is important.

73. The Working Group expresses the hope that, in 2009, the Court will continue to work on the implementation of the Strategic Plan, the further development of the individual priority areas and the continued improvement of the dialogue on these issues with States Parties.

74. The Working Group therefore suggests that the Assembly of States Parties endorse the recommendations set out under each of the priority areas in this report, invite the Court to continue the dialogue with States Parties through the Bureau and its Working Groups on the strategic planning process, and consider the proposed language in the annex to this report for inclusion in the omnibus resolution.

Annex

Recommendation for inclusion in the omnibus resolution

The Working Group recommends the inclusion of the following text in the resolution of the seventh session of the Assembly of States Parties on “Strengthening the International Criminal Court and the Assembly of States Parties”:

“The Assembly of States Parties,

(...)

Welcomes the efforts of the Court to further develop the Strategic Plan on the basis of the document entitled "Revised strategic goals and objectives of the International Criminal Court for 2009 – 2018,"¹ *welcomes also* the substantial progress made by the Court in the implementation of the Strategic goals and objectives, *welcomes further* the progress made in developing a strategy for victims, *notes* that significant work remains to be done in developing the different areas of the Plan, in particular with regard to the strategy for victims, *reiterates* the importance of outreach activities and *encourages* the Court to further develop and implement the Strategic Plan for Outreach² in affected communities, *reiterates further* the importance of the relationship and coherence between the strategic planning process and the budgetary process, *endorses* the recommendations contained in the report of the Bureau on the strategic planning process of the International Criminal Court,³ *recommends* that the Court continue the constructive dialogue with the Bureau on the strategic planning process, in particular, the development and finalization of the strategy for victims and other priority issues identified in resolution ICC-ASP/5/Res.2, and *requests* the Court to submit to the next session of the Assembly an update on all activities related to the strategic planning process and its components.”

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¹ Report on the activities of the Court (ICC-ASP/7/25, annex).

² ICC-ASP/5/12.

³ ICC-ASP/7/29.