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Briefing by

Mr Werner Druml, Acting-Chairperson

Audit Committee

World Forum, KWA Room

Wednesday 4 December 2024, 10:00 – 11:30

Madam President,

Your Excellencies and Distinguished delegates,

Ladies and gentlemen,

I would like to thank you for the opportunity to address you today and to present the main outcomes of our discussions at the nineteenth and twentieth sessions of the Audit Committee (“AC” or “the Committee”).

May I also take this opportunity to reiterate my appreciation to my colleagues from the Committee for their devotion and hard work, and to the representatives of the Court for their participation and valuable contributions. I would also like to thank our Executive Secretary and his team for their constant hard work and effective support to the Committee throughout the year, upon which we rely immensely.

Update on the work of the Audit Committee in 2024

I will now briefly summarize the main discussions of the Committee’s nineteenth and twentieth sessions.

The Committee focused at its two sessions on: (a) ethics; (b) risk management; (c) oversight of internal audit matters; (d) oversight of external audit matters; (e) Audit Committee matters; and (e) other relevant issues.

Ethics

Under **Ethics**, the Court was of the view that embedding its core values into its culture was necessary before developing a written Ethics Charter. The Committee, although it acknowledges this perspective, emphasized and reiterated its position that a formal written Ethics Charter is crucial for a positive work culture and an effective internal justice system. The Committee has asked the Court to present an initial draft of the Ethics Charter at its session in February 2025

Risk management.

The Committee met at a crucial time to address significant risks, including the data breach incident in 2023 and its future implications. Despite reviewing mitigation strategies, ongoing risks persist due to evolving cyber threats. Additionally, high-profile cases under the Court’s review are drawing intense international attention, potentially leading to major consequences.

The Committee commended the Court on the efforts undertaken to update its risk register while keeping the Committee informed about decisions and risks.

Overview of internal audit matters

The Committee made several observations to enhance the efficiency of internal audits in the areas of planning, staff deployment and client engagement.

The Committee recommended that annual workplans of the Office of Internal Audit (OIA) be approved by the Coordination Council (CoCo) on a timely basis so that the OIA can operate according to an institutionally approved plan. The Committee suggested that the OIA maintain a multi-year rolling workplan to give a better indication of the scope of risk coverage over time, and to facilitate the audit planning process.

The Committee noted also that a significant number of audit recommendations were still outstanding. In this context, the Committee reiterated the importance of “Tone at the Top” which is recognised, generally, as foundational to an effective control environment.

It also expressed concern about the low number of internal audit outputs. Such outputs are crucial for compliance and business process effectiveness.

Overview of external audit matters

The Committee commended the comprehensive performance audit report on cybersecurity by the Board of Audit and Inspection of the Republic of Korea (“BAI”) and noted that it will be an important contribution for the set of initiatives underway to address ongoing risks.

The Committee also noted that the External Auditor (BAI) gave an unmodified opinion on the Financial Statements of the Court and the Trust Fund for Victims for 2023.

The Committee recommended that the Assembly approve the renewal of the contract for audit services awarded to the current Board of Audit and Inspection of the Republic of Korea as the External Auditor of the Court for the financial years 2025-2028, with the expectation that there would be constructive discussions between the Court, the Board of Audit and Inspection and the Audit Committee on issues identified.

Other matters

Under **Other matters**, the AC engaged in discussions with the Registrar, notably focusing on cybersecurity and the ethics framework. It is crucial for the Committee to continue addressing these issues moving forward. The discussions laid a solid foundation for ongoing dialogue and development in these critical areas.

Audit Committee matters.

Under **Audit Committee matters**, I would like to focus on two main topics: the amendments to the Audit Committee Charter and the Evaluation of the Secretariat of the ASP.

Audit Committee Charter

On the Charter, the Committee had submitted an amended Charter to the States Parties, which it considered to be appropriate and embodying the best practices. The proposed draft amendments were discussed under the Budget Management Oversight (“BMO”) facilitation and have mostly not been retained. Additional proposed amendments were added and were agreed upon under silence procedure.

The Committee would like to raise concerns about the amendments proposed on the composition of the Selection Panel for selecting of new members.

The Committee supports the involvement of the budget facilitator in the selection process, alongside the ASP President. This addition provides an extra layer of governance for the Court.

The inclusion, however, of the Registrar (or his/her representative) raises a basic question of conflict of interest, and the impairment of independence of the Committee.

The absence of the Chair of the Audit Committee on the other hand from the selection process is a concern for the AC. The inclusion of an independent expert with the necessary knowledge and expertise to assess the technical proficiency of the applicants should therefore be considered.

Evaluation of the Secretariat of the ASP

I move now to the evaluation of the Secretariat.

The Audit Committee shares the position of the CBF concerning the restructuring of the Secretariat of the ASP and had informed the President about its concerns. Dedicated support throughout the year and at an appropriate level is of utmost importance. The Audit Committee expects, therefore, to be involved in the discussions with the incoming Director.

Conclusion

In conclusion, allow me to reiterate that the Audit Committee is your subsidiary body that will continue to assist and advise the Assembly in its oversight of the Court’s operation in the areas of ethics; risk management; internal and external audits, and other related areas.

This concludes my remarks Madam President. Thank you for your attention.
