

Osvaldo Zavala Giler

Registrar of the International Criminal Court

Speech to the 23^{rd} Session of the Assembly of States Parties

CHECK AGAINST DELIVERY

The Hague

Wednesday, 4 December 2024

Your Excellency, President of the Assembly of States Parties,

Excellencies, Distinguished delegates,

It is a great privilege to address you today. These annual sessions represent a key moment in the relation between the Court and our States Parties: one where we have the profound opportunity to listen to States Parties—valuing your steadfast support, understanding your concerns, and following your thoughtful guidance. Over the years, together, we have witnessed successes and shared in the collective aspiration for justice that defines the mandate of the International Criminal Court.

The Court did not emerge in isolation; it was established with a clear and solemn purpose entrusted by you, the States Parties: to deliver justice through the robust application of the Rome Statute system and to provide a permanent mechanism for addressing the gravest crimes of concern to the international community as a whole.

In that context, please allow me to align myself to the powerful statement delivered by the President of the Court on 2 December 2024. We are facing an unprecedented and troubling new reality, where the Court has been subjected to increasingly severe attacks seeking to undermine its legitimacy and its ability to meet its mandate. Whether through coercive measures, threats, pressure or even sanctions, make no mistake: we remain undeterred in fulfilling our mandate as entrusted by our States Parties.

At this moment, nine current or former elected ICC officials have been subject to coercive measures from the Russian Federation – President Akane, First-Vice President Aitala, Second-Vice President Alapini-Gansou, Judge Ugalde, Judge Ibáñez Carranza, Judge Schmitt, Judge Ben Mahfoudh, and former President and Judge Hofmański, as well as the Prosecutor. Not only is this profoundly unacceptable, but a new

reality which permeates into all aspects of the critical work of the Court.

In preparing its Proposed Programme Budget for 2025, the Court has carefully prioritized resources deemed essential to fulfil **this critical** mandate.

Since the executive summary presentation this summer, States Parties have had the opportunity to engage on this proposal. States Parties have first received the recommendations from the Committee on Budget and Finance at 45th Session, in September, which have also provided the Court with guidance on our proposal. We have aimed to provide as much technical information on the different elements of the 2025 proposed budget in our engagement with States since then, in order to facilitate the consideration and the decision-making of States Parties on the final figures for the next year. As such, we understand the natural evolution of the budgetary process and stand ready to engage in a constructive and transparent manner.

Here, allow me to acknowledge that the proposed 2025 budget we presented seeks a significant commitment from States Parties. We are mindful of the financial realities faced by States Parties, as well as of the recent changes brought to the levels of assessed contributions according to the UN scale of assessment. We know that each of your countries' contributions represent investments in justice, accountability, and a Rome Statute system that serves humanity - at its most critical times, such those we live in today - the Court is sincerely thankful.

The Court's proposed budget for 2025 amounts to €206.2 million, inclusive of the Host State Loan, representing an increase of approximately €19.1 million, or 10.2%, over the approved 2024 budget. This proposed increase consists of two principal elements: a

significant allocation to address new requirements across investigations, judicial activities, security and institutional efficiencies, and additional funding to address unavoidable inflationary pressures, including adjustments tied to the United Nations common system costs.

At the pre-trial level, the **Office of the Prosecutor** faces unprecedented pressures, necessitating intensive investigative activities across multiple situations, often in environments where access to the territory and state cooperation are limited. This reality has profound implications for the overall Court's operations, from the OTP investigations to other Court-wide mandated activities, not least in terms of security requirements.

Moreover, as reflected in the proposed programme budget of the OTP and in the Registry, greater focus is placed on tracking and arrest activities, including through enhanced inter-organ coordination. These resources will allow for intensified activities in relation to a record number of warrants of arrest, whether public or under seal, available for execution. Thirty individuals remain at large, and we must do our utmost, the Court and its States Parties, to meet this mandate.

The conduct of fair and expeditious pre-trial, trial and appeal proceedings before the **Chambers** remains at the core of the Court's mandate. The Court continues to work to expedite and streamline proceedings, with due regard for the complexity of cases, the number of witnesses, the volume of evidence and the number of languages involved.

Three cases (Yekatom and Ngaïssona, Abd-Al-Rahman and Said) will be at various stages of the trial phase for all or part of 2025. Depending on the outcome of the trials and the timing of the trial judgments, the respective sentencing and reparations proceeding phases will

commence next year. Increased hearing activity is anticipated in *Said*, whereas the other cases are forecast to be in the deliberations and judgment drafting phase.

The *Ongwen, Ntaganda, Al Mahdi* and *Lubanga* cases will continue in the implementation phase of reparations and require judicial oversight, in particular in terms of the review of detailed reports and submissions and the issuance of decisions. As a conviction has been entered in the *Al Hassan* case, it is expected that the reparations phase and associated field activities for identification of and consultation with victims will be ongoing before a trial chamber in 2025.

The **Trust Fund for Victims** will be even more active in 2025 than this year. After two landmark reparations orders were issued - in the *Ntaganda* case – in the amount of USD 31.3 million for an estimated 10,500 victims, and in the *Ongwen* case in the amount of €52.4 million for almost 50,000 victims, the scale and nature of these reparations have imposed high demands on the TFV Secretariat in implementing them.

Permettez-moi de m'adresser à vous maintenant en français.

Je souhaiterais saisir cette opportunité pour vous informer qu'à la demande des États Parties pour cette session de l'Assemblée, le Greffe est en train de mener un processus de consultations internes approfondi afin de réviser et de développer une Stratégie sur les victimes incluante et innovante.

Le premier projet de cette Stratégie sera présenté au groupe de travail de La Haye, ainsi qu'à nos partenaires externes, comme les institutions académiques et les think thanks, mi 2025.

L'objectif principal est d'établir un cadre solide qui soit non seulement conforme aux normes internationales, mais qui serve également de modèle pionnier pour les bonnes pratiques en matière de soutien et de défense des victimes. Nous envisageons de le faire en unifiant l'approche de la Cour pour mieux interagir avec les victimes, notamment en élaborant des principes directeurs pour l'engagement auprès des victimes ou des mécanismes complets d'évaluation des risques et de protection. En outre, la stratégie se concentrera sur les leçons apprises à l'échelle de la Cour et sur l'intégration des commentaires des victimes pour améliorer continuellement l'approche et les résultats.

Allow me now to continue in English.

Excellencies, Distinguished delegates,

As requested by States Parties—and consistent with my personal commitment as Registrar—the Court undertook a comprehensive and rigorous review of its needs, in order to request additional resources only after finding savings, efficiencies and reductions in other areas.

The results speak for themselves. Across the Court, we achieved savings and efficiencies amounting to $\in 3.9$ million—2.2% of the total budget. Within the Registry alone, we have made the total reductions of our budget baseline of $\in 3.4$ million. These were not easy decisions. They required careful prioritization and, in some cases, the acceptance of heightened risks in non-critical areas to protect the essential functions of the Registry.

Let me put this in perspective: while the total proposed investment for the Registry stands at €9 million, it could be said that we have absorbed significant inflationary pressures—amounting to €3.5 million—through our own measures.

Nevertheless, we operate in an increasingly complex and evolving global context. To respond effectively, our institution must continue to adapt, innovate, and strengthen especially its internal culture, guided by the pillars of our Core Values. Achieving these goals requires strategic foresight, targeted investments, and a firm commitment to enhancing staff well-being, as underscored by the Independent Expert Review and recent pulse surveys.

In this regard, the Registry is proposing an investment of €1.3 million to support key initiatives. These include fostering a more inclusive workplace culture, improving recruitment processes, strengthening workforce planning and mobility, and advancing Geographical Representation and Gender Balance. Such efforts are integral to ensuring that our institution remains agile, effective, and aligned with its fundamental values.

These investments are critical. They ensure that the Registry can serve as a reliable and efficient partner to the Court's organs and stakeholders, including the States Parties. At the same time, they underscore the ICC's commitment to being a fair and progressive institution for its personnel—one that reflects the diversity and inclusivity that are hallmarks of justice everywhere.

Excellencies, Distinguished delegates,

Our budget request for 2025 is intricately tied not only to our anticipated activities but especially to the evolving security environment in which the Court operates and will continue to operate next year. As you are well aware, the unprecedented global demand for justice has profoundly reshaped the role and standing of the International Criminal Court. On one hand, these calls have significantly enhanced the Court's visibility and broadened its overall

impact. On the other hand, they have also magnified the risks, resistance, and challenges the Court must confront.

As I already alluded to, the ICC has become the target of unprecedented and serious threats. These threats are neither isolated nor do they emanate from a single entity; they arise from multiple sources, all seeking to undermine the Court's mandate. The operational environment in which the ICC functions today is far more hostile and divided than the one envisioned at the Court's establishment 25 years ago—a time when a near-unanimous international consensus propelled the momentum for accountability, justice, and progress.

Threats of sanctions—potentially encompassing the entire organization—have become an enduring reality, undermining the very foundations of international justice.

What was once sporadic has now become **systemic**. It is a new and challenging reality for the Court and its 124 States Parties—we have recently welcomed Armenia as the newest member of the ICC family, and also look forward to welcoming Ukraine at the start of the next year.

Excellencies, Distinguished delegates,

It is within this context, and in response to these challenges, that the Court, and specifically the Registry, has strategically focused its financial requirements to ensure that the Court, as a whole, remains equipped to fulfil its mandate effectively.

Security is not merely an operational requirement but an existential matter; it is integral to the Registry's core mandate and essential to the broader mission of the ICC. It safeguards the entirety of this institution and underpins its ability to deliver our mandate.

For 2025, the Registry has proposed an increase of €5,659.5 thousand—or 5.9 percent—over the 2024 approved program budget. Of this amount, €4.3 million is allocated exclusively to security measures.

These resources are essential for implementing those critical projects from the IT security Blueprint to enhance technology security of our organisation.

Madam President, Excellencies, Distinguished delegates,

We wanted to demonstrate that the Court's responsibility is to put forward requirements that the Court needs to carry out its important mandate, after all measures to find savings and efficiencies have been made. We have done that.

My responsibility is also to ensure the long-term operational sustainability of our institution, as well as the effective and responsible management of the resources allocated to us.

It is our joint responsibility to create a Rome Statue system which is purposeful and impactful in the international order of today, and for the future.

I have full trust in your support, and I trust that you share the same confidence in our Institution.

I wholeheartedly thank you.

[END OF NOTES]