International Criminal Court ICC-ASP/25/33

Assembly of States Parties

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Annual report of the Head of the Independent Oversight Mechanism

Executive summary

Major Programme VII-5, the Independent Oversight Mechanism (IOM), was established by the Assembly of States Parties (the Assembly) at its eighth session in accordance with article 112, paragraph 4, of the Rome Statute. The purpose of the IOM is to provide comprehensive oversight of the International Criminal Court (the Court) and enhance its economy and efficiency through its mandate to conduct independent internal administrative investigations, including the due diligence procedure for candidates for elected positions with the Court, evaluation and inspections.

The present report outlines the key activities and achievements of the IOM from 1 October 2025 to 30 September 2026.

During this reporting period, the IOM continued to receive a significant increase in potential allegations of misconduct. A total of 136 matters were under consideration, comprising 53 cases carried over from previous reporting periods and 83 matters received during the current reporting period.

The IOM finalised the report on the independent evaluation of Complementarity in the Republic of Guinea; it also began the inception phase of the Evaluation of ICC's Suspect Tracking Capability. The IOM also initiated an external review of the evaluation function.

The IOM conducted the Due Diligence Procedure with respect to fourteen candidates nominated for election as Judges of the International Criminal Court, scheduled to take place in December 2026. It transmitted its confidential report to the Presidency of the Assembly and the Advisory Committee on the Nominations of Judges (ACN) on 31 July 2026. A report outlining an overview of the process and the key lessons learned is annexed to this report (annex I).

I. Introduction

1. This annual report is submitted to the Assembly of States Parties pursuant to paragraph 50 of the Operational Mandate of the IOM (resolution ICC-ASP/24/Res.2, annex II).[1] It covers the activities and operations of the IOM during the period from 1 October 2025 to 30 September 2026.

2. During this reporting period, the IOM continued to provide independent and comprehensive oversight of the Court through internal administrative investigations, evaluations and inspections. It also conducted a due diligence procedure for the 2026 judicial elections.

3. The period was characterized by a significant and continued increase of workload for the IOM, which underscores the important role the IOM continues to play in providing comprehensive oversight of the Court and contributing to the improvement the workplace culture.

II. Summary of IOM Activities

A. Investigation

4. During the reporting period, the IOM continued with its core mandate of providing oversight to the Court by responding to allegations of potential misconduct. In doing so, the IOM first conducts an Intake phase, during which it determines whether the allegation falls within its mandate, i.e. whether the facts alleged, if found to be true, would amount to unsatisfactory conduct or misconduct under the Court's regulatory framework. If so, the IOM formally records the matter as a case and typically conducts a Preliminary Assessment to determine whether the allegation merits a Full Investigation, by considering the credibility, materiality, and verifiability of the allegation. In a Full Investigation, the IOM reviews all inculpatory and exculpatory information available to either substantiate or refute the allegation.

5. The IOM also continued to meet with individuals who wished to discuss potential complaints and seek the IOM's guidance on the applicable process should a formal complaint be made. If such a consultation does not lead to a formal complaint it is not recorded as a "case" in its system, but is nevertheless logged in the IOM's internal systems.

6. The IOM recognises that timely conclusion of cases is of key importance to the parties involved, including in facilitating timely administrative and disciplinary action where warranted. Accordingly, the IOM continued to prioritise efforts to improve the timeliness of its case handling. To address this capacity constraint, the IOM engaged the service of external investigators to supplement the IOM's lean investigative staff resources.

1. Caseload overview

7. During this reporting period, the IOM continued to receive a significant increase in allegations of potential misconduct. A total of **136 matters** were under consideration, comprising **53 cases** carried over from previous reporting periods and **83 matters** received during the current reporting period.

Figure 1: Caseload overview

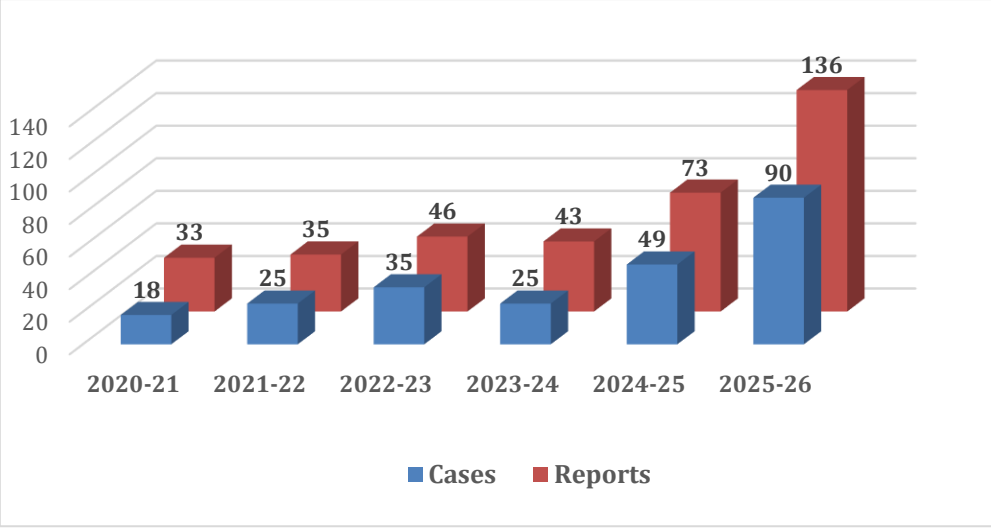
Caseload	Number	Percentage of total
Cases carried over from previous reporting period	53	38.97%
New cases received during current reporting period	83	61.03%
Total cases considered	136	100%

[1] As amended by Assembly resolution ICC-ASP/24/Res.2, dated 13 December 2025.

Figure 2: Distribution of cases

Total cases considered	136
1. After Intake or Preliminary Assessment	
Cases closed after Intake	22
Cases closed after Preliminary Assessment	8
Remaining cases under Preliminary Assessment as of 1 October 2026	81
2. After Full Investigation	
Total cases closed after Full Investigation	11
Unsubstantiated cases	2
Partially Substantiated	2
Substantiated cases	7
Remaining cases under Full Investigation as of 1 October 2026	14
Active Full Investigations	10
Full Investigations on hold due to subjects' extended leave	4

Figure 3: Historical comparison Investigation caseload



8. The IOM experienced some significant delays in case reviews. These delays were primarily attributable to severe staffing constraints, with the IOM operating with three investigators, each handling on average more than 40 cases. This caseload substantially exceeded internationally recognized standards and benchmarks of 8 to 12 cases per investigator. Other contributing factors included the complexity and scope of the matters under investigation. In addition, several investigations were placed on hold due to the unavailability of staff members who took extended medical leave shortly after being notified of allegations against them.

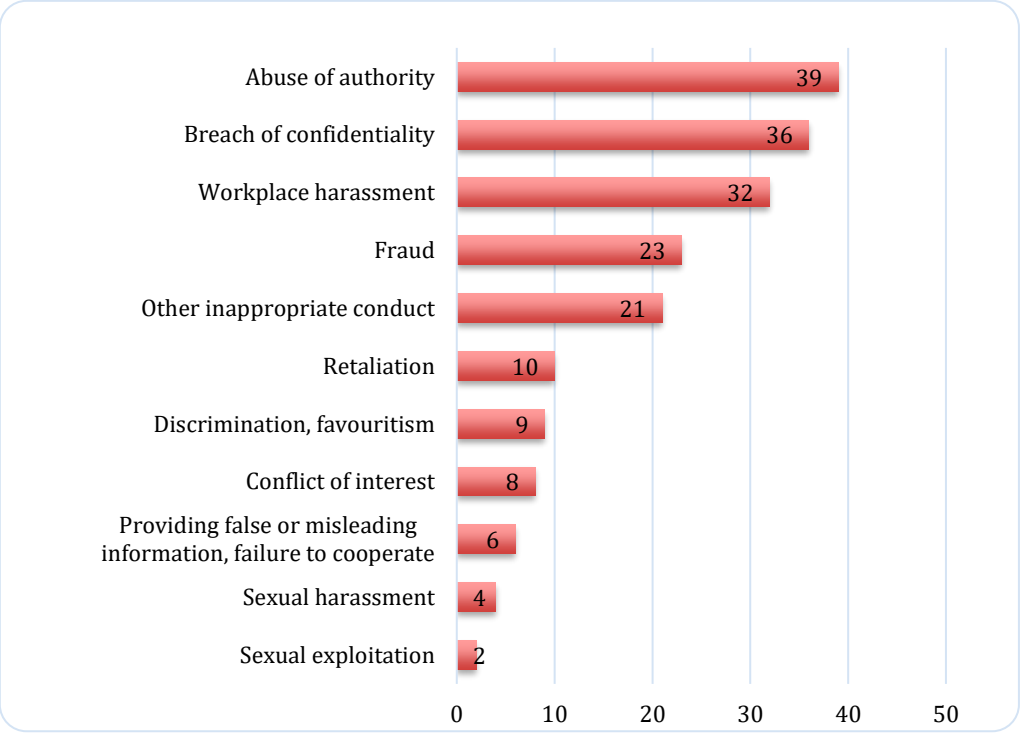
2. Typology trends

9. During the reporting period, the IOM noted an increase in the number of allegations it received relating to workplace harassment, abuse of authority and discrimination (see figure 4 below). While not all allegations will be substantiated, this increase in reporting may nevertheless reflect a greater confidence among staff members coming forward when they experience or become aware of inappropriate behaviour. This also underscores the need for continued awareness-raising efforts on workplace behaviour and the IOM mandate.

10. Allegations of fraud, including theft, procurement fraud, recruitment fraud and fund mismanagement, also remain high. The majority of financial fraud allegations relate to field operations, highlighting the need for closer oversight and strengthened controls.

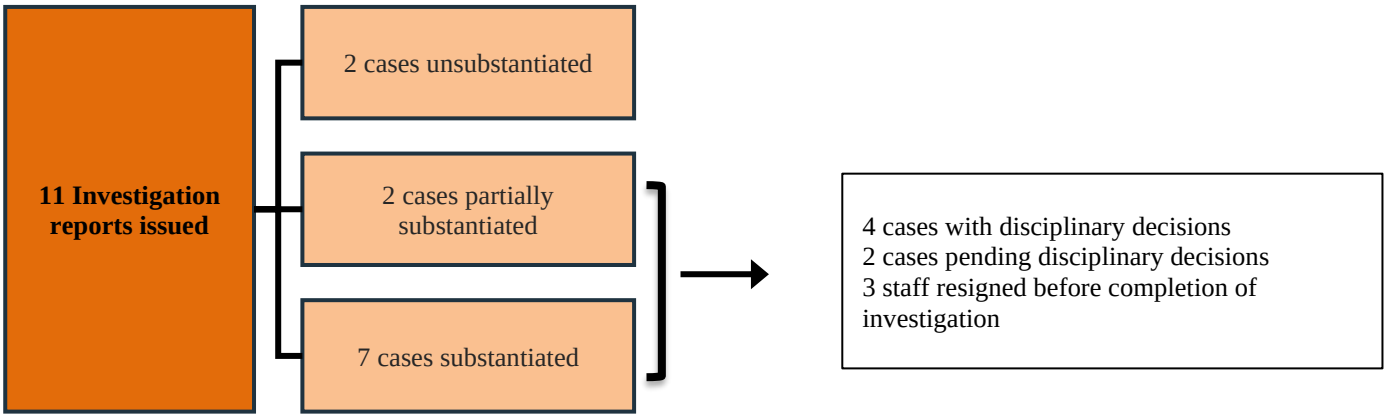
11. Of the 136 cases under consideration, 32 (24%) concerned breaches of confidentiality involving unauthorised disclosure of information to several media outlets. The proportion of cases involving such breaches is of particular concern, given the importance of confidentiality to the integrity and effective functioning of the Court. Investigating these matters proved challenging given the IOM's capacity, the nature and complexity of reported breaches, and the forensic analysis required. The IOM has, nevertheless, prioritised these matters.

Figure 4: Type of Allegations Received



3. Selected cases completed

Figure 5: Completed Cases Outcome



Completed after Full Investigation

(a) Allegations of Sexual Harassment

12. In January 2023, the IOM received an allegation of sexual harassment against a staff member towards an individual who worked under their supervision. The alleged misconduct included a pattern of unwelcome sexual comments and communications, intrusive questions of a personal nature, inappropriate social invitations and exposure to sexualised content. In accordance with its victim-centred approach, the IOM respected the affected individual's wishes to submit a formal complaint when they felt ready to do so, and provided information on available options available at the Court. A formal complaint was subsequently submitted in July 2023 and a Full Investigation was initiated.

13. On the basis of the evidence assessed, the IOM substantiated the allegations of sexual harassment. The investigation established that the staff member's conduct was not an isolated incident or single lapse of judgement, but formed part of a sustained pattern of unwelcome behaviour that failed to respect appropriate professional boundaries, which created a hostile and offensive working environment for the affected individual.

14. The staff member separated from the Court pending the outcome of the investigation. In December 2025, the IOM completed its investigation and transmitted its report and recommendations to the appropriate Head of Organ. Amongst these, included a recommendation that a note be placed in the staff member's personnel records, specifying that they separated from the Court while an investigation into allegations of misconduct against them was ongoing.

(b) Allegations of Workplace Harassment and Abuse of Authority

15. In October 2023, the IOM received a formal complaint alleging workplace harassment and abuse of authority by a supervisor. The allegation was characterised as concerning intimidating and inappropriate communication, the misuse of supervisory authority over the affected individual's probationary period and performance appraisal, exclusionary, inappropriate and derogatory comments regarding women, and prohibiting the affected individual from travelling abroad.

16. In line with a victim-centred approach and to protect the affected individual, the investigation was put on hold for a period of one year, having regard to the mitigating measures put in place.

17. On the basis of the information collected and evidence assessed, the investigation substantiated the allegations of workplace harassment and abuse of authority. In particular, it established that the supervisor inappropriately used the affected individual's probationary status and performance appraisals in a manner reasonably perceived as threatening, and restricted the affected individual's working and travel arrangements.

18. The investigation found insufficient evidence to substantiate that the supervisor excluded the affected individual and made humiliating or derogatory comments towards women to a standard required for finding misconduct. Nonetheless, the IOM identified concerns regarding the supervisor's communication and awareness about to cultural and gender considerations. Although evidence regarding certain comments did not meet the threshold to substantiate the allegation, the IOM recommended appropriate managerial measures be taken to enhance the supervisor's cultural awareness.

(c) Allegations of Workplace Harassment, Abuse of Authority and Discrimination

19. In September 2024, the IOM received allegations that a supervisor had engaged in workplace harassment, abuse of authority and discrimination. The allegation concerned aggressive and humiliating interactions, inappropriate physical conduct and derogatory or discriminatory remarks concerning nationals of a country.

20. The investigation identified a strained working environment and significant communication difficulties between the supervisor and the affected individual. However, evidence provided by witnesses and other corroborating information were insufficient to substantiate the allegations that the supervisor had verbally harassed the affected individual, abused their authority or engaged in alleged inappropriate physical conduct.

21. The investigation substantiated that the supervisor had made negative and derogatory generalisations concerning specific nationals, which likely contributed to the escalation of the events underlying the allegations.

(d) Allegations of Sexual Exploitation and Abuse, Collusion, Fraud and Failure to cooperate with an investigation

22. In December 2025, the IOM was informed of allegations of sexual exploitation and abuse made against a staff member. During the investigation, additional allegations were made against the staff member. These allegations included potential non-compliance with the rules governing the use of Court vehicles and safety rules, as well as deliberate submission of a false accident report.

23. The investigations substantiated allegations of sexual exploitation, non-compliance with the rules governing the use of Court vehicles and safety rules, and falsifying a report on a road traffic accident. The staff member also attempted to conceal relevant information and, therefore, failed to fully cooperate with the investigation.

24. On 30 March 2026, the IOM transmitted its investigation report to the appropriate Head of Organ, including a number of recommendations with the view of improving security measures in Court premises and with regards to staff management.

(e) Allegations of Undisclosed Conflict of Interest, Workplace Harassment, Witness Intimidation and Conduct Unbecoming of an International Civil Servant

25. In 2025, the IOM received allegations of prohibited conduct against a senior staff member characterised by a pattern of unwelcome and persistent contact, disregard for clearly communicated personal and professional boundaries, intimidation and other conduct alleged to have created a hostile working environment for the affected individual. In the course of the full investigation, the senior staff member submitted counter allegations towards the conduct and with regards to the motives of the affected individual.

26. While investigations were ongoing, the IOM established that the senior staff member engaged in conduct directed towards the affected individual that disregarded previously established boundaries and exerted pressure on the affected individual's participation in the investigation process. The IOM, therefore, substantiated the allegation of interference with investigative processes on the part of the senior staff member.

27. The investigation further substantiated that the senior staff member had failed to disclose a conflict of interest as required in the Court's applicable framework. The investigation highlighted the importance

of transparency and appropriate management of actual, potential or perceived conflicts of interest, particularly where a level of authority or seniority exists.

28. The counter allegations by the senior staff member were not substantiated following assessment of the available evidence provided, which the IOM determined was insufficient to establish the alleged misconduct on the part of the affected individual.

29. On 30 June 2026, the IOM transmitted its investigation report, together with recommendations, to the appropriate Head of Organ. This investigation identified broader lessons to be learned on professional boundaries, conflict of interest and power imbalances. The IOM, therefore, recommended targeted ethics trainings to senior officials to address the identification and disclosure of actual, potential and perceived conflicts of interest and how to manage them.

(f) Allegations of Fraud, Misuse of Court resources and Conflict of Interest

30. In October 2024, the IOM received an allegation of fraud, misrepresentation and misuse of Court resources by a staff member. It was alleged that the staff member was involved in procurement irregularities and in the provision of services to the Court, including misrepresentation regarding the ownership and provision of vehicles, irregularities in payments to service providers, overcharging of expenses, and suspected forgery of supporting documentation. During the investigation, the IOM uncovered information indicating that the staff member may have engaged in outside activities without seeking prior approval, and failed to disclose conflicts of interest involving vendors contracted by the Court.

31. On the basis of information collected and evidence assessed, the investigation substantiated the allegations. In particular, the investigation found that the staff member had an undisclosed interest in vehicles provided to the Court through external vendors and misrepresented privately owned vehicles as belonging independently to vendors and used those arrangements to obtain personal financial benefit. The investigation also found that the supporting documentation, including invoices, had been falsified or manipulated to reflect higher amounts.

32. In April 2026, the IOM submitted its report together with its recommendations to the appropriate Head of Organ. The IOM recommended that the Court should strengthen its procedures and internal controls governing the use of vendors to reduce the risk of similar fraud and conflicts of interest to occur in future, such as periodic and at least annual independent benchmarking of prices and rates for relevant goods and services, independent validation by staff members who are not involved in procurement processes, and strengthening due diligence procedures to verify the legal existence of vendors.

(g) Allegations of Fraud, Collusion, Conflict of Interest and Sexual Exploitation

33. On 4 June 2025, the IOM received allegations of fraud, collusion and conflict of interest against a staff member. It was alleged that the staff member engaged in fraud in relation to service providers for vehicle repairs and maintenance, through price inflation and payments made for services that were not provided and in the sale of Court vehicles. During the investigation, additional allegations were made against the staff member. These allegations included potential non-compliance with the rules governing the use of Court vehicles and safety rules, as well as potential sexual exploitation.

34. The investigations substantiated the allegations of fraud. However, the IOM was unable to establish the exact amount as it would have involved the review of invoices of the past ten years. The investigations also substantiated the breach of the policy on the use of the Court's vehicles, as well as non-compliance with safety rules. The allegations of sexual exploitation, as well as those of collusion and conflict of interest, were not substantiated.

35. On 19 February 2026, the IOM transmitted its investigation report, together with recommendations, to the appropriate Head of Organ. This investigation identified gaps in management and supervision, as well as workplace issues. Therefore, the IOM made relevant recommendations to the relevant Head of Organ.

(h) Allegations of Failure to declare Conflict of Interest; Fraud and Failure to cooperate with an authorised investigation

36. In February 2025, the IOM received allegations of fraud and undisclosed conflicts of interest with regard to payment of goods and services.

37. Based on an assessment of the gathered information and evidence, the IOM substantiated that the staff member exploited administrative gaps and failed to declare conflicts of interest to facilitate a series of fraudulent arrangements. Evidence confirmed that the staff member circumvented standard operating procedures and directed funds towards businesses and properties owned by relatives, directly and indirectly securing personal financial benefits. In the course of the investigation, the staff member attempted to obstruct the investigation, an allegation which was also subsequently substantiated.

38. In June 2026, the IOM submitted its investigation report to the appropriate Head of Organ, including recommending measures to enhance internal controls.

(i) Allegation of Retaliation

39. In February 2025, the IOM received an allegation of retaliation from a staff member against their management as a result of them reporting allegations of misconduct to the IOM. The staff also requested protection against further retaliation, for which the IOM made appropriate recommendations.

40. The IOM concluded its investigation in December 2025, determining that the management had not demonstrated by clear and convincing evidence that the detrimental action taken against the staff member was unrelated to their participation in the IOM investigation, or was not intended to punish, intimidate or injure the staff member. Therefore, the required standard of proof for such retaliation allegations had not been met, and the IOM therefore considered the allegation of retaliation substantiated.

Selected cases closed after Preliminary Assessment

(j) Allegations of Abuse of Authority, Harassment and Discrimination against an Elected Official

41. In 2024, the IOM received a report alleging abuse of authority, harassment, and discrimination by an Elected Official. The allegations were submitted after the Elected Official had referred to the IOM allegations of misconduct against the complainant, which the IOM had investigated and partly substantiated.

42. Following an extensive Preliminary Assessment, the IOM concluded that none of the allegations could reasonably be considered to constitute unsatisfactory conduct and closed the matter.

(k) Allegations of workplace harassment, retaliation, abuse of authority, breach of confidentiality

43. On 9 October 2024, the IOM received from a former staff member a complaint alleging workplace harassment, abuse of authority, discrimination, breach of confidentiality and retaliation by nine of his former colleagues. The complaint comprised more than fifteen incidents spanning the period between 2006 and 2024. The complaint was submitted after the IOM had concluded two investigations into the complainant's conduct, both of which resulted in the complainant's termination.

44. Following a comprehensive assessment of the allegations, the IOM determined that they did not warrant a Full Investigation and closed the matter. The IOM further considered the complaint to be a lawyering strategy deployed in response to the complaints brought against the complainant and the subsequent disciplinary sanctions imposed.

(l) Allegations of fraud, abuse of authority and conflict of interest

45. The IOM conducted a Preliminary Assessment of allegations that a former staff member had submitted false medical documentation in support of a disability benefit and had failed to disclose potential gainful employment while continuing to receive benefits.

46. The IOM verified the existence of the medical practitioner in the relevant documentation, but was unable to independently establish the medical documentation was false. The allegation was not corroborated by independent documentary or testimonial evidence. The IOM also confirmed that the former staff member had participated in an outside activity, but could not establish whether income derived from that activity exceeded the applicable threshold under the disability framework.

47. The IOM concluded that there was insufficient credible and verifiable evidence to warrant a Full Investigation and closed the matter without prejudice to reconsideration should material new information emerge or relevant pension authorities identify evidence of possible misconduct.

48. The IOM nevertheless identified systemic weaknesses in the administration of disability benefits, including the lack of a protocol for verifying the authenticity of medical certificates, and transmitted its recommendations to the appropriate Head of Organ for consideration.

B. Due diligence procedure

49. At its twenty-second session in December 2023, the Assembly adopted a permanent due diligence procedure for the election of the Judges, Prosecutor, Deputy Prosecutor(s), Registrar and Deputy Registrar, and mandated the IOM to conduct such procedure with the assistance of the Registry of the Court and the Secretariat of the Assembly of States Parties, as appropriate (due diligence procedure).[2] The IOM Operational Mandate was subsequently revised in December 2025 to allow for its full implementation.[3]

50. The due diligence procedure is intended to assist the Assembly in determining whether the candidates for elected position at the Court meet the requirement of high moral character[4] under the Rome Statute.

51. This year, the IOM conducted a due diligence procedure with respect to fourteen candidates nominated for election as Judges of the International Criminal Court scheduled in December 2026.

52. In accordance with paragraph 23 of the due diligence procedure resolution, the IOM transmitted its confidential report to the Presidency of the Assembly and the Advisory Committee on Nominations of Judges (ACN).

53. The IOM identified several important insights and lessons which emerged from the due diligence procedure and these are detailed in annex I, as well as an overview of the procedure undertaken.

C. Evaluations

54. An evaluation is an independent, rigorous, impartial, systematic and objective assessment of the relevance, effectiveness, efficiency, impact and sustainability of an activity, project, programme, strategy, policy, topic, theme, sector, operational area or institutional performance. It considers intended, as well as unintended, positive and negative consequences, and assesses what works well and less well. Its results are intended to be useful for decision-making and overall organisational accountability and learning.

55. The evaluations conducted by the IOM are aligned with the UN Evaluation Group's norms and standards. Evaluations broadly have a dual purpose of accountability and learning: they inform key stakeholders about the performance and results achieved, and they provide insight in relation to areas that work well and those that need improvement.

i. Evaluation of Complementarity in the Republic of Guinea

56. The IOM finalised its report on the Evaluation of Complementarity in the Republic of Guinea. The evaluation, requested by the Bureau following the proposal by the IOM[5], evaluated the implementation of

[2] Resolution ICC-ASP/22/Res.3
[3] Revised IOM Operational Mandate
[4] The concept of "high moral character" is understood as encompassing a combination of integrity, honesty, independence impartiality, ethical conduct and professional reputation. Ethical conduct, in this context, includes respect for human rights, the absence of abuse of workplace or in connection with work of harassment, including sexual harassment, abuse of authority, discrimination and bullying; as well as other ethical or legal breaches of a serious nature such as fraud or corruption (Chablais, 2023, European Convention on Human Rights Law Review, 250, 251).
[5] Bureau decision taken by silence procedure, on 12 November 2024.

the memorandum of understanding on complementarity between the Office of the Prosecutor and the Republic of Guinea, and identified lessons that may inform the Court's approach to complementarity more broadly.

57. This is the first time that an IOM evaluation focused on development results, assessing ICC's external impact and outcomes delivered for a target population.[6] It is also a first-ever independent evaluation assessing ICC's complementarity efforts in a given country. The selection of such a strategic topic is in line with the ICC's Evaluation Policy that supports the conduct of strategic evaluations that focus on ICC's external impact and outcomes.

58. The evaluation involved a mixed-method approach, using both qualitative and quantitative data and information. Evaluation participants involved OTP, government officials, the UN, civil society groups including focus groups with victim survivors of crimes of humanity committed in Conakry on the 28 September 2009. The IOM was granted access to the OTP dossier on Guinea. The evaluation team also reviewed government data, information and reports and has benefited from the UN's OHCHR's extensive field presence, data, resources and network in conducting the evaluation, including the UN Resident Coordinator. The evaluation was also supported by a group of relevant inter-disciplinary expert advisors who contributed *pro bono*.

59. Overall, the evaluation delivered strategic insight on complementarity, useful for decision-making to OTP leadership in a cost-effective way. The evaluation report issued five key lessons; and nine recommendations some of which are addressed to both signatories of the memorandum of understanding. Seven recommendations were accepted. The IOM will be following up one year after the completion of the evaluation on the implementation of the Management Action Plan.[7]

60. During the current reporting period and following the completion of the evaluation, the IOM presented key evaluation findings, lessons learned and recommendations in the form of a panel discussion at the ASP side-event in December 2025 and to the Hague Working Group facilitation on complementarity in May 2026. The IOM also disseminated the evaluation to other internal and external audiences. The report is available in English and French. It is the first IOM evaluation report to be made public, in line with the ICC Evaluation Policy.[8] This is an important milestone for the IOM and its evaluation function.

ii. Evaluation of ICC's Suspect Tracking Capability

61. During this reporting period, the IOM began the inception phase of the Evaluation of ICC's Suspect Tracking Capability. Given IOM's modest evaluation resources and the complexity of each of the three sub-themes, the original evaluation scope as requested by the Bureau of the Assembly[9] was reduced to focus solely on suspect tracking and facilitation of the implementation of arrest warrants. This phase included an internal evaluability assessment and consultations with 32 stakeholders, including Pre-Trial judges. This adjustment will also ensure sufficient analytical depth, efficiency and will be more commensurate with available IOM resources.

62. To support this evaluation, an Evaluation Reference Group was established, consisting of staff members from the Office of the Prosecutor, the Registry and the Judiciary, alongside a *pro bono* External Advisory Group of experts. Additionally, a subject matter expert consultant will provide further support for the evaluation.

63. The evaluation on *Strategic Planning (2026-2028)* and *Budgeting* requested by the Bureau of the Assembly, along with additional thematic areas of asset recovery and financial investigations will be implemented during the 2026-2029 ICC strategic cycle. The IOM will revisit its IOM proposal for 2027

[6] Previous evaluations mostly focused on organisational effectiveness (ICC's internal capacity, processes and systems).
[7] The Management Action Plan contains the evaluation recommendations, indicates which are accepted and rejected and contains the action plan for those that have been accepted.
[8] https://asp.icc-cpi.int/sites/default/files/asp_docs/IOM-2025-EVA-01.pdf
[9] Originally, the request was for an Evaluation of Financial Investigations, Suspect Tracking and Asset Recovery Capabilities at the ICC (Bureau decision taken by silence procedure, on 12 November 2024).

and the next strategic cycle in light of the findings and strategic directions of the external review of the IOM evaluation function.

64. Work on the implementation of the Court's Evaluation Policy is ongoing. Key results so far include guidance on quality assurance of evaluations, and guidance on the implementation of evaluation recommendations. Additional policy work included the development of terms of reference for the Evaluation Programme Committee and the Evaluation Advisory Group, as well as the selection of potential members for these entities.

iii. External review of the IOM's evaluation mandate

65. The IOM successfully secured USD25,000 from the United Nations Evaluation Group (UNEG) to fund an external review of its evaluation mandate, in addition to *pro bono* contributions from three senior experts serving on the Review Panel. The draft report of the panel is currently under consideration and is expected to be finalised by end of the year. The Terms of Reference of the review is annexed to this report (annex II).[10]

D. Inspection

66. An inspection is a special, unscheduled, on-the-spot verification of an activity directed towards the resolution of problems which may or may not have been previously identified.

67. During this reporting period the IOM conducted two inspections. The reports setting out the IOM's findings and recommendations are being finalised.

III. Other Activities

A. Assembly matters

68. During this period, the IOM actively contributed to the work of the Bureau of the Assembly, and its Working Groups, in particular in areas touching upon the IOM's mandate.

69. The IOM maintained a continued engagement with the Bureau of the Assembly regarding the implementation of the Court's Evaluation Policy as a shared institutional policy not exclusive to the IOM. This engagement led to the establishment of the Evaluation Programme Committee (EPC), which was scheduled to commence its activities in February 2027. The EPC will support the evaluation programme planning, strategy and follow-up to recommendations.

70. The IOM also updated the Assembly, through the IOM facilitation, on the implementation of the policy. In addition, it contributed to the discussions on complementarity, sharing its experience and the findings of the independent evaluation of the complementarity in the Republic of Guinea with the complementarity facilitation.

71. The IOM contributed to the discussions of the IOM facilitation pertaining to specific aspects of the IOM investigative mandate. Following up on the revision of the IOM Operational Mandate to include the engagement of external investigators, the IOM clarified the circumstances in which they may be used, including situations involving actual, potential or perceived conflict of interest, insufficient staff capacity, or the need for specialised expertise not available internally, such as medical, forensic or subject matter expertise.

72. The IOM proposed establishing a clear procedural framework governing the engagement of external investigators to safeguard the IOM's investigative mandate and strengthen institutional accountability and consistency. The IOM continues to maintain a roster of qualified investigators and will seek to expand this pool through cooperation with the United Nations entities, European Union and private entities where appropriate.

[10] See annex II.

73. The IOM also provided comprehensive updates to the IOM facilitation, the facilitation on the Review of the procedure for nomination and election of judges (PNEJ)[11] and the Advisory Committee on Nomination of Judges (ACN)[12] on the due diligence procedure for candidates for judicial elections. The discussions focused on the key insights gained from the process, the lessons learned and recommendations for improving future procedures.

B. Technical support provided to the Bureau of the Assembly

74. At the request from the Bureau, the IOM provided technical support in reviewing and applying redactions to a substantial volume of evidentiary material. The technical support was provided in accordance with terms of reference outlining the scope of the technical support, which was strictly limited to the review and application of redactions.

75. The exercise required a significant temporary reallocation of IOM's limited investigation staff, and while the support was completed within the timelines set by the Bureau, the additional and unanticipated workload impacted the IOM's regular investigation work and timelines.

C. Improving the Work of the IOM and the Regulatory Framework of the Court

76. The IOM is committed to continuously improving its working methods, while collaborating with the Court in the development of the relevant regulatory framework and ensuring alignment with the IOM's Operational Mandate and international best practices.

77. The IOM has identified the need for greater clarity in the definition of sexual exploitation, which appears to be more restrictive than the United Nations standards. The IOM also considers it important to strengthen communication and awareness-raising on sexual exploitation, particularly in field operations.

78. During this reporting period, the IOM advanced the development of standard operating procedures (SOPs) to further align and harmonise its investigative practices with the Court's Administrative Instruction on Investigations of Unsatisfactory Conduct. Key areas of interest included the victim-centered and trauma-informed approach, the engagement of external investigators, the due diligence process and redactions.

D. Collaboration with internal stakeholders

79. During this reporting period, the IOM strengthened collaboration with the Cyber Unit of the Office of the Prosecutor (OTP) to enhance technical and forensic support available internally. A draft Memorandum of Understanding (MoU) is under consideration, and is expected to establish the framework for cooperation, including respective roles, reporting lines and independence of the two offices, with respect to any request for assistance from the IOM. Particular attention was given to the identification and management of actual, potential or perceived conflict of interest.

80. During the reporting period, the Cyber Unit provided training to the IOM on the forensic imaging process, including on procedures and safeguards applicable to the acquisition and preservation of digital evidence. The IOM benefited from a training programme organized by the OTP Financial Investigation Unit focusing on the financial dimension of criminal investigations.

81. The IOM continues to collaborate with the Court in revising its regulatory framework related to working culture. In this regard, the IOM has contributed to the work and discussions of the Staff Wellbeing and Engagement Committee (SWEC), particularly in relation to the creation of an ethics function at the Court and the internal justice system.

82. Throughout the present reporting period, the Head of IOM has maintained regular contact with the President of the Staff Union Council to address staff's concerns and identify areas of improvement. This

[11] The facilitation on the Review of the Procedure for the Nomination and Election of Judges supports the Assembly's efforts to ensure transparent, fair and effective procedures for the nomination and election of judges of the International Criminal Court. It provides a forum for reviewing existing election procedures and considering improvements where necessary.
[12] The Advisory Committee on Nominations, assists State Parties in the selection of judges of the Court by evaluating candidates and providing recommendation on their qualification and suitability for judicial office.

engagement aimed to provide clarity on IOM's procedures and methodologies, and foster trust in the IOM's work, while duly respecting the distinct mandates of their respective entities. The IOM receive constructive feedback from the SUC on its draft SOP on a victim-centred and trauma-informed approach. The IOM also benefitted from the input from the OTP and ICC Focal Points for Gender Equality.

E. Collaboration with external stakeholders

83. The investigation staff benefited from targeted "knowledge nugget sessions" organized by the Conference of international Investigators (CII) and delivered by experienced international investigators. The training focused on practice-oriented sessions aimed at enabling staff to examine particular investigative techniques, emerging challenges and lessons learned between the member organizations. This approach proved useful to the IOM given limited staff while continuing professional development without financial costs. The knowledge nuggets also generated benefits beyond formal training by strengthening professional networks, facilitating exchanges of experience between investigators working in different institutional environments.

84. The IOM also maintained engagement with the United Nations Representatives of Investigation Services (UN-RIS), the United Nations Evaluations Group (UNEG) and the European Evaluation Society (EES). These engagements have facilitated the exchange of best practices and strengthened the IOM's professional networks with counterparts in other international organisations working in the field of evaluation and investigation.

IV. IOM Staffing and Administrative Matters

85. During this reporting period, the IOM remained significantly constrained by its staffing resources. The effects of these constraints were evidenced across the mandate. In its Budget proposal for 2027, the IOM has requested additional resources.

86. This reflects a strategic response to its alarming staffing conditions and the resulting consequences and risks. It aligns with the Court's forward-looking vision, which aims to enhance oversight and unity of purpose across all areas of the Court and specifically to improve workplace culture, as contemplated in Strategic Objective 6.3 of the ICC Strategic Plan 2026-2029.[13] The proposal is, therefore, predicated on realistic workload projections and budget assumptions related to the ongoing work of the IOM and includes fully costed and justified requests for additional staff resources to enable it to better deliver on its mandate.

87. The additional resources requested by the IOM are commensurate with the significant increase in its workload and additional responsibilities, including the due diligence procedure. If obtained, the resources requested will optimize the effectiveness of the oversight of the Court and have a positive impact on the role of the Assembly in ensuring the effectiveness and efficiency of the Court and in improving workplace culture.

V. Final remarks

88. In accordance with paragraph 51 of the IOM Operational Mandate, the IOM has circulated a draft of this annual report to the Heads of Organs, giving them the opportunity to provide comments for the IOM's consideration. No comments were received. As contemplated in the above-referenced paragraph, the Heads of Organ were also informed of the opportunity to provide its views in an annex to the report, and none of the Heads of Organs indicated a desire to do so.

[13] ICC Strategic Plan 2026-2029.

ANNEX I – REPORT ON THE DUE DILIGENCE PROCEDURE FOR CANDIDATES FOR JUDGES (2026 JUDICIAL ELECTIONS)

I. Introduction

1. At its twenty-second session in December 2023, the Assembly adopted a permanent due diligence procedure for the election of the Judges, Prosecutor, Deputy Prosecutor(s), Registrar and Deputy Registrar, and mandated the IOM to conduct such procedure with the assistance of the Registry of the Court and the Secretariat of the Assembly of States Parties, as appropriate ("due Diligence Procedure").[1] The IOM Operational Mandate was subsequently revised in December 2025 to allow for its full implementation.[2]

2. The Due Diligence Procedure is intended to assist the Assembly in determining whether the candidates for elected positions at the Court meet the requirement of high moral character[3] under article 36(3)(a) of the Rome Statute.

3. This year, the IOM conducted a Due Diligence procedure in respect of fourteen candidates nominated for election as Judges of the International Criminal Court (ICC) at the elections scheduled for December 2026.

4. In accordance with paragraph 23 of the Due Diligence Procedure resolution, the IOM transmitted its confidential report to the Presidency of the Assembly on 31 July 2026. The Advisory Committee on Nominations of Judges (ACN) received a copy of the report the same day.

5. The purpose of the present report is to provide the Assembly with a general overview of the Due Diligence Procedure undertaken by the IOM, as well as the key lessons learned, in accordance with paragraph 28 of the Due Diligence Procedure.[4]

II. Overview of the Due Diligence Procedure

6. The Due Diligence Procedure comprises an in-depth background check of criminal, academic and employment records of the candidates, the review and analysis of open-source information, as well as contacts with former employers and employees who may have worked with the candidates.[5] It also includes the review of possible allegations of misconduct made against candidates.[6]

7. Overall, the process consisted of the following main steps, which were applied consistently to all fourteen candidates:

i. Document review:

8. All candidates were required to complete and return to the IOM two detailed questionnaires developed by the IOM: a security questionnaire and a financial declaration. In addition to the information provided in these two forms, the IOM also reviewed the candidates' nomination documents, namely their statements of qualifications and their CVs.

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[1] Resolution ICC-ASP/22/Res.3.
[2] Revised IOM Operational Mandate.
[3] The concept of "high moral character" is understood as encompassing a combination of integrity, honesty, independence impartiality, ethical conduct and professional reputation. Ethical conduct, in this context, includes respect for human rights, the absence of abuse of workplace or in connection with work of harassment, including sexual harassment, abuse of authority, discrimination and bullying; as well as other ethical or legal breaches of a serious nature such as fraud or corruption (Chablais, 2023, European Convention on Human Rights Law Review, 250, 251).
[4] Resolution ICC-ASP/22/Res.3, annex II paragraph 28 : *The IOM shall also submit a report to the Assembly containing a general overview of the procedure undertaken, as well as any insights on lessons learned for the future."*
[5] Revised IOM Operational Mandate, paragraph 21.
[6] Revised IOM Operational Mandate, paragraphs 25-26.

ii. Open-source exploitation

9. The IOM gathered information on the candidates through open-source online research, including press articles, official releases, blogs, social media platforms such as X (formerly Twitter), LinkedIn, YouTube, and Facebook. The IOM conducted targeted online searches with a view to identifying information that any investigative journalist may be able to find on each candidate.

10. The information gathered was then analysed and, where relevant, incorporated in the report under the sections concerning online reputation and activity, media coverage and documented public statements/positions, and adverse information.

iii. In-depth checks of criminal, academic and employment records

11. With the assistance of the Security Section of the Court, the IOM sought to ascertain whether the candidates had a criminal record. Furthermore, the IOM reached out to the relevant universities and academic institutions to verify the academic certificates listed by each candidate in their CVs. It also sought to confirm the candidates' employment history.

iv. Interviews with current and former supervisors, peers and subordinates

12. As required by the Due Diligence resolution, the IOM contacted colleagues of each candidate, ensuring an appropriate diversity of perspectives by speaking to peers, subordinates and supervisors. Some of the individuals contacted were referenced by the candidate, while others were independently identified. On average, the IOM contacted four colleagues per candidate.

v. Clarifications sought from candidates

13. Although this step is not explicitly provided in the resolution on the Due Diligence Procedure, the IOM invited certain candidates to provide some clarifications or comments where discrepancies and inconsistencies were identified during queries conducted under steps (i)-(iv) above. The responses received from the candidates have been reflected in the report.

vi. Review of allegations made against candidates

14. A confidential channel was opened and disseminated for the purpose of receiving allegations of misconduct. All allegations received were acknowledged. As per the Due Diligence resolution, all anonymous complaints were set aside. Nevertheless, a summary of the complaints received is included in the report.

15. The IOM assessed the credibility and materiality of the non-anonymous complaints based on the information provided in the submissions. Where necessary, it sought additional information from the complainants, and interviewed relevant witnesses. In cases where the IOM determined that the allegations were sufficiently credible and material, they were presented to the candidates. A summary of the candidate responses is reflected in the report.

16. In some cases, disclosing the identity of the complainants and /or affected individuals was necessary for the candidates to provide a meaningful response to the allegations. Where the complainants and /or affected individuals declined to consent to the disclosure of their identities, the IOM was unable to disclose their identities, which limited the IOM's ability to ensure the due process rights of the candidates. As a result, the IOM was unable to reach a conclusive determination regarding those allegations.

vii. Assessment and conclusions

17. At the conclusion of the review, the IOM made findings regarding each candidate on four aspects:

18. In the case of allegations levelled against a candidate, whether such allegations were established;

19. Whether the information gathered, either through review of allegations or the other verification procedures under steps (i)-(iv), may raise concerns that could affect the high moral character of the candidate, or whether no concerns were identified;

20. Whether, based on the information gathered either through review of allegation or the other verification procedures under steps (i)-(iv), the IOM was not able to reach a conclusive determination on the high moral character of the candidate; and

21. Whether, for each candidate, there are potential risks that do not necessarily affect their high moral character, but nevertheless require attention or mitigating measures, should the candidate be elected.

viii. Notification of findings

22. Lastly, in compliance with the Due Diligence resolution, the IOM informed the candidates who were presented with allegations of misconduct of the outcome of its assessment. The IOM also informed their respective States accordingly. In addition, the IOM informed all complainants, including anonymous complainants, of the outcome of the review of their complaints.

III. Key lessons learned

23. The Due Diligence Procedure provided valuable operational experience and demonstrated the importance of independent vetting of candidate for elected positions at the Court. The experience gained from this comprehensive Due Diligence Procedure highlighted important lessons learned for consideration by the Assembly in future due diligence procedures.

24. The current procedure sets aside anonymous allegations upon receipt; however, they may contain sufficiently detailed and credible information to warrant further independent verification.

25. The Due Diligence Procedure highlighted the importance of procedural fairness where material adverse information is identified independently through background check. Consideration may therefore be given to whether the notification and opportunity-to-respond requirement should apply to material adverse findings irrespective of whether the information originated from the confidential reporting channel of from the IOM own enquiries.

26. The Due Diligence Procedure is resource intensive. The overall workload was estimated to be equivalent to approximately four (4) staff members working full-time for more than six months. Adequate and predictable resourcing will therefore be important for future exercises.

27. The effectiveness of the Due Diligence Procedure also depends upon timely cooperation and awareness among States Parties, employers, universities and other relevant institutions. Future exercises would benefit from dedicated communication strategy, earlier opening of the confidential reporting channel and greater support from States Parties in facilitating access, subject to applicable confidentiality requirements to relevant institutional and disciplinary information.

28. Closer coordination between the Advisory Committee on Nominations (ACN), the Assembly and the IOM would further assist in aligning nomination and due diligence timelines. Experience indicates that the IOM requires at least one month between closing the confidential channel and the assessment of candidates by the ACN to complete outstanding enquiries and prepare a comprehensive report.

29. Further operational improvements identified include strengthening mechanisms for the objective verification of academic and other credential; exploring the usefulness of national security clearances or equivalent information; improving access to relevant disciplinary records maintained by States and international organizations and requiring original academic documentation where qualification cannot otherwise be independently verified.

30. Finally, language accessibility emerged an important consideration. Where candidates originate from States whose official languages are not working languages of the Court, relevant information concerning the Due Diligence Procedure and confidential reporting channel should where feasible be made available in appropriate languages. This would support wider dissemination, stakeholder participation and the overall effectiveness of the process.

ANNEX II – TERMS OF REFERENCE:

EXTERNAL REVIEW OF THE INDEPENDENT EVALUATION FUNCTION OF THE INTERNATIONAL CRIMINAL COURT (2025)

2025-EVA-05

DATE ISSUED: JANUARY 2026

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1. INTRODUCTION

1.1. Following the official request of the President of the Assembly of States Party (PASP) to the UN Evaluation Group's (UNEG) Chairperson in December 2025[1], this document presents the Terms of Reference (TOR) that will guide the UNEG Peer Review of the International Criminal Court's (ICC or "the Court") evaluation function ("the Review"). The TOR outline key background information about the ICC, the Independent Oversight Mechanism and its evaluation function; the rationale, purpose, objectives and scope of the Review; the methodological approach, the key questions and the timeline; the composition of the review panel, and the estimated budget.

2. BACKGROUND

The International Criminal Court

2.1. The ICC - the first permanent international criminal court - investigates and, where warranted, tries individual charged with the gravest crimes of concerns to the international community: genocide, war crimes, crimes against humanity and crimes of aggression. It is founded on and governed by an international treaty called the Rome Statute, which entered into force on 1 July 2002 after ratification by 60 countries.

2.2. The Court is contributing towards helping to end impunity through its international criminal justice mandate and mission, by holding those responsible accountable for their crimes and by helping prevent the crimes from happening again. As a court of last resort, it seeks to complement, not replace, national Courts.

2.3. The ICC is an independent international organisation, and is not part of the United Nations system. Its seat is at The Hague in the Netherlands. Although the Court's expenses are funded primarily by States Parties to the Rome Statute, it also receives voluntary contributions from governments, international organisations, individuals, corporations and other entities.

The Independent Oversight Mechanism

2.4. The Independent Oversight Mechanism (IOM or "the Mechanism") operates as a subsidiary body of the Assembly of State Parties (ASP) exercising operational independence under the authority of the President of the ASP. The Mechanism is established in accordance with article 112, paragraph 4, of the Rome Statute[2], by Assembly resolution ICC-ASP/8/Res.1 of 26 November 2009, and amended by resolution ICC-ASP/19/Res.6 of 16 December 2020[3].

2.5. The purpose of the IOM is to provide assurance to 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 its three-fold mandate, namely; conducting independent evaluations, investigations and inspections.

The IOM evaluation function

2.6. The ICC's centralised and independent evaluation function is located in the IOM. The evaluation function is guided by the IOM Operational Mandate and the ICC Evaluation Policy.[4] As an office, the IOM became operational in 2016 and the evaluation function in 2017. Independent evaluations are designed, planned,

[1] Letter sent by PASP via email to the UNEG Chairperson on 17 December 2026.
[2] Article 112, paragraph 4: https://www.icc-cpi.int/sites/default/files/2024-05/Rome-Statute-eng.pdf
[3] ICC-ASP/19/Res.6, annex II: https://asp.icc-cpi.int/sites/asp/files/asp_docs/ASP19/ICC-ASP-19-Res6-ENG.pdf#page=26
[4] https://www.icc-cpi.int/sites/default/files/2024-12/2024-10-18-icc-evaluation-policy-eng.pdf

managed and led by the IOM's Senior Evaluation Specialist periodically supported by external consultants, advisory groups and/or temporary Visiting Professionals. While there is no formal decentralised function at the ICC, the Trust Fund for Victims (TFV) has an embedded Evaluation and Monitoring unit.[5]

2.7. The centralised evaluation function has gradually developed and accumulated evaluation knowledge and evidence over the past eight years of its existence and practice. Recent significant developments and milestones include the adoption of a first-ever Evaluation Policy in 2024; a standing Evaluation Programme Committee and an Evaluation Advisory Board in the making; evaluation reports available publicly for the first time since 2024; evaluation coverage improving, and more strategic evaluations requested and conducted to add value to the Court's organisational learning and accountability.

The context of the ICC, key results, challenges and milestones (2024 - to present)[6]

2.8. Since 2024, the Court continues to face unprecedented political, operational and institutional threats, from both ICC States Parties and non-States Parties, that impedes its ability to deliver international criminal justice. Following the issuance of an arrest warrant for Israeli Prime Minister Benjamin Netanyahu by the ICC, the United States imposed sanctions against the ICC Prosecutor, Deputy Prosecutors and six ICC judges. These measures constitute a direct attack on the Court's legitimacy, independence and its existence.

2.9. While state cooperation has eroded in relation to some States, notably regarding the arrest and surrender of suspects (Italy, Hungary and Mongolia), alongside a retreat from universality by several State Parties (Hungary and three Sahel States), others have shown strong commitment to the Court. For example, the arrest and surrender of former Philippine President Rodrigo Duterte in March 2025, despite the country's withdrawal from the Statute, marked the first ICC case against an Asian head of state. Germany's arrest of Libyan suspect Khaled Mohamed Ali El Hishri, signalled renewed cooperation after Italy's failure to do so, advancing long-delayed accountability for international crimes in Libya.

2.10. ICC Member States missed a key opportunity to adopt an amendment aimed at strengthening the Court's jurisdiction over the crime of aggression at the Special Session in New York, which delayed equal access to justice for victims until at least 2029. However, beyond the ICC, the UN General Assembly agreed by consensus to begin formal negotiations in 2026 on a Crimes against Humanity Convention, a long-awaited complement to the Rome Statute system.

2.11. Despite the challenges, the ICC advanced its mandate significantly in strengthening jurisprudence on gender-based crimes and intersectional harm. Two arrest warrants were issued against senior Taliban officials, marking the first arrest warrants to exclusively allege the crime of persecution on gender grounds, and the first time an application explicitly includes the targeting of members of the LGBTQI+ community. The landmark conviction of Ali Muhammad Ali Abd-Al-Rahman ("Ali Kushayb"), the first conviction in the Darfur situation, constituted the Court's first conviction for persecution on gender grounds.

2.12. Other significant milestones included the conviction of Alfred Yekatom and Patrice-Édouard Ngaïssona of war crimes and crimes against humanity committed during

[5] The TFV regularly commissions evaluations of its reparation programme with the support of external entities (e.g. universities and institutions).

[6] Report on programme performance of the International Criminal Court for the year 2024; FIDH_recommendations_to_ICC_States_Parties_asp24.pdf

the 2013-2014 conflict in the Central African Republic. Despite this judicial outcome, the absence of convictions against rape and the use of child soldiers was deeply disappointing for survivors.

2.13. The Court held its first confirmation of charges hearing in absentia for Joseph Kony, alleged Commander-in-Chief of the Lord's Resistance Army (LRA) in Uganda, who has been under an ICC arrest warrant since 2005. This represented a long-awaited step for nearly 6,000 victims participating in the proceedings. All charges were confirmed by the Pre-Trial Chamber, paving the way for trial if Kony is ever surrendered to the Court.

The institutional culture of the Court

2.14. Following the Independent External Review of the ICC in 2020[7] intended to bring about improvements at the organisational, judicial and operational levels through the implementation of a number of recommendations through the Review Mechanism[8], the Court continues to experience a crisis of integrity marked by misconduct allegations, weak election processes, and systemic workplace dysfunction. The annual staff engagement surveys[9] continue to signal hotspots in certain areas of workplace culture across the Court. Such issues erode staff trust and institutional credibility, underscoring that the Court cannot credibly deliver justice externally unless it embodies accountability and integrity from within.

The Review

2.15. An external and independent review of the ICC's centralised evaluation function by the UNEG to be conducted in 2026 will be the first of its kind. The request for the review was made on behalf of the PASP and is in accordance with the ICC Evaluation Policy (paragraph 16.1.)

2.16. The results and recommendations, as well as the outcome of the Review is intended to inform the future improvements of the evaluation function, and the Evaluation Policy and Strategy for 2026-2029. In addition to providing critical directions to the IOM, the review will also provide useful feedback to the PASP and the Bureau, the developing Evaluation Programme Committee and the Evaluation Advisory Board, the ICC's Heads of Organs, the staff and the Judges of the ICC, and also to the TFV Director and its Board of Directors.

3. PURPOSE, OBJECTIVES AND SCOPE

3.1. The main purpose of the Review is to strengthen the ICC's evaluation function so that it can contribute more to organisational decision-making and effectiveness, as well as learning and accountability for results at the Court. The Review is also intended to provide directions to the developing Evaluation Strategy for 2026 – 2029 and the strategic position of evaluation in the context of the 2026-2029 Strategic Plan of the Court and the IOM; and identify any critical areas of improvement to the ICC Evaluation Policy.

3.2. In terms of objectives, the Review is intended to contribute to enhancing:

i) the overall quality of evaluation at the ICC including quality assurance;

ii) evaluation credibility, utility and independence;

iii) governance and management of evaluation;

[7] Review of the International Criminal Court and the Rome Statute system | International Criminal Court
[8] Review of the International Criminal Court and the Rome Statute system - Review Mechanism | International Criminal Court
[9] Refer to Reports of the Court on Human Resources Management at: ASP Sessions | International Criminal Court

iv) evaluation planning;

v) resourcing of evaluation;

vi) evaluation follow up and use; and

vii) partnerships and collaboration.

3.3. In terms of its temporal scope, the Review will cover the period of 2017 to the present. It will focus on the centralised evaluation system (managed and led by the IOM) and will also partially cover evaluation related issues at decentralised level (e.g. external evaluations managed and led by the ICC's Trust Fund for Victims).

4. methodological approach

4.1. As per the UNEG Framework for Peer Review of the Evaluation Function[10], and the associated standardised tools used for UNEG peer reviews, the methodological approach to the Review will be guided by the indicative review questions[11], as assessed by a panel of professional evaluation peers, using the UN Norms and Standards as a benchmark and the triangulated evidence base. The review will include the analysis of qualitative and quantitative data and information.

4.2. The review questions have been organized to cover all of the major dimensions of the ICC evaluation system. The final list of questions will be developed in consultation with the Review Panel. The approach to the Review will also be guided by three core criteria, as defined in the UNEG Norms and Standards for Evaluation, that need to be satisfied for evaluation functions and products to be considered of high quality: i) independence of evaluations and of the evaluation system, ii) the credibility of evaluations and iii) the utility of evaluations.

4.3. In terms of methods, the Review will rely primarily on the following data collection tools to provide answers to the review questions and represent the evidence base:

- **Document analysis:** conducted by the consultant and considered by the Panel (the document library to be compiled by the IOM focal point).[12]
- **UNEG Self-Assessment Maturity Matrix for UN Evaluation Functions ("self-assessment"):** [13] the Panel validating the self-assessment (originally completed by the IOM for the centralised evaluation function).
- **Quality assurance**: assessment of a selected sample of IOM evaluation reports (the Panel to determine the selection criteria and sample size in consultation with the IOM focal point).
- **Interviews:** Analysis of themes from semi-structured interviews with ICC stakeholders[14] conducted by the consultant and the Panel.
- **Stakeholder Survey** (optional): [15] the Peer Review Panel via the IOM will administer a survey to key users of IOM evaluation information products and services and analyse survey results. It will aim to collect data from a cross section of evaluation users on relevance, quality and usefulness aspects.

[10] UNEG Guidelines for Professional Peer Reviews | UNEG
[11] Appendix A, including the additional review questions.
[12] Appendix B.
[13] UNEG Self-Assessment Maturity Matrix for UN Evaluation Functions | UNEG and UNEG Maturity Matrix Checklist | UNEG
[14] Appendix C.
[15] The Panel may decide to repeat the administration of a Stakeholder Survey that the IOM completed in 2024, or administer an adjusted version of it.

5. PANEL COMPOSITION

5.1. The Panel will consist of a Chair and two to three panel members including an independent consultant who will be reporting to the Panel Chair. The required competencies, credentials and experience of the consultant, as well as the expected deliverables will be detailed in the consultancy TOR complementing these TOR.

5.2. The convenor of the UNEG Peer Review working group will propose a Chair to the IOM Head and the UNEG Executive Steering Committee on a no-objection basis. The Chair should have relevant experience and seniority in management, particularly in managing evaluation functions, preferably in co-located oversight offices, strong diplomatic skills, and experience in international and multilateral organisations.

5.3. The Chair will in consultation with the Head of the IOM and UNEG determine the rest of the panel member composition based on relevant criteria including but not limited to: evaluation experience and competencies in the UN system (and/or evaluation experience in international and multilateral organisations); relevant experience to the mandate of the ICC; gender diversity.

6. TIMELINE

6.1. The overall timeline will be from November 2025 until June 2026 (7 months) with the active data collection and analysis period from February to April 2026 (3 months).

Phase	Key Activities/Milestones	Timeframe
1. Planning	• Initial consultations & engagement of the PASP on the planned review • Formal request for a UNEG Peer Review by the ICC to the UNEG Chairperson • Identification of a Peer Review Panel Chair	Nov – Dec 2025
2. Preparation	• Formation of Peer Review Panel Members • Drafting of Peer Review & Consultant TOR • Identification and Contracting of Peer Review Consultant • Preparation of Peer Review Documentation • Notification and communication on the planned Peer Review to various stakeholder groups	Jan 2026
3. Self-Assessment	• Implementation of IOM Evaluation Self-Assessment	Jan – Feb 2026
4. Initial Assessment	• Review of Key Documents	Feb 2026
5. Panel Mission	• Panel Mission to ICC Headquarters for Interviews with Key Staff	May 2026
6. Preliminary Report	• First draft of the Peer Review Report	May – June 2026
7. Final Report & Consultation	• Presentation and informal consultation with the PASP • Formal Presentations to the Bureau, the IOM Facilitation Group, the Committee on Budget Facilitation, and the TFV Board of Directors	June 2026

7. ESTIMATED BUDGET & FUNDING

7.1. The estimated budget for the whole exercise will be around EUR 25,000-30,000. As per the UNEG peer review practice in the UN system, the participation of the Chair and the Panel Members is pro-bono, whereas the consultant will be remunerated through UNEG funds. Additionally, the IOM will aim to cover the costs of a 1-week mission to the Hague for the rest of the Panel (Chair and Panel Members excluding the consultant).

7.2. Up to 25,000 will be set aside for consultancy costs, whereas up to EUR 5,000 will be allocated for covering travel and DSA of the Panel Chair and Panel Members for the mission to the Headquarters of the ICC. Mitigation and efficiency measures will be used where needed to be able to keep the cost at EUR 30,000[16].

7.3. The consultant will be contracted by the IOM of the ICC and the funding to cover consultancy costs for the Review will be sought from the UNEG budget for peer reviews (EUR 25,000). The additional EUR 5,000 is planned to be coming from the IOM budget or contingency funds of the ICC.

8. REPORTING AND DISSEMINATION

8.1. The Panel will submit its final report to the PASP, the Head of the IOM, the Evaluation Programme Committee and Advisory Board, the Committee on the Budget and Finance, as well as the Director of the TFV and its Board of Directors.

8.2. The final report will be on the agenda of the Bureau in June 2026. The full peer review report will be referenced in the IOM Annual Report for 2026, the IOM websites and presented at the ASP in 2026.

[16] For example, by keeping panel size small; limiting selection of panel members and the Chair to those who are based in Europe and the Netherlands; and/or limiting mission participation to an online modality for panel members based at more distant locations.

APPENDIX A: KEY QUESTIONS FOR THE UNEG PEER REVIEW

The following themes and corresponding review questions will be covered in the UNEG Peer Review of the ICC's evaluation function:

Themes		Review Questions
A. The ICC Centralised Evaluation Function		**Role & structural positioning:**
	i.	Is the role of evaluation understood across the Court compared to other oversight activities?
	ii.	Is the evaluation function fully leveraging its co-location in the IOM? What are, if any, the disadvantages of this structure for the evaluation function?
		Credibility, Utility and Independence:
	iii.	What is the overall assessment of key stakeholders (i.e. users of IOM evaluation services and deliverables) regarding the credibility and utility of evaluation in the ICC?
	iv.	Is the IOM evaluation function located independently from other management functions so that it is free from undue influence?
	v.	Are there any risks or threats to the independent functioning of the IOM's evaluation function? To what extent are adequate mechanisms and systems in place to safeguard the independence and impartiality of the evaluation function?
		Business Model:
	vi.	What is the optimal long-term and sustainable business model for the IOM evaluation function going forward (**related to section F.**)?
B. The ICC Evaluation Policy & Strategy	i.	To what extent are the stakeholders of the Court aware of the existence of the ICC Evaluation Policy (the "policy") and what it is about?
	ii.	To what extent does the policy meet recognized international standards for an evaluation policy for organisations such as the ICC?
	iii.	What is the progress made in implementing the ICC Evaluation Policy since 2024? What are the bottlenecks?
	iv.	Does the policy adequately take into account relevant ICC context and requirements? Are there areas that should be updated and/or adjusted going forward?
	v.	In light of the existing ICC Evaluation Policy, the previous strategic plans for evaluation and the issues identified in the review, what key areas should an Evaluation Strategy for the 2026 – 2029 focus on to ensure that evaluation is relevant at the ICC?

Themes		Review Questions
C. Governance & Management	i.	How effective are the organisational and functional relationships of the IOM's evaluation function with the Principals of the Court, including the senior management, the Bureau and any of the Hague Working Groups, the TFV Board of Directors and the TFV Director?
	ii.	To what extent are the responsibilities ascribed to the Evaluation Programme Committee and the Evaluation Advisory Board relevant and fit for purpose (as per the respective TORs)?
	iii.	What approaches are used to plan, manage and follow-up on evaluations?
	iv.	What steps have been taken by the IOM and/or the TFV to develop evaluation guidance material, methods and tools that strengthen the management of evaluations?
D. Evaluation Quality	i.	Do IOM led evaluations meet the quality criteria as stipulated in the UNEG Norms and Standards?
	ii.	To what extent are mechanisms in place to ensure the effectiveness of the evaluation process and the quality of evaluation deliverables?
	iii.	To what extent do IOM led evaluations integrate gender equality and human rights principles?
	iv.	To what extent are evaluation teams and evaluation consultants independent?
	v.	To what extent do IOM evaluation processes include open and transparent consultation with key stakeholders?
E. Evaluation Planning	i.	What methods and criteria are used for planning and prioritizing the selection of IOM evaluation topics?
	ii.	Are the subjects for evaluation selected independently and are evaluation processes (planning and conduct) independent and impartial?
	iii.	To what extent do the evaluation topics selected align with the needs and priorities of key stakeholders for both learning and accountability purposes?
	iv.	To what extent do the evaluation topics selected also meet the needs of external stakeholders, such as the wider UN system, the national jurisdictions, civil society etc.?
F. Evaluation Resources	i.	Is the IOM adequately staffed and financed to allow for the conduct and commissioning of high-quality (i.e. credible, useful, timely) evaluations?
	ii.	Does ICC adequately invest the necessary human and financial resources to support the delivery of high-quality decentralised evaluations?
	iii.	To what extent are the available evaluation resources aligned to meet the ICC's needs for credible evaluation evidence to guide planning and decision-making?
	iv.	To what extent is IOM able to determine the budget envelope for its planned evaluations?
	v.	Does the ICC's budgeting process for the regular budget affect the independence of the IOM?

Themes	Review Questions
G. Evaluation Follow Up and Use	i. How effective is the current system for tracking evaluation follow-up and for ensuring that evaluation findings and recommendations are used by senior management and governing bodies in decision-making and learning? ii. Are management responses and action plans prepared in a systematic manner for all evaluations? iii. What approaches, systems and/or tools are used to monitor progress in the follow up to evaluation recommendations? iv. To what extent are evaluations followed-up in a timely and comprehensive manner? v. To what extent do the ICC senior management and governing bodies use evaluation findings and recommendations for oversight, decision-making, programme planning or other purposes? vi. How effectively does the IOM communicate evaluation results and lessons both inside the Organization and externally?
H. Partnerships & Collaboration	i. To what extent has the IOM effectively engaged in partnerships in evaluation e.g. by building national evaluation capacities, collaborating in joint, system-wide or country-led evaluation initiatives, or engaging in the work of the UN Evaluation Group? ii. What opportunities exist to leverage internal and external collaborations to enhance the evaluation capacity at the IOM and the Court?

Additional review questions in relation to the TFV (and other) evaluations at the ICC:

i. Is there a decentralised evaluation system at the ICC?

ii. What is the understanding of IOM and TFV led evaluation across the Court?

iii. Does the ICC Evaluation Policy sufficiently clarify the various roles and responsibilities for decentralised evaluations? Are these responsibilities effectively carried out?

iv. How effectively has the IOM evaluation function provided the necessary support and guidance to monitoring and evaluation initiatives and activities and to evaluations at the decentralised level?

v. To what extent do TFV evaluations meet quality criteria set out in the UNEG Norms and Standards (e.g. evaluation selection & planning, management and follow-up practice)? To what extent do they integrate gender equality and human rights principles?

vi. To what extent does the coverage and quality of the IOM and decentralised evaluation systems (e.g. TFV) provide an adequate evidence base to assess organizational performance and to effectively inform organizational policies or frameworks (e.g. strategic planning and budgeting, results-based management)?

vii. Is there scope for synergy and leveraging resources between IOM and TFV evaluations?

APPENDIX B: KEY REFERENCE DOCUMENTS

- **ASP/Bureau documents:**
  - Minutes of the Hague Working Group, IOM Facilitation Group, Study Group on Governance of agenda items covering IOM evaluation or TFV evaluation
- **ICC documents:**
  - The ICC Strategic Plan 2026 – 2029
  - ICC Evaluation Policy (2024)
  - The Independent External Review of the ICC (2019)
  - The ICC Staff Engagement Survey results (2018-2024)
  - The ICC Programmes and Activities Reports (2017-2025)
  - The ICC Budget Reports (2017-2025)
  - The Annual KPI reports (2021-2025)
- **IOM:**
  - The IOM Operational Mandate (both original and revised version)
  - IOM Annual Reports (2017-2025)
  - Developing IOM Strategy (2026 – 2029)
  - IOM budget proposals (2017-2025)
  - Evaluation Program Committee and Advisory Board Terms of Reference
  - Job Descriptions and Vacancy documents (Senior Evaluation Specialist and Head, IOM).
- **Evaluation function of IOM:**
  - Evaluation annual and triennial strategies (2018-2024) and developing Evaluation Strategy 2026 – 2029
  - IOM Evaluation Function Monitoring Framework
  - IOM-led evaluations completed during the period 2017-2025
  - Stocktake on the Implementation of Evaluation Recommendations (2023)
  - Internal evaluation documents of relevance to the review (e.g. evaluation practice self-reflection, lessons learned on the evaluation process and outcomes; IOM Evaluation Stakeholder Survey results etc.)
  - IOM and TFV website information on evaluation (internal and external)
  - Any presentations of IOM evaluations to internal and external audiences
- **TFV:**
  - The TFV Monitoring and Evaluation Performance Framework
  - The TFV strategy and other relevant documents
  - The TFV evaluations on the implementation of reparation programmes (2017-2025)
  - Any presentations of TFV evaluations to internal and external audiences

- Minutes of the TFV Board of Directors meetings covering an evaluation agenda item

- **Audits**:
  - Performance Audit reports of relevance - Internal and External Audit (2017-2025)
- **Other:**
  - UNEG Norms and Standards for Evaluation
  - UNEG Guidelines for Professional Peer Reviews of Evaluation Functions

APPENDIX C: STAKEHOLDER GROUPS TO BE INTERVIEWED

The list of individuals to be interviewed will be provided by the IOM and developed in consultation with the Panel. The following stakeholder groups will be represented in the Review:

- The President of the ASP, ASP representatives and Bureau members;
- IOM Facilitation Group and other relevant Hague Working Groups;
- The Committee on Budget Facilitation;
- The Court's Principals (Heads of Organs: the President of the Court, the Registrar and the Prosecutor);
- ICC Judges (a sample from the total of 18 ICC judges);
- Senior management and staff (Division Directors and a sample from the Professional and General Service staff categories);
- the IOM Head and staff including, among others, the Senior Evaluation Specialist and former and current evaluation consultants and temporary personnel;
- Evaluation Programme Committee and Advisory Board members;[36]
- other oversight function management and staff (e.g. Internal and External Audit, IOM Administrative Investigation staff);
- the Director of the TFV and its Board of Directors, and
- any other internal or external stakeholders identified during the review.

[36] The members of these two groups have not yet been selected at the time of drafting the current TOR.