

**Fourteenth session**

The Hague, 18-26 November 2015

Report on the progress of the use of synergies among the organs of the International Criminal Court***I. Introduction**

1. In its final report following the twenty-third session in October 2014, the Committee on Budget and Finance (“the Committee”) expressed its appreciation for the focus that the Office of the Prosecutor (“the OTP”), the Registry, the Trust Fund for Victims and the Secretariat of the Assembly of States Parties are placing on the issue of synergies.¹

2. However, rather than continuing to move in isolation, the Committee strongly recommended that the organs consult one another, in line with the progress made with the *ReVision* project and the implementation of the OTP Strategic Plan 2012-2015, in order to make use of possible synergies in the following areas, while at the same time respecting the independence and confidentiality required to allow the OTP to carry out its duties: (a) language services, (b) human resources, (c) field operations, (d) the Common Administrative Services Division and the Division of Court Services, (e) victims at the Court, and (f) public information and documentation.²

3. The Committee also requested that the results of such synergies be included in the report³ that the other organs of the Court are requested to submit by 30 June 2015 providing an analysis of any impact of the next OTP Strategic Plan on their operations.⁴

4. The Committee requested that the report be submitted to its twenty-fourth session.⁵ Work is currently ongoing in identifying the impact of both the next OTP strategic plan and the final outcome of the Registry’s *ReVision* project. Therefore, rather than provide final results, the present report presents the progress made by the Court in activities undertaken so far and outlines a Court-wide approach for identifying further synergies.

II. Synergies achieved through harmonized processes and services

5. Synergy is the creation of a whole that is greater than the simple sum of its parts. The term synergy comes from the Greek word *synergia*, meaning “working together”. In the context of the Court, synergies are the result of combined, interrelated efforts and activities by all the organs to achieve the common objective, thus producing a result greater than the simple sum of the individual components.

* Previously issued as CBF/24/21.

¹ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Thirteenth session, New York, 8-17 December 2014* (ICC-ASP/13/20), vol. II, part B.2, para. 101, and vol. II, part A, para. 140(b).

² *Ibid.*

³ *Official Records ... Thirteenth session ... 2014* (ICC-ASP/13/20), vol. II, part B.2, para. 52.

⁴ *Official Records ... Thirteenth session ... 2014* (ICC-ASP/13/20), vol. II, part B.2, para. 102.

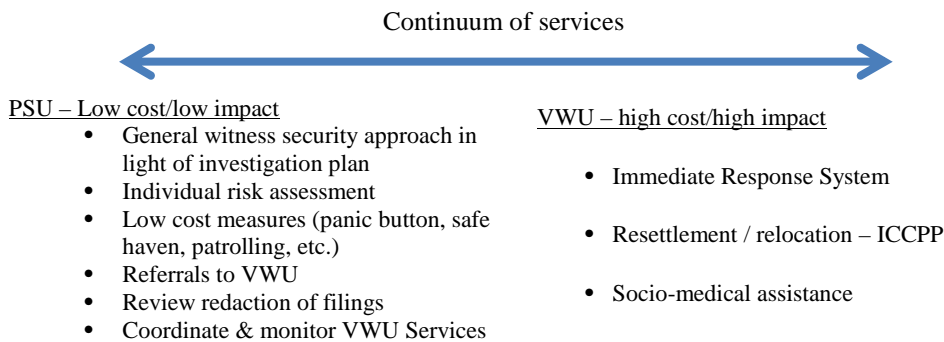
⁵ *Ibid.*

6. After more than 10 years of existence, the Court has progressed beyond the stage of efficiency improvements possible in the period immediately following the start-up of its operations. In addition to the major re-organization of the Registry through the *ReVision* project, the Court is also focusing efforts on creating inter-organ synergies and harmonizing business processes across the organization with a view to enhancing the long-term efficiency and impact of its activities, rather than focusing on shorter-term savings.⁶

7. Apart from daily inter-organ interactions and coordination, there are both high-level and working-level institutional mechanisms in place that provide strategic guidance and facilitate this critical inter-organ discourse and planning. The Court greatly values such mechanisms and works actively to promote them. Such permanent mechanisms as the Coordination Council, Tricomm, the Budget Working Group and other working groups for inter-organ coordination assist, where appropriate, in prompt information sharing, coordination, planning, and streamlining of efforts. These vehicles make it possible to identify where synergies can be achieved and how best they can be affected.

8. In particular, the OTP and the Registry work in a supportive and collaborative manner on a daily basis, with the aim of optimizing the *continuum of services* that the OTP and the Registry provide in several areas. This continuum of services allows redundancies or overlaps to be avoided, while respecting the different mandates of each organ and, in particular, the neutrality of the Registry as well as the independence and confidentiality required to allow the OTP to carry out its duties.

9. As an example, such a continuum of services can be found in the area of activities related to witnesses. Witness management is one of the most sensitive areas of the Court's operations. By virtue of its mandate, the OTP is the first to be in contact with witnesses, as part of its investigative work. Consequently, the management of Prosecution witnesses is started by the OTP and then transferred to the Registry when required. As coordination in this delicate area of activities is very important, a witness-protection protocol adopted by the Registry and the OTP provides for the complementary and efficient distribution of work between the OTP's Protection Strategies Unit (PSU) and the Registry's Victims and Witnesses Unit (VWU) in accordance with the responsibilities placed on the Registry and the OTP regarding witnesses. The figure below provides an overview of the activities undertaken by the PSU and the VWU.



10. Similarly, given its independent mandate as the organ of the Court entrusted with the investigation and prosecution of crimes under the Statute, the OTP requires its own public information unit to address issues across all situations and cases, including with respect to its preliminary examination work, and to impart key messages for the benefit of public at large. This is something which the Registry, given its neutral nature, cannot do. Yet, the OTP's Public Information Unit (PIU) does rely on the support services provided by the Registry's Public Information and Documentation Section (PIDS) to facilitate a number of its activities, and in practice, there is *de facto* strong coordination, information sharing and collaboration between them. The distinct roles of the PIDS and the PIU are defined in, *inter alia*, the "Report of the Court on Public Information and Outreach Activities".⁷

⁶ *Official Records ... Thirteenth session ... 2014* (ICC-ASP/13/20), vol. II, part B.2, para. 49.

⁷ "Report of the Court on Public Information and Outreach Activities", 13 April 2013, CBF/20/20.

III. Court-wide approach to further synergies

11. While in past years coordination has been provided for various activities, leading to increased synergies, the Court is cognizant of the fact that the current *ReVision* project and the new OTP strategy for 2016-2018 may have an impact on operational structures within each organ. This could, as a consequence, create a need for the provision of new types or levels of services. For example, the new field structure being envisaged by the Registry through the *ReVision* project and the increased field presence of OTP investigative teams following the new approach set out in its 2012-2015 strategic plan have led to the initiation of a dialogue at the inter-organ level regarding the Court's presence in situation countries in the different phases of its involvement. The Court will take such changes as an opportunity to further streamline and harmonize its business processes, so as to maximize the efficient use of resources.

12. As an example of such an approach, pending the completion of the above mentioned projects, the OTP's Services Section has initiated a pilot project to review the workflow and processes related to the activities performed in the Section (focusing on the General Administration Unit (GAU) and the Language Services Unit (LSU) for the time being) and its interactions with other sections within the OTP as well as in the Registry and other parts of the Court. The Section has requested that the Office of Internal Audit provide expertise on the review,⁸ with a view to assessing and streamlining processes as well as, if needed, suggesting ways to improve controls. The review is scheduled to be completed by the end of June 2015.

13. In view of the approaching completion of the *ReVision* exercise, the ongoing lessons-learned analysis on the implementation of the OTP Strategic Plan 2012-2015 and the finalization of the new OTP strategic plan, an inter-organ working group is being created to take stock of the achievements so far and to use what has been learnt from initiatives such as the pilot by the OTP Services Section so as to propose areas where further synergies can be created.

14. The inter-organ working group will act under the strategic guidance and supervision of the Coordination Council. It will develop a project plan focusing on issues such as governance determination, the most efficient allocation of resources to ensure an optimized continuum of services, service-level agreements and other continuous process improvements, taking due account of the independence of the organs. It will cover all areas of the Court's activities, including those highlighted by the Committee in its report of the twenty-third session.⁹

IV. Conclusions

15. Fostering synergies through consistent and systematic close inter-organ coordination is a priority for the Court. Building upon the extensive inter-organ coordination activities and discussion of the past, and acting in the light of the recent, ongoing developments at the Court, primarily in the Registry and the OTP, the Court is initiating an inter-organ project that will bring new depth and structure to these initiatives, guided by high-level strategic coordination. The Court anticipates that such a project, benefiting from the simultaneous occurrence of the completion of the Registry *ReVision* project and the presentation of the new OTP strategy for 2016-2018, offers the potential for new synergies that will ensure that the Court can adopt a, long-term, sustainable focus on achieving its goals as mandated by the Rome Statute.

⁸ Office of Internal Audit, 2015 Internal Audit Plan, Final Version.

⁹ *Official Records ... Thirteenth session ... 2014* (ICC-ASP/13/20), vol. II, part B.2, para. 101.