


Seventeenth session

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**Proposed Programme Budget for 2019
of the International Criminal Court**
Executive Summary

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I. Overview

1. The Proposed Programme Budget for 2019 of the International Criminal Court amounts to **€147.55 million**. This represents an increase of **€3.70 million, or 2.6 per cent**, over the 2018 approved budget (€143.85 million).

2. The proposed increase is largely the direct result of the implementation in 2019 of the strategic Court-wide priorities agreed by the Court's Principals in the context of the Coordination Council and the proposed organizational capacity of the Trust Fund for Victims. These priorities and activities reflect what can reasonably be anticipated for 2019 at this stage, and may subsequently be affected by the realities of the judicial and prosecutorial work of the Court. The high-level strategic priorities identified for 2019 are:

(a) *Running and supporting judicial proceedings, including in three trials:*

Three cases are expected to be at the trial hearing stage in 2019: *Dominic Ongwen* (Uganda), *Laurent Gbagbo and Charles Blé Goudé* (Côte d'Ivoire) and *Al Hassan* (Mali). The judicial assumptions in relation to support for trial proceedings do not represent a major shift in the required level of resources for 2019. In fact, as in 2018, two Registry courtroom teams will continue to be required to support the trial hearings in the *Gbagbo and Blé Goudé* case and the *Ongwen* case throughout the year. Additional trial hearings may possibly take place towards the last quarter of 2019 in the *Al Hassan* case, which will be supported with the existing Registry courtroom capacity. **No increase in any of the organs above the level of the 2018 approved programme budget is requested to support these activities.**

(b) *Conducting and supporting eight active investigations including via field activities:*

In 2019, in order to meet the most urgent demands for its intervention, the Office of the Prosecutor will increase its number of active investigations to eight: one in Burundi, two in Central African Republic (CAR II.a (Séléka), CAR II.b (anti-Balaka)), one in Côte d'Ivoire (CIV II), one in Darfur, one in Georgia and two in Libya (III and IV). To finance the increased level of activity, the OTP has sought to optimize the use of existing resources by redeploying staff as well as identifying savings and efficiencies. **Owing to a number of completely new requirements and the continuing heavy workload across investigations and cases, the OTP requests additional resources amounting to approximately €2.1 million.**

In order to provide the necessary support to the OTP during its investigations and to support overall Court operations in the field, additional investments are required in the Registry to ensure, for example, the full operationalization of the country offices in Mali and Georgia. The Registry has been able to finance these additional requirements through savings and reductions, as well as by redeploying resources wherever possible.

(c) *Implementing reparations awards in three cases:*

Three cases are expected to be at the implementation stage of reparations in 2019: *Lubanga* (DRC), *Katanga* (DRC) and *Al Mahdi* (Mali). The implementation of reparations awards will involve activities in the field by the Trust Fund for Victims, supported by the Registry and in consultation with Legal Representatives of Victims and Trial Chambers. Activities in the *Lubanga* and *Al Mahdi* cases will include the identification of eligible victims. These procedures, which take place both on site and in The Hague, require the involvement of the TFV, the Registry and the relevant Chambers. For the TFV, the proposed increase of approximately **€1.5 million** is requested to enhance the TFV Secretariat's organizational capacity to fulfil its responsibilities, including in relation to the implementation phase of reparations proceedings.

(d) *Investments in key Court-wide information management projects and security capacity:*

The Court will continue to implement the Five-Year Information Technology and Information Management Strategy in 2019. The strategy is intended to improve all Court processes, making them more suitable, efficient, secure and transparent. Most related activities are being implemented by the Registry for the benefit of all Court organs and external service users such as the victims' and defence teams.

No increase above the level of the 2018 approved programme budget is requested for these investments in 2019. The Registry has been able to contain all its resource requirements for the implementation of the IT/IM Strategy in 2019 within the level of the 2018 approved budget. An investment of approximately €1.6 million, primarily for the implementation of the Judicial Workflow Platform, is required in 2019.

3. The Court's proposed budget for 2019 has been carefully assessed against the need to contain budgetary increases as much as possible in view of financial constraints on the States Parties, while also factoring in: (1) the high-level strategic priorities as set by the CoCo; (2) the increase in the number of situations, along with corresponding workload; and (3) the increasing complexity of the Court's operations in areas such as security and cooperation. The Court believes that the proposed funds will contribute to tangible long-term efficiencies, mainly through more expeditious judicial proceedings, ensuring full respect of the principles of a fair trial; maintenance of the requisite quality of preliminary examinations, investigations and prosecutions; enhanced impact on the ground; and a more secure information environment for the Court's operations.

II. 2019 assumptions and operating environment

4. The International Criminal Court ("the Court") was established by the Rome Statute – adopted 20 years ago – as the only independent, permanent and global court with jurisdiction over persons charged with the most serious crimes of international concern and a reparative mandate with respect to the victims of those crimes. The Court's jurisdiction is complementary to that of domestic criminal courts, meaning that it acts only when a State is unable or unwilling to exercise its primary responsibility to prosecute these crimes.

5. The Court has an approved staff complement of **972 established posts and 165.69 GTA FTE positions approved in 2018**, representing 93 nationalities.

6. It is expected that in 2019, the Court will operate in 11 situations that are open: Burundi, the Central African Republic (CAR I and II), Côte d'Ivoire (CIV), the Democratic Republic of the Congo (DRC), Darfur, Georgia, Kenya, Libya, Mali and Uganda.

7. It is anticipated that at least **three cases will continue at the trial stage** throughout 2019, namely, *Gbagbo and Blé Goudé*, *Ongwen*, and *Al Hassan*. In addition to trial proceedings, it is anticipated that **five final appeals** will be ongoing throughout 2019, as well as **reparations proceedings in three cases**.

8. The Office of the Prosecutor ("OTP") plans to **increase the number of active investigations** from **six** in 2018 to **eight** in 2019, namely, Burundi, CAR II.a (Séléka), CAR II.b (anti-Balaka), CIV II, Darfur, Georgia and Libya (III and IV). Because of the inherently dynamic nature of the OTP's mandate and activities, it will continue to assess the need to open – or close – any investigations in 2019, in consideration of developments in the existing and any new situations, as well as its case selection and prioritization policy.

9. In addition, the OTP is expected to conduct analysis of **9 situations under preliminary examination**. In 2018, nine situations were under preliminary examination: Colombia, Gabon, Guinea, Iraq/UK, Nigeria, Palestine, Philippines, Ukraine, and Venezuela. With regards to the situation in Afghanistan, on 20 November 2017 the Prosecutor requested authorization from Pre-Trial Chamber III to initiate an investigation into alleged war crimes and crimes against humanity.

10. The Court is expected to maintain a **presence** in **seven** field locations in situation countries in 2019 – one each in the CAR (Bangui), Côte d’Ivoire (Abidjan), Georgia (Tbilisi), Mali (Bamako), and Uganda (Kampala), and two in the DRC (Kinshasa and Bunia).

11. In the light of the continued operations in all situations that are open, the **number of persons placed under protective measures** will remain high in 2019. More than **90 witnesses** will remain under protection in 2019, and will include those in the Court’s protection programme or requiring assisted moves and other types of support. There are currently **450 persons placed under protective measures** (90 witnesses and 360 dependents). Similarly, it is expected that more than **7,500 individuals will apply to participate as victims** in the various ongoing judicial proceedings. Furthermore, for the purposes of the Court’s situations under investigation, support will continue to be required for more than **29 situation-related languages** in 2019.

12. At the judicial level, it is expected that **eight suspects/accused persons** will be appearing before the Court in 2019, five of whom **will remain in detention**. **One cell block of six cells** will thus be required in the Detention Centre.

13. For the purposes of the proceedings in these three trials, up to **128 witnesses are expected to appear** to give testimony, requiring full support from the Registry’s Victims and Witnesses Section (VWS). A total of **10 languages** will need to be supported in courtroom proceedings, in addition to English and French. Importantly, **10 defence teams** and at least **5 teams of legal representatives of victims** will continue to be financed through legal aid in 2019.

14. The Trust Fund for Victims (TFV) seeks to strengthen its organizational structure significantly in order to remain responsive in the discharge of its mandates, in particular through activities emanating from judicial reparations proceedings, implementing reparations awards in the *Lubanga*, *Katanga* and *Al Mahdi* cases, as well as the expansion of its assistance mandate from two (DRC and Uganda) to six (Côte d’Ivoire, CAR, Kenya and Georgia) situation countries.

III. High-level strategic budget priorities for 2019

15. The Court’s Principals (the President, the Prosecutor and the Registrar), through the Court’s Coordination Council (CoCo), have defined four key strategic priorities for the Court’s activities in 2019. It is important to note that these priorities and activities reflect what can reasonably be anticipated for 2019 at this stage, and may subsequently be affected by the realities of the judicial and prosecutorial work of the Court.

16. The CoCo agrees on the judicial assumptions and strategic priorities underlying the budget proposal, and ensures consistency in the planning, preparation and presentation of Court-wide investments and resource requirements among the organs of the Court. Other Major Programmes within the Court are responsible for the planning and expenditure of their portion of the larger Court budget, which is presented to the States Parties for their approval as one shared Court budget proposal.

A. Running and supporting judicial proceedings, including in three trials

17. Conducting fair and expeditious trials lies at the heart of the Court’s activity and constitutes a critical element in how the results of the Court are measured and perceived. Accordingly, the CoCo has made the conduct of three ongoing trials the Court’s key priority.

18. Budgetary assumptions indicate that in 2019, the Court will continue to be engaged in trial hearings in three trials: *Ongwen*, *Gbagbo and Blé Goudé* and *Al Hassan*. Judicial work before the Trial Chambers outside trial hearings will continue in these cases, in the *Ntaganda* case, and in relation to reparations proceedings. The Judiciary will continue to need the same staff resources. Staff will be required for the judgment phase of the *Ongwen* case and the preparation of the *Al Hassan* trial. Reparations proceedings are expected to continue in the *Lubanga*, *Katanga* and *Al Mahdi* cases. The Court will also be very busy at

the pre-trial and appellate levels. The Pre-Trial Chambers are currently seized of 15 situations and the confirmation of charges hearing in *Al Hassan* is currently scheduled for 24 September 2018. At the appellate level, the Appeals Chamber will likely be hearing interlocutory and final appeals in up to three cases.

19. In comparison to most domestic proceedings, proceedings of the Court are exceptionally complex in terms of the cases presented and the procedural rules to be followed. The sheer number of witnesses, evidentiary materials and languages involved, coupled with the need for security on the ground and cooperation from national jurisdictions, makes trials resource-intensive and often lengthy. Delays affecting part of one trial can have a multiplying effect on other aspects of the Court's operations and budget – such as detention or witness costs. Efficiency of proceedings is therefore crucial, and the Court has worked tirelessly in recent years to expedite proceedings. For example, Chambers have developed standardized practice manuals, while the OTP has focused on making its cases as trial-ready as possible before bringing them before the Judges.

20. To make the most effective use of its resources, the Judiciary applies a policy of flexible staff allocation whereby staff are distributed among divisions as needed to adapt to fluctuating workloads. While the workload in some Chambers may increase, no new resources have been sought, as it is expected that the overall workload in Chambers will remain at a similar level as in 2018.

21. At the judicial level, eight suspects/accused are expected to appear before the Court in 2019, five of whom will remain in detention. One cell block of six cells will thus be required in the Detention Centre. Three cases are expected to continue at the trial stage in 2019, namely, *Ongwen*, and possibly *Gbagbo and Blé Goudé* and *Al Hassan* for at least part of the year, while the *Ntaganda* case will continue into the beginning of 2019, subject to conviction. They will require the simultaneous use of two courtrooms, with two courtroom support teams in the Registry to cover 324 days of hearings (*Ongwen* (Uganda): 160 days; *Gbagbo and Blé Goudé* (CIV): 124 days; *Al Hassan* (Mali): 40 days). The OTP will continue to require three full trial teams for trial proceedings in these three cases; Chambers will require teams for all these cases and an additional three teams for reparations. On completion of the trial stage, these cases are likely to move to the appeals and/or reparation stages.

22. For the Registry, the judicial assumptions in relation to support for trial proceedings do not represent a major shift in the required level of resources for 2019. In fact, as in 2018, two courtroom teams will continue to be required to support the trial hearings in the *Gbagbo and Blé Goudé* case and the *Ongwen* case throughout the year. Additional trial hearings may possibly take place towards the last quarter of 2019 in the *Al Hassan* case, which will be supported within existing Registry courtroom capacity.

23. For these three trial proceedings, up to 128 witnesses are expected to appear to give testimony, with an expected maximum duration of stay of 10 days per witness (five familiarization/preparation days, including weekends, and approximately three court days), requiring full support from the Registry's VWS.

24. A total of 10 languages, including English and French, will need to be supported in courtroom proceedings. Importantly, 10 defence teams (Trial (five): *Ntaganda*, Laurent *Gbagbo*, *Blé Goudé*, *Ongwen* and *Al Hassan*; Appeals (three): *Bemba* (article 70), *Kilolo* and *Mangenda*; Reparations (two): *Katanga* and *Lubanga*) and at least five teams of legal representatives of victims will continue to be financed through legal aid in 2019.

25. No increase over the amount in the 2018 approved programme budget is requested to support these activities.

B. Conducting and supporting eight active investigations including via field activities

26. In 2019 the Court will be operating in 11 situations that are open: Burundi, the Central African Republic (CAR) (I and II), Côte d'Ivoire, Darfur (Sudan), the Democratic Republic of the Congo (DRC), Georgia, Kenya, Libya, Mali and Uganda. On 20 November 2017, the Prosecutor requested authorization from Pre-Trial Chamber III to initiate an investigation into alleged war crimes and crimes against humanity in the situation in Afghanistan. As the matter is pending at the time of the budget submission, this situation is not included in the budget proposal.

27. The OTP plans to **increase the number of active investigations** from **six** in 2018 to **eight** in 2019, namely, Burundi, CAR II.a (Séléka), CAR II.b (anti-Balaka), CIV II, Darfur, Georgia and Libya (III and IV). To this effect, the OTP requires additional resources amounting to approximately **€2.1 million**. Owing to the inherently dynamic nature of the OTP's mandate and activities, it will continue to assess the need to open – or close – any investigations during 2019, in consideration of developments in the existing and any new situations, as well as its case selection and prioritization policy.

28. The OTP Executive Committee (“ExCom”) gives thorough consideration to various aspects when planning for activities in each fiscal year and preparing for the corresponding programme budget request. In line with OTP strategy, priority is always assigned to cases that are being prepared for trial or that are at the trial stage. Investigations are normally the most resource-intensive activity carried out by the OTP and timing is essential for optimum results. As the Court often operates in highly volatile political and security environments, focus and resources are also devoted to active investigations, as a priority, in order to capitalize on opportunities as much as possible.

29. **Burundi:** On 9 November 2017, Pre-Trial Chamber III authorized the Prosecutor to open an investigation into crimes against humanity within the jurisdiction of the Court allegedly committed in Burundi or by nationals of Burundi outside Burundi since 26 April 2015 until 26 October 2017, before Burundi's withdrawal from the Rome Statute became effective on 27 October 2017. The Prosecutor is also authorized to extend her investigation to crimes which were committed before 26 April 2015 or continue after 26 October 2017, as long as the investigation or prosecution relates to the crimes allegedly committed during the time Burundi was a State Party to the Rome Statute. In 2018, the OTP jump-started a new investigation in Burundi. To begin operations quickly and efficiently, and also to absorb costs as much as possible, some existing staff and resources were deployed into this new situation. However, new resources were needed because of imminent operational needs in areas such as operational support, witness protection, cooperation and new language requirements. As the ongoing investigative activities and workload are set to remain at a high level throughout 2019, with two new active investigations compared to 2018, there is little to no further flexibility in terms of staff reallocation; most of these new resources are therefore still needed in 2019.

30. **CAR II.a/II.b (two investigations):** The Central African Republic has twice referred a situation in its territory to the Court. Investigations in the CAR II situation focus on alleged crimes committed during renewed violence in the country from 2012 onwards by government entities and various groups, including elements known as, or grouped under, the names Séléka and anti-Balaka. The investigation is ongoing, with two teams of investigators working on the crimes allegedly committed by the different parties to the conflict. While a good cooperation environment has helped the OTP to make substantive progress in its investigation, the security environment has remained extremely unstable and has created certain challenges for its activities.

31. **CIV II:** Post-election violence erupted in Côte d'Ivoire in 2010-2011 after results in the presidential election involving Mr Laurent Gbagbo and Mr Alassane Ouattara were contested. Atrocities purportedly committed during the ensuing violence included murder, rape, other inhumane acts, attempted murder and persecution. The OTP's investigations have focused on alleged crimes committed by both the pro-Gbagbo forces (CIV I) and pro-Ouattara forces (CIV II). Throughout 2019, the OTP will actively continue its investigation, also known as CIV II, into crimes allegedly committed during the post-

electoral violence. Good progress has been made, but given that the other case in this situation is already approaching the defence phase, extra efforts and resources are needed to finalize the investigations into the other parties to the conflict.

32. **Darfur:** Sudan is not a State Party to the Rome Statute. In February 2003, an armed conflict emerged in Darfur between rebel movements, the Government of Sudan and other armed groups. Attacks against civilians and other atrocities, including killings, rape, persecution and other inhumane acts, purportedly became widespread. The United Nations Security Council referred the situation in Darfur to the Prosecutor on 31 March 2005, pursuant to its resolution 1593 and article 13(b) of the Statute. Alleged crimes falling under the Court's jurisdiction reportedly continue to be committed in Darfur. As announced in its report to the United Nations Security Council, the OTP will continue in 2019 to investigate leads relating to developments in its earlier investigations and also those relating to the ongoing crimes being committed. Several warrants of arrest following earlier investigations remain outstanding, some of them since 2007. The cases either remain at the pre-trial stage, pending the suspects' arrest and surrender to the Court's custody or before the Trial Chamber, in the case of Abdallah Banda Abakaer Nourain, pending the accused's arrest before the presentation of evidence can commence.

33. **Georgia:** On 27 January 2016, following a preliminary examination of the situation in Georgia since 2008 and in the absence of effective proceedings at the national level, Pre-Trial Chamber I granted the Prosecutor authorization to commence an investigation into the situation in Georgia, in relation to crimes falling within the Court's jurisdiction allegedly committed in and around South Ossetia between 1 July and 10 October 2008. The OTP will continue actively investigating in the Georgia situation throughout 2019. One of the main challenges in the Georgia situation continues to be the need for enhanced secure communications for any staff deployed to the field, as well as overall information security. The Court is acutely aware of the concerns of victims and affected communities in the situation with regards to the absence of judicial remedies since the conflict took place 10 years ago.

34. **Libya (two investigations):** By way of resolution 1970 of 26 February 2011, the United Nations Security Council referred the situation in Libya since 15 February 2011 to the Court's Prosecutor. Libya is not a State Party to the Rome Statute. On 3 March 2011, the OTP opened an investigation into the situation in Libya in relation to crimes within the jurisdiction of the Court allegedly committed since 15 February 2011. The OTP's investigations led to three cases on charges of murder and persecution. Despite the challenging security and political situation in Libya, the OTP has continued to collect, receive and process evidentiary material concerning crimes committed in relation to the February 2011 revolution and more recent events, notably related to ongoing crimes against humanity being committed. In the light of the evidence collected, the OTP ExCom has decided in 2019 to conduct, in the situation of Libya, two active lines of investigation: one concerning alleged crimes against humanity and inhumane treatment implicating al-Werfalli *et al.* (Libya III), and another relating to alleged crimes against humanity, within the Court's jurisdiction, against migrants (Libya IV). The Office will continue its consultations with relevant international and regional partners and agencies, as well as neighbouring States, to explore the possibility of cooperation, coordination and information sharing, where appropriate. Given the different focus, nature and method of these two investigations, two distinct teams are required. However, as synergies can be envisaged between them, and in an attempt to limit the budgetary impact, the OTP does not intend to assign a full-size Integrated Team to either investigation.

35. Each of these investigations will continue to require support from the Registry, both in the field and at Headquarters, in areas such as victim and witness support, languages, security and logistics. Registry will also conduct or support other mandated activities such as victim participation and reparations, and outreach. For this purpose, it is expected that the Court will maintain a presence in seven field locations in 2019: one each in the CAR (Bangui), Côte d'Ivoire (Abidjan), Georgia (Tbilisi), Mali (Bamako) and Uganda (Kampala), and two in the DRC (Kinshasa and Bunia).

36. Despite these increased requirements for Registry support in the field, in particular in the CAR, Côte d'Ivoire, Mali and Georgia, and for Court-wide operations in general, no increases are included in the budget proposal. This has mostly been achieved through the

implementation of savings and efficiencies, and through other measures such as the internal redeployment of staff from one country office to another to cater for the fluctuation in activities.

C. Implementing reparations awards in three cases

37. Three cases are expected to be at the implementation stage of reparations in 2019: *Lubanga* (DRC), *Katanga* (DRC) and *Al Mahdi* (Mali). The delivery of reparations awards will involve activities in the field by the TFV, supported by the Registry and in consultation with Legal Representatives of Victims and Trial Chambers. Activities in the *Lubanga* and *Al Mahdi* cases will include the identification and eligibility screening of victims. These procedures, which take place both on site and in The Hague, require the involvement of the TFV, the Registry and the relevant Chambers. The implementation of the reparations includes individual, service-based collective and symbolic awards. For the TFV, the proposed increase of approximately **€1.5 million** is requested to enhance its organizational capacity to fulfil its responsibilities during the implementation phase of reparations proceedings.

38. Registry support will continue to be required from the two DRC offices for the implementation of reparations in the *Katanga* and *Lubanga* cases. Likewise, the country office in Bamako (Mali) will be required to provide support to the TFV activities with respect to the implementation of reparations in the *Al Mahdi* case. The offices in the DRC and Mali will require adequate resources to perform the necessary activities in relation to the ongoing reparations proceedings in those countries. In particular, investments will be necessary to bring the office in Mali to an operational capacity that is adequate for the level of support expected to be required in 2019. The Registry has been able to finance the additional requirements through efficiencies, savings and reductions, as well as by redeploying resources wherever possible.

D. Invest in key Court-wide information management projects and security capabilities

39. In 2019, the IT/IM strategy for 2017-2021, approved by the Court's Information Management Governance Board and endorsed by the CoCo in 2017, will be entering the third year of its implementation stage. The strategy is intended to improve all Court processes, making them more suitable, efficient, secure and transparent. Most related activities are being implemented by the Registry for the benefit of all Court organs and external service users such as the victims' and defence teams.

40. The Court will continue to implement the five-year strategic plan in 2019. The delta of the Court-wide investments for 2019 amounts to approximately €1.0 million out of the €2.2 million required. The Registry has been able to contain all resource requirements for the implementation of the strategy in 2019 within the level of the 2018 approved budget. The implementation of these projects in 2019 includes, for example, an investment of approximately €1.6 million in the Registry, the largest portion of which is for the Judicial Workflow Platform. The following Court-wide areas of improvement have been identified for 2019:

(a) Investigative: continuing improvements in long-term storage of digital and forensic evidence for the OTP, leading to a reduction in processing and retrieval time;

(b) Judicial: acquiring a new information repository platform as an integral part of the implementation of the Judicial Workflow Platform, which aims at providing the Court with a new system and centralizing storage of all case records;

(c) Information security: further strengthening the Court's information security profile, including the implementation of a data leak prevention system and continued enhancement of the threat intelligence system;

(d) Optimizing IT systems: renewing the Court's virtual infrastructure enabling it to support increasing computational demands; and

(e) Administrative: automating processes and procedures to increase efficiency and reinforce internal controls.

IV. Savings and Efficiencies

41. At its fifteenth session in November 2016, the Assembly of States Parties (“the Assembly”) requested the Court to present a sustainable budget proposal whereby proposed increases were requested only after all possible steps had been taken to finance such increases through savings and efficiencies.¹ In April 2018, representatives from the Court met with the Committee on Budget and Finance (“the Committee”) at its thirtieth session for a workshop on savings and efficiencies to exchange views with the aim of enhancing clarity, coherence and transparency of information. As a result, the report now focuses on savings, efficiencies, non-recurrent costs and additional cost reductions and how these elements affect savings and efficiencies in 2018, as well as costs avoided in 2019. See Annex XII of the 2019 proposed programme budget of the Court.

42. In the 2019 proposed programme budget, the Court achieved savings and efficiencies in the amount of €1,132.3 thousand. Through savings, non-recurrent costs and additional cost reductions, the Court has been able to redeploy approximately €3.4 million to offset increases in other areas where resources are necessary to implement mandated activities for 2019.

V. Proposed Programme Budget for 2019

43. The Court’s proposed programme budget for 2019 amounts to **€147.55 million**. This represents an increase of **€3.70 million, or 2.6 per cent**, over the 2018 approved budget (€143.85 million). Following the recommendation of the Committee at its twenty-fifth session, the figures for the proposed regular budget are presented separately from the interest on the host State loan for the permanent premises. As indicated by the Committee, this has been done with a view to improving transparency and allowing for a comparative assessment of the resources needed for the Court’s activities in 2017. When including the interest in the costs of the permanent premises project of **€3.59 million**, the Court’s proposed programme budget for 2019 amounts to **€151.13 million**, or an increase of **2.5 per cent**.²

ICC	2018 Approved Budget	Resource Changes		Proposed 2019 Budget
		Amount	%	
MP I: Judiciary	12,712.0	(334.2)	(2.6)	12,377.8
MP II: OTP	45,991.8	2,109.0	4.6	48,100.8
MP III: Registry	77,142.5	(16.2)	(0.0)	77,126.3
MP IV: SASP	2,718.2	153.4	5.6	2,871.6
MP V: Premises	1,498.5	301.5	20.1	1,800.0
MP VI: STFV	2,541.5	1,486.3	58.5	4,027.8
MP VII-5: IOM	534.5	22.1	4.1	556.6
MP VII-6: OIA	707.3	(19.3)	(2.7)	688.0
<i>Subtotal</i>	<i>143,846.3</i>	<i>3,702.6</i>	<i>2.6</i>	<i>147,548.9</i>
MP VII-2: Host State Loan	3,585.2	(0.1)	(0.0)	3,585.1
Total	147,431.5	3,702.5	2.5	151,134.0

¹ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fifteenth session, The Hague, 16-24 November 2016* (ICC-ASP/15/20), vol. I, part III, ICC-ASP/15/Res.1, para. L.1.

² *Official Records ... Fourteenth session ... 2015* (ICC-ASP/14/20), vol. II, part B.3, para 12.

A. Major Programme I: Judiciary

44. In terms of staff resources, the 2019 Judiciary budget represents a straightforward continuation of 2018 with a full complement of 18 judges for the whole of 2019 with two further judges continuing in office to complete ongoing trials, all of whom are on the revised pension scheme. As in 2018, proceedings are expected in three parallel trials in 2019. In order for the trials to be able to proceed simultaneously where necessary, adequate courtroom time as well as team support from the Registry will be required. It is envisaged that the 2019 caseload will successfully be tackled through the flexible deployment of the Judiciary's fully operational, well-trained and experienced staff to meet the changing casework needs, coupled with effective coordination between the divisions. This is expected to maintain a high level of staff output and lead to an improvement in individual staff members' skills. Accordingly, the Judiciary will request no additional staff resources over and above the 2018 approved staffing level.

45. An increase in training has been proposed for staff and judges in 2019 to expand the pool of knowledge and expertise in Chambers. Following inter-organ consultations and a decision by the CoCo, the New York Liaison Office (NYLO) will be redeployed to Sub-Programme 3800 (Division of External Operations) within the Registry. Resources for the NYLO are proposed under the Registry's Major Programme III, as indicated above, where it will be managed alongside the field offices.

46. The total cost for Major Programme I will therefore decrease in 2019 by **€0.3 million**, from €2.71 million to **€12.38 million**, or **2.6 per cent**.

<i>Programme I Judiciary</i>	2018 <i>Approved Budget</i>	<i>Resource Changes</i>		<i>Proposed 2019 Budget</i>
		<i>Amount</i>	<i>%</i>	
Judges	5,521.1	141.0	2.6	5,662.1
Staff Costs	5,594.9	(349.0)	(6.2)	5,245.9
Other Staff Costs	1,286.4	(18.4)	(1.4)	1,268.0
Non-Staff Costs	309.6	(107.8)	(34.8)	201.8
Total	12,712.0	(334.2)	(2.6)	12,377.8

B. Major Programme II: Office of the Prosecutor

47. The OTP proposes a budget of **€48.10 million** for 2019. This represents an increase of **€2.11 million**, or **4.6 per cent**, over €45.99 million granted by the Assembly for 2018. Staff costs and non-staff costs account for **€1.26 million** and **€844.3 thousand**, respectively.

48. The additional resources will cater for the increase in the number of active investigations from six in 2018 to eight in 2019, namely, Burundi, CAR II.a (Séléka), CAR II.b (anti-Balaka), CIV II, Darfur, Georgia and Libya (III and IV). The new investigation that was started in 2018 in the Burundi situation and which was not included in the 2018 proposed programme budget will carry on into 2019. Because of sustained operational needs and limited availability to redeploy existing resources, and despite best efforts to absorb any additional costs related to the Burundi situation, certain positions recruited in 2018 are now requested to be continued in 2019. In addition, as a result of a comprehensive assessment, the staff resources proposed for 2019 present minor adjustments, including requests for some new posts as well as the discontinuation of a few previously approved GTA positions. Increased non-staff costs (€0.84 million) consist mainly of adjustments to travel funds to cover critical missions of the Integrated Teams (investigators and interpreters) for interviews and/or meetings with witnesses, and other investigation-related activities.

49. Mindful of the expectations placed upon it, the OTP continues to aim at delivering quality in its investigations through the application of standards, a flexible use of resources to react to opportunities and prioritization of the most relevant cases.

<i>Programme II Office of the Prosecutor</i>	2018 <i>Approved Budget</i>	<i>Resource Changes</i>		<i>Proposed 2019 Budget</i>
		<i>Amount</i>	<i>%</i>	
Staff Costs	31,897.1	1,010.8	3.2	32,907.9
Other Staff Costs	9,446.3	253.9	2.7	9,700.2
Non-Staff Costs	4,648.4	844.3	18.2	5,492.7
Total	45,991.8	2,109.0	4.6	48,100.8

C. Major Programme III: Registry

50. The proposed 2019 budget for the Registry amounts to **€77.13 million**, which represents a decrease of **€0.02 million**, or **0.0 per cent**, compared to the 2018 approved budget of €77.14 million.

51. As a result of a stringent budgetary process, the Registry has proposed additional resources only when strictly necessary for the purposes of its mandated activities in the context of the 2019 budgetary assumptions. It has been able to effectively finance all such increases by realizing savings, efficiencies and reductions, as well as by redeploying resources wherever possible. The savings and reductions identified in the Registry have, to a large extent, been the result of a thorough reassessment of what is required to cope with the expected level of activity for 2019.

52. For the Registry, the judicial assumptions in relation to support for trial proceedings do not represent a major shift in the required level of resources for 2019. In fact, as in 2018, two courtroom teams will continue to be required to support the trial hearings in the *Gbagbo and Blé Goudé* case and the *Ongwen* case throughout the year. Additional trial hearings may possibly take place towards the last quarter of 2019 in the *Al Hassan* case, which will be supported with the existing Registry courtroom capacity.

53. The assumptions underlying the 2019 budget proposal require additional investments to support the expected level of field activities and operations. This is particularly true with regard to OTP investigations in Georgia, ongoing Court activities in Mali, and the implementation of reparation orders by the TFV in Mali and the DRC. As indicated, the Registry has been able to offset these additional requirements through efficiencies, savings and reductions.

54. The Registry has been also able to contain all resource requirements for the implementation of the IT/IM strategy in 2019 at a lower level than in the 2018 approved budget. For example, an investment in non staff costs of approximately €1.6 million, primarily for the implementation of the Judicial Workflow Platform, is required in the Registry for 2019.

<i>Programme III Registry</i>	2018 <i>Approved Budget</i>	<i>Resource Changes</i>		<i>Proposed 2019 Budget</i>
		<i>Amount</i>	<i>%</i>	
Staff Costs	46,465.9	171.8	0.4	46,637.7
Other Staff Costs	4,773.0	44.6	0.9	4,817.6
Non-Staff Costs	25,903.6	(232.6)	(0.9)	25,671.0
Total	77,142.5	(16.2)	(0.0)	77,126.3

D. Major Programme IV: Secretariat of the Assembly of States Parties

55. The proposed 2019 budget for Major Programme IV amounts to **€2.87 million**, which represents an increase of **€153.4 thousand**, or **5.6 per cent**, compared to the 2018 approved budget of **€2.72 million**. This is attributable to the full funding of one GS-OL, the provision of interpretation services for Bureau meetings in The Hague as well as the transfer of the external auditors' fees (€67.0 thousand) from Programme 3200 (Division of Management Services) in the Registry to Programme 4500 (Committee on Budget and Finance) within Major Programme IV.

<i>Programme IV Secretariat of the Assembly of States Parties</i>	2018 <i>Approved Budget</i>	<i>Resource Changes</i>		<i>Proposed 2019 Budget</i>
		<i>Amount</i>	<i>%</i>	
Staff Costs	943.2	61.1	6.5	1,004.3
Other Staff Costs	782.0	19.3	2.5	801.3
Non-Staff Costs	993.0	73.0	7.4	1,066.0
Total	2,718.2	153.4	5.6	2,871.6

E. Major Programme V: Premises

56. The proposed 2019 budget for Major Programme V amounts to **€1.80 million**, which represents an increase of **€0.30 million**, or **20.1 per cent**, compared to the 2018 approved budget of **€1.50 million**. The increase is attributable to the transfer of **€250.0 thousand** approved under the Registry's General Services Section (GSS) in 2018 for corrective maintenance (repairs) at the Court, as recommended by the Committee at its twenty-ninth session in September 2017.³ The remaining increase of **€1.5 thousand** is attributable to the price index increase for service contracts in the Netherlands.

<i>Programme V Premises</i>	2018 <i>Approved Budget</i>	<i>Resource Changes</i>		<i>Proposed 2019 Budget</i>
		<i>Amount</i>	<i>%</i>	
Staff Costs	-	-	-	-
Other Staff Costs	-	-	-	-
Non-Staff Costs	1,498.5	301.5	20.1	1,800.0
Total	1,498.5	301.5	20.1	1,800.0

F. Major Programme VI: Secretariat of the Trust Fund for Victims

57. The TFV's proposed 2019 budget amounts to **€4.03 million**, representing an increase of **€1.49 million**, or **58.5 per cent**, compared to the 2018 approved budget of **€2.54 million**. The proposed increase relates predominantly to staff costs and is attributable to the increased organizational capacity needed by the TFV: (i) to fully fund the existing 2018 staffing structure, and (ii) to meet its rapidly expanding and intensifying responsibilities during the implementation phase of reparations proceedings. Costs related to staff involved in reparations and other staff costs amount to **€1.1 million** (35.2 per cent of the total proposed staff costs) which compares to **€1.2 million** in costs related to staff involved in the assistance mandate (37.5 per cent).

58. The TFV employs a modular, team-based approach to developing the operational capacity required to respond to evolving implementation practices. At field level, case-specific teams, operating under the supervision of the Programme Manager, consist of the following positions: Associate Field Programme Officer(s), Field Programme Assistant(s) and Monitoring and Evaluation Assistant(s). The capacity requirements of reparations teams depend on the complexity of Court-ordered awards, including whether or not new

³ ICC-ASP/16/15.

victims need to be identified and screened for eligibility. The deployment of reparations teams will be time-bound by the duration of implementation of the reparations awards.

59. At Headquarters level, case-specific legal capacity is deployed under the supervision of the Legal Adviser, assisted by the Legal Officer, ensuring TFV responsiveness during different and concurrent reparations proceedings, as well as quality control and technical steering throughout the awards delivery process, via Associate Legal Officers assigned to two or more reparations proceedings. Additional capacity at Headquarters level, reflecting the increasing scope and depth of the TFV's implementation practice, is required in regard to communication, finance and administrative programme support as well as monitoring and evaluation.

<i>Programme VI Secretariat of the Trust Fund for Victims</i>	2018 <i>Approved Budget</i>	<i>Resource Changes</i>		<i>Proposed 2019 Budget</i>
		<i>Amount</i>	<i>%</i>	
Staff Costs	1,124.0	176.1	15.7	1,300.1
Other Staff Costs	752.3	1,092.1	145.2	1,844.8
Non-Staff Costs	665.2	217.7	32.8	882.9
Total	2,541.5	1,486.3	58.5	4,027.8

G. Major Programme VII-2: Interest and Loan Repayment

60. The proposed 2019 budget for Major Programme VII-2 amounts to **€3.59 million**, which represents a decrease of **€0.1 thousand**, or **0.0 per cent**, compared to the 2018 approved budget of €3.59 million. Major Programme VII-2 manages the payment of interest on the host State loan, which must be received and paid to the host State on the due date (namely on or before 1 February of each calendar year).⁴ Repayment of the loan began following the surrender of the interim premises leases on 30 June 2016. Repayment of capital and interest for the period from 1 January to 31 December 2018 will be payable on or before 1 February 2019.

<i>Programme VII-2 Host State Loan</i>	2018 <i>Approved Budget</i>	<i>Resource Changes</i>		<i>Proposed 2019 Budget</i>
		<i>Amount</i>	<i>%</i>	
Staff Costs	-	-	-	-
Other Staff Costs	-	-	-	-
Non-Staff Costs	-	-	-	-
Host State Loan	3,585.2	(0.1)	(0.0)	3,585.1
Total	3,585.2	(0.1)	(0.0)	3,585.1

H. Major Programme VII-5: Independent Oversight Mechanism

61. The proposed 2019 budget for the Independent Oversight Mechanism amounts to **€556.6 thousand**, which represents an increase of **€22.1 thousand**, or **4.1 per cent**, compared to the 2018 approved budget of €534.5 million. The IOM was established by the Assembly at its eighth session in accordance with article 112(4) of the Rome Statute to provide independent, effective and meaningful oversight of the Court.⁵ The proposed net increase is required under Consultants, to provide support in cases where specific and additional expert skill sets are needed or to provide local assistance if necessary at field office locations.

⁴ Loan agreement between the State of the Netherlands (Ministry of Foreign Affairs) and the International Criminal Court, dated 23 March 2009, para. 6.1.

⁵ *Official Records ... Eighth session ... 2009* (ICC-ASP/8/20), vol. I, part II, Resolution ICC-ASP/8/Res.1.

<i>Programme VII-5 Independent Oversight Mechanism</i>	2018 <i>Approved Budget</i>	<i>Resource Changes</i>		<i>Proposed 2019 Budget</i>
		<i>Amount</i>	<i>%</i>	
Staff Costs	485.4	(3.4)	(0.7)	482.0
Other Staff Costs	-	-	-	-
Non-Staff Costs	49.1	25.5	52.0	74.6
Total	534.5	22.1	4.1	556.6

I. Major Programme VII-6: Office of Internal Audit

62. The proposed 2019 budget for Major Programme VII-6 (Office of Internal Audit) amounts to **€688.0 thousand**, which represents a decrease of **€19.3 thousand**, or **2.7 per cent**, compared to the 2018 approved budget of €707.3 thousand. The requested resources will enable the Office to contribute to the achievement of the Court's strategic and operational objectives by providing assurance to management on the effectiveness and efficiency of governance, internal control frameworks and risk management through (at least six) audits and advisory works. The proposed budget compared to the 2018 approved budget includes a decrease in staff, GTA and consultants resources, and an increase in travel and training resources.

<i>Programme VII-6 Office of Internal Audit</i>	2018 <i>Approved Budget</i>	<i>Resource Changes</i>		<i>Proposed 2019 Budget</i>
		<i>Amount</i>	<i>%</i>	
Staff Costs	531.5	(3.7)	(0.7)	527.8
Other Staff Costs	121.6	(1.8)	(1.5)	119.8
Non-Staff Costs	54.2	(13.8)	(25.5)	40.4
Total	707.3	(19.3)	(2.7)	688.0