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Financial statements of the International Criminal Court for the year ended 31 December 2018

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Letter of transmittal

27 May 2019

In accordance with Financial Regulation 11.1 the Registrar shall submit to the Auditor accounts for the financial period. I have the honour of submitting the financial statements of the International Criminal Court for the financial period 1 January to 31 December 2018.

Gela Abesadze
Chief of Finance Section
Peter Lewis
Registrar

Michel Camoin
External Audit Director
Cour des Comptes,
13 rue Cambon,
75100 Paris Cedex 01
France

Statement on Internal Financial Control

Scope of responsibilities

In accordance with Financial Rule 101.1(b), the Registrar in his capacity as principal administrative officer of the Court is “*responsible and accountable for ensuring that these Rules are administered in a coherent manner by all organs of the Court, including through appropriate institutional arrangements with the Office of the Prosecutor with regard to management and administrative functions falling under the authority of that Office by virtue of article 42, paragraph 2, of the Rome Statute*”. Financial Regulation 11 and, *inter alia*, Rule 111.1, assign responsibility for the accounts to me. In accordance with this Financial Regulation and Rule, I have prescribed and maintained financial and subsidiary records, established the accounting procedures of the Court and designated the officials responsible for performing accounting functions.

In line with the Court’s Financial Regulation 1.4, these “*Regulations shall be implemented in a manner consistent with the responsibilities of the Prosecutor and the Registrar as set out in articles 42, paragraph 2, and 43, paragraph 1, of the Rome Statute. The Prosecutor and the Registrar shall cooperate, taking into account the independent exercise by the Prosecutor of his or her functions under the Statute*”.

Furthermore, in accordance with Financial Regulation 10.1(c), as Registrar I have responsibility for maintaining “an internal financial control which shall provide for effective current examination and/or review of financial transactions in order to ensure:

- (i) The regularity of the receipt, custody and disposal of all funds and other financial resources of the Court;
- (ii) The conformity of obligations and expenditures with the appropriations or other financial provisions voted by the Assembly of States Parties, or with the purposes and rules relating to trust funds and special accounts; and
- (iii) The economic use of resources of the Court”.

Having made appropriate institutional arrangements in cooperation with the Office of the Prosecutor as provided for in Rule 101.1(b), I am satisfied that appropriate systems of internal financial control were in place throughout the financial period of 2018.

Review of effectiveness of the system of internal financial control

The effectiveness of the system of internal financial control and compliance with the Court’s Financial Regulations and Rules relies on operational managers (certifying officers) within the Court.

My review of the effectiveness of the system of internal control and compliance with the Court’s Financial Rules and Regulations is informed by the work of the internal auditors and comments made by the external auditors in their reports.

I am satisfied that I have received the necessary assurances to confirm that an appropriate framework of internal financial control was in place during 2018.

Peter Lewis
Registrar

27 May 2019

Independent auditor's opinion

Cour des comptes
FRANCE



The First President

Paris, - 1 *juin*, 2019

To Mr Peter Lewis
Registrar
International Criminal Court

AUDIT OPINION

Opinion

We have audited the Financial Statements of the International Criminal Court ("the Court"), for the 12 months period ended 31 December 2018. These Financial Statements include a Statement of Financial Position as at 31 December 2018, a Statement of Financial Performance, a Statement of Changes in Net Assets/Equity, a Statement of Cash Flow, a Statement of Comparison of Budget and Actual Amounts and Notes including a summary of the accounting policies and other information. A set of seven schedules presenting some additional information under United Nations System Accounting Standards (UNSAS), outside the scope of this audit, have also been added in an annex to the Financial Statements.

Based on our audit, the Financial Statements give a fair view of the financial position of the International Criminal Court as at 31 December 2018, as well as the financial performance, the changes in net assets, the cash flow and the comparison of budget and actual amounts for the 12 months period ended 31 December 2018 in conformity with the International Public Sector Accounting Standards (IPSAS).

Basis for Opinion

We have conducted our audit in accordance with the International Standards on Auditing (ISA) and in accordance with the additional terms of reference defined in Article 12 of the Financial Regulations of the Organization. These Standards require us to comply with the ethical rules and to plan and perform our audit in order to obtain a reasonable assurance that the financial statements are free from material misstatements. As required by the Charter of ethics of the *Cour des comptes*, we guarantee the independence, the fairness, the neutrality, the integrity and the professional discretion of the auditors. Furthermore, we also fulfilled our other ethical obligations in compliance with the Code of Ethics of the International Organization of Supreme Audit Institutions (INTOSAI). The responsibilities of the auditor are more extensively described in the section "Auditor's Responsibilities for the Audit of the Financial Statements".

We believe that the audit evidence collected is sufficient and appropriate to constitute a reasonable basis for our opinion.

.../

Management's Responsibilities for the Financial Statements

By virtue of Regulation 11 of the Financial Regulations, the Registrar of the Court is responsible for preparing and presenting the financial statements. These statements are in conformity with the IPSAS. This responsibility includes the design, implementation and monitoring of internal control procedures to ensure the preparation and the fair presentation of financial statements, free of significant misstatements, resulting either from frauds or errors. This responsibility also includes the determination of fair accounting estimates adapted to the circumstances.

Auditor's Responsibilities for the Audit of the Financial Statements

The goal of the audit is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

An audit therefore consists in implementing audit procedures in order to collect audit evidence regarding the amounts and the information presented in the financial statements. The External Auditor takes into account the internal control in effect in the entity, relative to the establishment and preparation of financial statements, so as to define appropriate audit procedures in the circumstances, and not with the aim of expressing an opinion on the effectiveness of this control. The choice of the audit procedures is based on the External Auditor's professional judgment, as is the case for the risk evaluation of the financial statements, for the assessment of the appropriateness of the accounting policies and of the accounting estimates, and for the overall presentation of the financial statements.


Didier MIGAUD

Statement I

International Criminal Court - Statement of financial position as at 31 December 2018 (in thousands of euros)

	<i>Note.</i>	<i>2018</i>	<i>2017 (restated)</i>
Assets			
<i>Current assets</i>			
Cash and cash equivalents	3	18,892	7,082
Accounts receivable (non-exchange transactions)	4	14,832	24,432
Other accounts receivable	5	1,352	1,128
Prepayments and other current assets	6	2,935	2,321
<i>Total current assets</i>		<i>38,011</i>	<i>34,963</i>
<i>Non-current assets</i>			
Accounts receivable (non-exchange transactions)	4	31	36
Property, plant and equipment	7	179,103	189,286
Intangible assets	8	1,530	1,109
Reimbursement right	10	28,648	28,688
<i>Total non-current assets</i>		<i>209,312</i>	<i>219,119</i>
Total assets		247,323	254,082
Liabilities			
<i>Current liabilities</i>			
Accounts payable	9	5,728	5,715
Employee benefit liabilities	10	10,129	10,631
Host State loan	11	1,843	1,801
Deferred revenue and accrued expenses	12	8,756	8,872
Provisions	13	1,212	2,380
<i>Total current liabilities</i>		<i>27,668</i>	<i>29,399</i>
<i>Non-current liabilities</i>			
Accounts payable	9	636	505
Employee benefit liabilities	10	59,345	54,645
Host State loan	11	68,865	70,708
<i>Total non-current liabilities</i>		<i>128,846</i>	<i>125,858</i>
Total liabilities		156,514	155,257
Net assets/equity			
Contingency Fund	14	5,243	3,764
Working Capital Fund	14	9,058	17
Other fund balances	14	76,508	95,044
Total net assets/equity		90,809	98,825
Total liabilities and net assets/equity		247,323	254,082

The accompanying notes form an integral part of these financial statements.

Statement II

International Criminal Court - Statement of financial performance for the year ended 31 December 2018 (in thousands of euros)

	Note.	2018	2017
Revenue			
Assessed contributions	15	145,446	140,060
Voluntary contributions	15	2,038	1,662
Financial revenue	15	158	161
Other revenue	15	413	219
Total revenue		148,055	142,102
Expenses			
Employee benefit expenses	16	108,099	106,865
Travel and hospitality	17	5,668	6,632
Contractual services	18	6,158	5,550
Counsel fees	19	5,603	6,243
Operating expenses	20	12,969	14,302
Supplies and materials	21	2,456	2,151
Depreciation and amortization	22	12,344	12,311
Financial expenses	23	1,860	1,894
Total expenses		155,157	155,948
<i>Surplus/(deficit) for the period</i>		<i>(7,102)</i>	<i>(13,846)</i>

The accompanying notes form an integral part of these financial statements.

Statement III

International Criminal Court - Statement of changes in net assets/ equity for the year ended 31 December 2018 (in thousands of euros)

	<i>General</i>								
	<i>General Fund</i>							<i>Trust Funds</i>	<i>Total Net Assets/equity</i>
	<i>Working Capital Fund</i>	<i>Contingency Fund</i>	<i>Funds for Employee Benefit Liabilities</i>	<i>Cash Surplus/ (Deficit)</i>	<i>Pre-measurement of post-employment related plans</i>	<i>Other General Fund Balances</i>			
Opening balance as at 1 January 2017	3,664	5,791	172	5,394	(3,419)	102,626	1,623	115,852	
Movement in net assets/equity in 2017									
Surplus/(deficit)	-	-	-	-	-	(13,917)	71	(13,846)	
Net remeasurement gains/(losses) post-employment plans	-	-	-	-	(3,231)	-	-	(3,231)	
Transfers	(3,647)	(2,027)	307	(5,394)	-	10,761	-	-	
Prior year cash surplus/(deficit)	-	-	-	(5,622)	-	5,622	-	-	
2015 Trust Fund for Victims Secretariat's surplus	-	-	-	-	-	50	-	50	
Total movements during the year	(3,647)	(2,027)	307	(11,016)	(3,231)	2,516	71	(17,027)	
Total net assets/equity as at 31 December 2017	17	3,764	479	(5,622)	(6,650)	105,142	1,695	98,825	
Movement in net assets/equity in 2018									
Surplus/(deficit)	-	-	-	-	-	(7,427)	325	(7,102)	
Net remeasurement gains/(losses) post-employment plans	-	-	-	-	(1,391)	-	-	(1,391)	
Transfers	9,041	1,479	(216)	5,622	-	(15,926)	-	-	
Prior year cash surplus/(deficit)	-	-	-	2,993	-	(2,993)	-	-	
2016 Trust Fund for Victims Secretariat's surplus	-	-	-	-	-	476	-	476	
Total movements during the year	9,041	1,479	(216)	8,615	(1,391)	(25,870)	325	(8,016)	
Total net assets/equity as at 31 December 2018	9,058	5,243	263	2,993	(8,041)	79,272	2,021	90,809	

The accompanying notes form an integral part of these financial statements

Statement IV

International Criminal Court - Statement of cash flows for the year ended 31 December 2018 (in thousands of euros)

	Note.	2018	2017 (restated)
Cash flows from operating activities			
Surplus/(deficit) for the period (Statement II)		(7,102)	(13,846)
Unrealized foreign exchange differences		(56)	2
Discount on host State loan		-	-
Depreciation and amortization		12,344	12,311
(Gain)/loss on disposal of property, plant and equipment		23	12
Interest expense		1,784	1,826
(Increase)/decrease in accounts receivable from non-exchange transactions		9,605	(10,495)
(Increase)/decrease in other accounts receivable		(224)	2,078
(Increase)/decrease in prepayments and other current assets		(637)	654
(Increase)/decrease in reimbursement right		40	(3,159)
Increase/(decrease) in accounts payable		621	(12)
Increase/(decrease) in employee benefit liabilities		4,198	8,077
Remeasurement (gain)/loss of post-employment related plans		(1,391)	(3,231)
Increase/(decrease) in deferred revenue and accrued expenses		(117)	(2,959)
Increase/(decrease) in provisions		(1,168)	123
Less: Interest income		(110)	(158)
Net cash flows from operating activities		17,810	(8,777)
Cash flows from investing activities			
Plus: Interest received		133	88
Proceeds from sale of property, plant and equipment		-	5
Purchase of property, plant and equipment		(1,790)	(1,498)
Purchase of intangible assets		(814)	(155)
Net cash flows from investing activities		(2,471)	(1,560)
Cash flows from financing activities			
Repayment of host State loan		(3,585)	(2,983)
Net cash flows from financing activities		(3,585)	(2,983)
Net increase/(decrease) in cash and cash equivalents		11,754	(13,320)
Cash and cash equivalents at beginning of financial period	3	7,082	20,404
Unrealized foreign exchange gains/(losses) on cash and cash equivalents		56	(2)
Cash and cash equivalents as at 31 December (Statement I)	3	18,892	7,082

The accompanying notes form an integral part of these financial statements

Statement V

International Criminal Court - Statement of comparison of budget and actual amounts for the year ended 31 December 2018 (in thousands of euros)

<i>Major Programme</i>	<i>Appropriation approved</i>	<i>Expenditures charged against General Fund</i>	<i>Expenditures charged against</i>		<i>Total expenditure</i>	<i>Surplus/ (deficit)¹</i>	<i>Contingency Fund notification</i>	<i>Access to Contingency Fund</i>
			<i>Surplus/ (deficit) General Fund¹</i>	<i>Contingency Fund notification</i>				
	<i>I</i>	<i>II</i>	<i>III=I-II</i>	<i>IV</i>	<i>V=II+IV</i>	<i>VI=I-V</i>	<i>VII</i>	<i>VIII</i>
Judiciary	12,712	12,148	564	89	12,238	474	117	-
Office of the Prosecutor	45,992	43,735	2,257	492	44,227	1,765	553	-
Registry	77,143	75,946	1,197	1,732	77,678	(535)	2539	-
Secretariat of the Assembly of States Parties	2,718	2,683	36	-	2,683	36	-	-
Premises	1,499	1,499	-	-	1,499	-	-	-
Secretariat of the Trust Fund for Victims	2,542	2,031	510	-	2,031	510	-	-
Independent Oversight Mechanism	535	420	115	-	420	115	-	-
Office of Internal Audit	707	666	41	-	666	41	-	-
Host State Loan	3,585	3,585	-	-	3,585	-	-	-
Total	147,432	142,713	4,719	2,313	145,026	2,406	3,209	-

¹ICC-ASP/17/Res.4, part H

The accompanying notes form an integral part of these financial statements

Notes to the financial statements

1. The International Criminal Court and its objectives

1.1 Reporting entity:

The International Criminal Court (“the Court”) was established by the Rome Statute of the International Criminal Court on 17 July 1998, when 120 States participating in the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court adopted the Statute. The Court is an independent permanent judicial institution with the power to exercise jurisdiction over perpetrators of the most serious crimes of international concern (genocide, crimes against humanity, war crimes and the crime of aggression). The Court has four organs: the Presidency, Chambers (consisting of an Appeals Division, a Trial Division and a Pre-Trial Division), the Office of the Prosecutor and the Registry. The financial statements are prepared for the Court and subsidiary bodies of the Assembly of States Parties (“the Assembly”) other than the Secretariat of the Trust Fund for Victims as described in note 1.2(f).

The seat of the Court was established at The Hague in the Netherlands in accordance with article 3 of the Rome Statute. The Court has also established six country offices to enable it to conduct its field operations. These country offices are in Uganda, the Democratic Republic of the Congo, the Central African Republic, the Republic of Côte d’Ivoire, Mali and Georgia.

1.2 Programme budget:

For the purposes of the 2018 financial period, appropriations were divided into nine major programmes: the Judiciary (the Presidency and Chambers), the Office of the Prosecutor, the Registry, the Secretariat of the Assembly of States Parties (“the Secretariat”), Premises, the Secretariat of the Trust Fund for Victims, Permanent Premises Project – Host State Loan, the Independent Oversight Mechanism and Office of Internal Audit. The composition, role and objectives of each component of the major programmes of the Court are as follows:

(a) Judiciary:

The Presidency:

- (i) Comprises the President and the First and Second Vice-Presidents;
- (ii) Oversees and supports the fair, open and effective conduct of proceedings and performs all judicial functions within its preserve;
- (iii) Is responsible for the proper administration of the Court (with the exception of the Office of the Prosecutor) and oversees the work of the Registry. The Presidency will coordinate with and seek the concurrence of the Prosecutor on all matters of mutual concern; and
- (iv) Broadens global understanding of and support for the work of the Court by representing it in the international arena.

Chambers:

- (v) Comprises an Appeals Division, a Trial Division and a Pre-Trial Division. The Appeals Division is composed of a President and four other judges; the Trial Division and Pre-Trial Division are composed of not less than six judges; and
- (vi) Ensures the conduct of fair, effective and open proceedings, safeguarding the rights of all parties.

(b) The Office of the Prosecutor:

- (i) The Office of the Prosecutor acts independently as a separate organ of the Court;
- (ii) The Office is headed by the Prosecutor, who has full authority over the management and administration of the Office; and

(iii) It is responsible for receiving referrals and any substantiated information on crimes within the jurisdiction of the Court, for examining them and for conducting investigations and prosecutions before the Court.

(c) The Registry:

(i) Provides efficient, effective and high-quality judicial and administrative support services to the Presidency, Chambers, the Office of the Prosecutor, the defence, and victims and witnesses;

(ii) Implements mechanisms to assist and safeguard the rights of victims, witnesses and the defence; and

(iii) Manages the internal security of the Court.

(d) The Secretariat of the Assembly of States Parties:

In its resolution ICC-ASP/2/Res.3 adopted in September 2003, the Assembly established the Secretariat to begin its operations on 1 January 2004. The Secretariat provides the Assembly and its Bureau, the Credentials Committee, the Committee on Budget and Finance (“the Committee”), the Special Working Group on the Crime of Aggression, as well as, upon explicit decision by the Assembly, any subsidiary body that may be established by the Assembly, with independent substantive servicing and administrative and technical assistance.

(i) Organizes conferences of the Assembly and meetings of the subsidiary bodies of the Assembly, including the Bureau and the Committee;

(ii) Assists the Assembly, including its Bureau and subsidiary bodies, in all matters relating to their work, with particular emphasis on the effective scheduling and procedurally correct conduct of meetings as well as consultations;

(iii) Enables the Assembly and its subsidiary bodies to carry out their mandate more effectively by providing them with high-quality substantive servicing and support, including technical services.

(e) Premises:

Stakeholders are provided with an overview of the resources required by the Court for the maintenance of its permanent premises.

(f) Secretariat of the Trust Fund for Victims:

The Secretariat of the Trust Fund for Victims administers the Trust Fund for Victims, offers administrative support to the Board of the Trust Fund for Victims and its meetings and operates under the full authority of the Board. The Trust Fund for Victims was established by the Assembly in its resolution ICC-ASP/1/Res.6. By resolution ICC-ASP/4/Res.3 the Assembly adopted the Regulations of the Trust Fund for Victims, which state that the Trust Fund is a separate reporting entity. The revenue from assessed contributions and expenses of the Secretariat of the Trust Fund for Victims are reported in the Statement of Financial Performance of the Trust Fund for Victims. For more information regarding the Trust Fund for Victims please refer to the financial statements of the Trust Fund for Victims for 2018.

(g) Permanent Premises Project – Host State Loan:

The Court established the Permanent Premises Project – Host State Loan in the 2011 Approved Programme Budget to report on the interest and capital to be paid on the loan amounts received by the Court for the Permanent Premises Project, in response to requests from the Committee and the Assembly. This originates from the Assembly’s acceptance of the host State’s offer of a loan for the permanent premises to be repaid over a period of 30 years at an interest rate of 2.5 per cent.

(h) Independent Oversight Mechanism:

By resolution ICC-ASP/8/Res.1 the Assembly established the Independent Oversight Mechanism (IOM) as a major programme. This independent oversight mechanism is located next to, but is not integrated into or subordinate to, the Office of Internal Audit at the seat of the Court in The Hague. The scope of the

Independent Oversight Mechanism, as envisaged under article 112(4) of the Rome Statute, includes investigation, evaluation and inspection.

(i) Office of Internal Audit:

The Office of Internal Audit (OIA) assists the Court in the achievement of its strategic and operational objectives by systematically reviewing systems and operations across all areas of the Court. These reviews (audits) are aimed at identifying how well potential threats and opportunities (risks) are managed, including whether the correct processes are in place and whether agreed procedures are being adhered to. The Office also provides advisory services at the request of the management of the Court. The Office reports to the Chair of the Audit Committee.

1.3 Tax exemption:

According to (i) the Headquarters Agreement signed between the Kingdom of the Netherlands and the Court, and more particularly its article 15, and (ii) the Agreement on Privileges and Immunities of the International Criminal Court, and more particularly its article 8, the Court is exempt from all direct taxes, except charges for public utility services, and is exempt from customs duties and charges of a similar nature in respect of articles imported or exported for its official use.

2. Summary of significant accounting and financial reporting policies

Basis of preparation

2.1 The Court's financial statements are maintained in accordance with the Financial Regulations and Rules of the Court, as adopted by the Assembly at its first session in September 2002, and the amendments thereto. The Court's financial statements have been prepared on the accrual basis of accounting in compliance with the IPSAS. These notes form an integral part of the Court's financial statements. Figures in the statements and notes are rounded to thousand euros. Amounts may not add-up due to rounding difference.

2.2 Financial period: the financial period is one calendar year.

2.3 Historical cost basis: the financial statements are prepared on the historical cost basis of accounting.

Currency of accounts and treatment of exchange rate movements

2.4 The Court's functional and presentation currency is the euro.

2.5 Foreign currency transactions are translated into the functional currency using the United Nations operational rates of exchange which approximate the exchange rates prevailing at the dates of the transactions. Foreign exchange gains and losses resulting from the settlement of such transactions, and from the translation at year-end of exchange rates of monetary assets and liabilities denominated in foreign currencies, are recognized in the Statement of financial performance.

2.6 Non-monetary assets and items that are measured in terms of historical cost in foreign currency are translated using the exchange rate at the date of the transaction and are not retranslated at the reporting date.

Use of estimates and judgements

2.7 The preparation of the financial statements in conformity with IPSAS requires management to make judgements, estimates and assumptions that affect the application of accounting policies and the reported amounts of assets, liabilities, revenue and expenses. The estimates and associated assumptions are based on past experience and various other factors that are believed to be reasonable under the circumstances, and information available at the date of preparation of the financial statements, the results of which form the basis of judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

2.8 The estimates and underlying assumptions are reviewed on an on-going basis. Revisions to accounting estimates are recognized in the period in which the estimate is revised and any future periods affected.

2.9 The judgements made by management in the application of IPSAS that have a significant effect on the financial statements and estimates with a significant risk of material adjustment in the next year are as follows:

(a) The Court recognized provisions as a result of litigations initiated against the Court where it is likely that there will be an outflow of resources to settle the claims and the amounts can be reliably estimated. The provision made was based on professional legal advice; and

(b) Provision for doubtful debt is recognized in respect of a receivable from a person to whom the Court was advancing funds on the basis of a judicial decision to cover legal representation. The recovery of this advance is considered uncertain.

Cash and cash equivalents

2.10 Cash and cash equivalents are held at nominal value and comprise cash on hand, funds held in current accounts, interest-bearing bank accounts and time deposits with a maturity of less than three months.

Financial instruments

2.11 The Court classifies its financial instruments as loans and receivables and other financial liabilities. Financial assets consist mainly of short-term bank deposits and accounts receivable. Financial liabilities consist of a long-term loan for the construction of the premises and accounts payable.

2.12 All financial instruments are initially recognized in the Statement of financial position at their fair values plus transaction costs. Subsequently, they are measured at amortized cost using the effective interest rate method. The historical cost-carrying amount of receivables and payables subject to normal trade credit terms approximates the fair value of the transaction.

Financial risks

2.13 In the normal course of business, the Court is exposed to financial risk, such as market risk (foreign currency exchange and interest rate), credit risk and liquidity risk.

2.14 Currency risk: the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in foreign exchange rates. The Court is exposed to currency risk through transactions in foreign currencies relating mostly to its field operations.

2.15 Interest rate risk: the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market interest rates. The Court deposits its funds only in short-term fixed interest accounts, and therefore has no significant interest rate risk exposure. The loan granted by the host State carries a fixed interest rate and does not expose the Court to interest rate risk.

2.16 Credit risk: the risk that one party to a financial instrument will cause a financial loss for the other party by failing to discharge an obligation. The Court is exposed to credit risk through receivables related to assessed contributions from States Parties. Assessed contributions comprise the majority of the Court's receivables. States Parties are required to make timely payments of contributions – within 30 days of receipt of the note verbale from the Court. The Court has regularly contacted States Parties with outstanding contributions to remind them of their obligations. Furthermore, the Assembly of States Parties (“the Assembly”) and its governing bodies are required to increase their political and diplomatic contacts with States with outstanding contributions, especially those with large arrears.

2.17 Other credit risks are advances of funds based on judicial decisions to cover legal representation of accused persons who are not considered indigent and deposits at banks. The Court has policies that limit exposure to risk of deposits in any one financial institution.

2.18 Liquidity risk: The current high level of outstanding contributions is an area of concern and remains a primary risk factor for the Court's liquidity and cash flow in 2019.

Receivables

2.19 Receivables and advances are recognized initially at nominal value. Allowances for estimated irrecoverable amounts are recognized for receivables and advances when there is objective evidence that the asset is impaired, the impairment losses being recognized in the statement of financial performance.

Prepayments and other current assets

2.20 Other current assets include interest accrued on bank accounts and deposits. Prepayments include education grants which will be recognized as expenses in the subsequent reporting period. The Statement of financial position shows as a prepayment that portion of the education grant advance which is assumed to pertain to the remainder of the school year after the date of the financial statement. Expenses are recognized evenly over the school year and charged to the budgetary account.

Property, plant and equipment

2.21 Property, plant and equipment are tangible assets that are held for use in the supply of services or for administrative purposes.

2.22 Items of property, plant and equipment are measured at cost less accumulated depreciation and impairment losses.

2.23 The cost of a self-constructed asset is determined using the same principles as for an acquired asset. Any abnormal amount of waste of material, labour or other resources incurred in construction of a self-constructed asset is not included in the cost of the asset. Borrowing costs are not recognized as a component of property, plant and equipment costs and are expensed as incurred.

2.24 The costs capitalized as part of the permanent premises include project management fees, architect fees, legal fees, other directly related consultant and expert fees, fees for permits, direct labour and material costs.

2.25 Based on the deed dated 23 March 2009 between the host State and the Court establishing the ground lease and building and planting rights, land ready for development was leased to the Court for no consideration. The lease may be terminated by mutual consent at the end of the Court's mandate or by a decision of the Assembly. The land is recognized as an asset of the Court.

2.26 The cost of replacing part of an item of property, plant and equipment is recognized in the carrying amount of the item if it is probable that the future economic benefits embodied within the part will flow to the Court and its cost can be measured reliably. The costs of the day-to-day servicing of property, plant and equipment are recognized in surplus/deficit as incurred.

2.27 Depreciation is recognized in surplus/deficit on a straight-line basis over the estimated useful lives of each part of an item of property, plant and equipment. Land is not depreciated.

2.28 Estimated useful lives are as follows:

	<i>2018</i>
Motor vehicles	4 - 6 years
ICT equipment	3.5 - 5 years
Furniture and fittings	7 - 10 years
Building components	4 - 40 years
Other assets	5 - 20 years

Permanent Premises

2.29 The Permanent Premises Project was established by the Assembly by resolution ICC-ASP/4/Res.2, which emphasised that “the Court is a permanent judicial institution and as such requires functional permanent premises to enable the Court to discharge its duties effectively and to reflect the significance of the Court for the fight against impunity”, reiterating the importance of permanent premises to the future of the Court.

The Permanent Premises Project was funded by:

(a) The Ministry of Foreign Affairs of the host State, the Netherlands, through a loan to the Court, to be repaid over a period of 30 years at an interest rate of 2.5 per cent, on the basis of Annex II to resolution ICC-ASP/7/Res.1. The interest is to be paid annually, as of the first utilization of the host State loan. Repayment of the loan, through regular annual instalments, commenced after expiration of the leases on the interim premises by 30 June 2016;

(b) Assessed Contributions based on the principles laid out in resolution ICC-ASP/7/Res.1 annex III for one-time payments of the assessed share;

(c) Voluntary contributions from governments, international organizations, individuals, corporations and other entities, in accordance with annex VI of ICC-ASP/6/Res.1 adopted by the Assembly on the establishment of a permanent premises construction trust fund; and

(d) Other resources as per the Assembly decisions ICC-ASP/14/Res.1 and ICC-ASP/15/Res.2.

Upon completion of the Permanent Premises construction in November 2015, the building was capitalized and depreciated in line with the useful lives of various components of the building.

Leases

2.30 Lease agreements entered into at field offices and Headquarters are classified as operating leases and the lease payments made are charged to the statement of financial performance as expenses on a straight-line basis over the period of the lease.

Intangible assets

2.31 Intangible assets consist of purchased or internally developed computer software and licences. These assets are amortized using the straight-line method based on an expected useful life or over the licence validity period.

Impairment of non-cash generating assets

2.32 The assets that the Court holds are normally not held to generate commercial returns and are therefore non-cash generating assets.

2.33 Impairment represents a loss in the future economic benefits or service potential of an asset, over and above the systematic recognition of the loss of the asset’s future economic benefits or service potential through depreciation or amortization.

2.34 The asset is impaired if the carrying amount of the asset is higher than the recoverable service amount. The recoverable service amount is the higher of the assets’ fair value less cost to sell and its value in use.

2.35 Fair value less cost to sell is the bid price from an active market or a sale price in a binding sale agreement in an arm’s length transaction.

2.36 Value in use is the present value of an asset’s remaining service potential which can be determined using the depreciated replacement cost approach, the restoration cost approach or the service units approach.

2.37 Impairment loss is recognized in net surplus/deficit. Once an impairment loss has been recognized, the depreciation (amortization) charge for the asset will be adjusted in future periods to allocate the asset's revised carrying amount, less its residual value (if any), on a systematic basis over its remaining useful life.

2.38 The Court will assess at each reporting period whether there is any indication that the impairment loss recognized in a previous period no longer exists or has decreased. If this is the case, the carrying amount of the asset will be increased to its recoverable service amount but no higher than the amount at which the asset would be carried had the impairment loss not been recognized in the first place. That increase is a reversal of an impairment loss which is recognized in net surplus/deficit.

Reimbursement right

2.39 The Court recognized the reimbursement right which arises under the insurance policy with Allianz NL and which exactly matches the amount and timing of the benefits payable under a defined benefit plan for judges' pensions. The fair value of the reimbursement right is deemed to be the present value of the related obligation.

Accounts payable

2.40 Accounts payable are recognized initially at nominal value, which best estimates the amount required to settle the obligation at the reporting date.

Deferred revenue and accrued expenses

2.41 Deferred revenue includes pledged contributions for future financial periods and other revenue received but not yet earned.

2.42 Accrued expenses are recognized in respect of goods and services delivered during the reporting period for which payments have not been made.

Related party disclosures

2.43 The Court will disclose related parties that have the ability to exercise control or significant influence over the Court by making financial and operational decisions, or will disclose if a related party and the Court are subject to common control. Transactions that are within a normal supplier or client/recipient relationship on terms and conditions no more or less favourable than those done at arm's length in the same circumstances between the Court and its related parties will not be considered as related party transactions and therefore will not be disclosed.

2.44 The key management personnel of the Court are the President, the Chef de Cabinet, the Registrar, the Prosecutor, the Deputy Prosecutor and the Directors, all of whom have the authority and responsibility for planning, directing and controlling the activities of the Court and influencing its strategic direction. The remuneration and benefits of key management personnel are disclosed. In addition, the Court will disclose any specific transactions with key management personnel and their family members.

Employee benefit liabilities

2.45 Employee benefit expenses and corresponding liabilities are recognized as services rendered by employees. Employee benefits are classified as short-term benefits, post-employment benefits, other long-term benefits or termination benefits.

2.46 Short-term benefits fall due for settlement within the twelve months after service is rendered and include salary, various allowances, paid sick leave and annual leave. Short-term employee benefits are recognized as expense and liability as services are rendered. Benefits that are earned but not yet paid are recorded as expenses in the period to which they relate and reported in the Statement of financial position as liabilities or provisions.

2.47 Annual leave is recognized as an expense as employees render services that increase their entitlement to future compensated absences.

2.48 Post-employment benefits include pension benefits and after-service health insurance (ASHI).

2.49 United Nations Joint Staff Pension Fund (UNJSPF): in accordance with decision ICC-ASP/1/Decision 3 of the Assembly and United Nations General Assembly resolution 58/262 adopted on 23 December 2003, the Court became a member organization of the UNJSPF with effect from 1 January 2004. The UNJSPF provides retirement, death, disability and related benefits to Court staff. The Pension Fund is a funded, multi-employer defined benefit plan. As specified in Article 3(b) of the Regulations of the Fund, membership in the Fund shall be open to the specialized agencies and to any other international, intergovernmental organization which participates in the common system of salaries, allowances and other conditions of service of the United Nations and the specialized agencies.

2.50 The plan exposes participating organizations to actuarial risks associated with the current and former employees of other organizations participating in the Fund, with the result that there is no consistent and reliable basis for allocating the obligation, plan assets and costs to individual organizations participating in the plan. The Court and the UNJSPF, in line with the other participating organizations in the Fund, are not in a position to identify the Court's proportionate share of the defined benefit obligation, the plan assets and the costs associated with the plan with sufficient reliability for accounting purposes. Hence, the Court has treated this plan as if it were a defined contribution plan in line with the requirements of IPSAS 39 Employee Benefits. The Court's contributions to the plan during the financial period are recognized as expenses in the Statement of Financial Performance.

2.51 Pension benefits for judges: the scheme is a defined benefit scheme which provides the following for its members: a defined retirement pension for judges after the completion of the nine-year term (prorated if a nine-year term is not completed); a pension for the surviving spouse at 50 per cent of the judges' entitlement; and a disability pension for judges aged 65 and under. During its seventh session held from 9 to 13 October 2006, the Committee recommended that the Court accept the tender of Allianz NL to provide the judges' pension scheme. The Committee's recommendation was accepted by the Assembly during its fifth session (See ICC-ASP/5/32, page 16, paragraph 31). Allianz NL have been designated as administrators of the judges' pension scheme. The contract commenced on 31 December 2008 and is valid until 31 December 2019. In case of renewal of existing contract with Allianz, or termination of current contract and change to another insurer the premium rates, administration and investment management fees, as well as other conditions of coverage may be affected. Upon termination of current contract and change of provider, if the Court will decide to leave the investments with current insurer, Allianz will be responsible for payment of judges pensions paid up until the date of termination. In this case the Court will continue to pay investment management and administration fees to Allianz. Alternatively, the Court can elect to transfer the investments to another insurer of pension fund of the Court's choice or to the Court.

2.52 ASHI: the Court's group health insurance plan is also available to staff upon retirement. The Court provides a subsidy on premium payments of retirees in amount of 50 per cent. ASHI is a defined benefit plan.

2.53 For defined benefit plans, the projected unit credit method is used to measure obligations and costs. Benefits are attributed to periods of service under the plan's benefit formula. The present value of a defined benefit obligation is the present value of expected future payments required to settle the obligation resulting from employee service in the current and prior periods. The present value of defined benefit obligations is calculated using unbiased and mutually compatible actuarial assumptions.

2.54 Other long-term employee benefits: comprise separation benefits (including repatriation grant, relocation allowance, travel, shipment and insurance of household effects), home leave, family visit, death grant and survivor's benefit. Other long-term benefits are measured using the projected unit credit method.

2.55 Post-employment benefits and other long-term benefits are calculated by independent actuaries.

2.56 Termination benefits are benefits payable as a result of a decision by the Court to terminate a staff member's employment before the normal retirement date. Termination benefits are recognized as a liability and an expense when it has been confirmed that, due to restructuring, a staff member's contract of employment is to be terminated.

Host State loan

2.57 The loan described in note 2.29(a) was initially recognized at fair value. The fair value at initial recognition amounts to a net present value of future cash flows using the effective interest rate. Subsequently, the loan is recognized at amortized cost using the effective interest rate.

Provisions and contingent liabilities

2.58 Provisions are recognized when the Court has a present legal or constructive obligation as a result of past events, it is more likely than not that an outflow of resources will be required to settle that obligation, and the amount can be reliably estimated. The amount of the provision is the best estimate of the expenditure required to settle the present obligation at the reporting date. If the outflow of economic benefits to settle the obligations is no longer probable, the provision is reversed.

2.59 Contingent liability is a possible obligation that arises from past events and whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the Court, or a present obligation which will probably not result in an outflow of economic resources/service potential or the amount of obligation cannot be measured with sufficient reliability. Contingent liabilities, if any, are disclosed in the notes to the financial statements.

Non-exchange revenue

2.60 Assessed contributions revenue is recognized when the assessments to the States Parties of the adopted programme budget have been approved by the Assembly at the beginning of the year to which assessment relates.

2.61 In accordance with Regulation 5.2 of the Financial Regulations and Rules, the appropriations are assessed to States Parties in line with the scale of assessments adopted by the United Nations for its regular budget, adjusted to reflect differences in membership between the United Nations and the Court. In accordance with Regulation 5.8, payments made by a State Party are credited first to the Working Capital Fund, then to the contributions due to the General Fund, and lastly to the Contingency Fund, in the order in which the State Party was assessed. Contributions paid in other currencies are converted into euros at the rate of exchange in effect on the date of payment.

2.62 Voluntary contributions: revenue from voluntary contributions that include restrictions on their use is recognized upon signature of a binding agreement between the Court and the donor providing the contribution. Revenue from voluntary contributions that attach conditions to their use, including an obligation to return the funds to the contributing entity if such conditions are not met, is recognized as the conditions are satisfied. Until such conditions are met, the obligation is recognized as a liability. Voluntary contributions and other revenue which are not provided for by binding agreements are recognized as revenue when received.

2.63 Assessed contributions to replenishment of the Contingency Fund: are recognized as revenue when approved by the Assembly in the period for which replenishment is approved. If the fund is replenished through application of cash surpluses, such replenishment is not recognized as revenue but as transfer between the funds in net assets/equity.

2.64 Goods-in-kind contributions are recognized at their fair value and goods and the corresponding revenue are recognized immediately if no condition is attached. If conditions are attached, a liability is recognized until such time as the conditions are met and the obligation is satisfied. Revenue is recognized at fair value, measured as of the date of acquisition of the donated assets.

2.65 Services-in-kind: revenue resulting from services-in-kind is not recognized. Major services-in-kind are disclosed in the financial statements, including their fair value, when it is practicable to determine it.

Exchange revenue

2.66 Financial revenue: comprises interest revenue and net foreign exchange gains. Interest revenue is recognized in the Statement of financial performance as it accrues, taking into account the effective yield on the asset. At the end of the financial period, a net balance of the account for foreign exchange gains and losses, if positive, is recognized as revenue.

2.67 Gains and losses on disposals: of property, plant and equipment are determined by comparing proceeds with the carrying amount, and are included in the Statement of financial performance.

Expenses

2.68 Financial expenses comprise bank charges, interest expenses and net foreign exchange loss. Interest expenses are recognized as they occur for interest-bearing financial instruments, measured at amortized cost using the effective interest rate method. At the end of the financial period, a net balance of the account for foreign exchange gains and losses, if negative, is recognized as an expense.

2.69 Expenses arising from the purchase of goods and services: are recognized at the point that the supplier has performed its contractual obligations, which is when the goods and services are received and accepted by the Court.

Fund accounting and segment reporting

2.70 A segment is a distinguishable activity or group of activities for which it is appropriate to separately report financial information. Segment information is based on principal activities and sources of financing of the Court. Separate financial information is reported for two segments: General and Trust Funds.

2.71 Fund accounting: the Court's accounts are maintained on a fund accounting basis. Trust funds and special accounts funded wholly by voluntary contributions may be established and closed by the Registrar.

2.72 The general segment: accounts for the Court's primary activities under the Rome Statute comprise:

(a) The General Fund: established for the purpose of accounting for the expenditures of the Court;

(b) The Working Capital Fund: established to ensure capital for the Court to meet short-term liquidity problems pending receipt of assessed contributions. The amount of the Working Capital Fund is determined by the Assembly for each financial period and is assessed in accordance with the scale of assessments used for the appropriations of the Court, in accordance with Regulation 6.2; and

(c) The Contingency Fund: established by the Assembly to ensure that the Court can meet costs associated with an unforeseen situation following a decision by the Prosecutor to open an investigation; unavoidable expenses arising from developments in existing situations that could not be foreseen or could not be accurately estimated at the time of adoption of the budget; or costs associated with an unforeseen meeting of the Assembly.

2.73 The trust funds segment: accounts for various activities funded by voluntary contributions and for funds recovered from the accused persons. Trust funds and special accounts are established and closed by the Registrar, who reports on them to the Presidency and, through the Committee, to the Assembly. The trust funds segment does not include activities of the Trust Fund for Victims or the Secretariat of the Trust Fund for Victims which are reported in separate financial statements.

Net assets/equity

2.74 Net assets/equity comprises the Contingency and Working Capital Funds, established and held at a level determined by the Assembly, and surpluses or deficits in the General Fund, including Funds for Employee Benefit Liabilities and Cash surplus, and the trust funds.

2.75 Cash surpluses due to States Parties for a given financial period are funds arising from:

- (a) Unencumbered balances of appropriations;
- (b) Savings on, or cancellation of, prior period obligations;
- (c) Contributions resulting from the assessment of new States Parties;
- (d) Revisions to the scale of assessments taking effect during the financial year; and
- (e) Miscellaneous income as defined in Regulation 7.1.

Unless otherwise determined by the Assembly, surpluses at the end of the financial period, after deducting any assessed contributions for that financial period which remain unpaid, are apportioned to the States Parties based on the scale of assessments applicable to the financial period to which the surplus relates. As of 1 January following the year in which the audit of the accounts of the financial period is completed, the amount of surplus apportioned to a State Party is surrendered if its contribution for that financial period has been paid in full. In such cases, the credit is used to offset, in whole or in part, contributions due to the Working Capital Fund and assessed contributions due for the calendar year following the financial period to which the surplus relates.

2.76 Reserve accounts and special accounts funded wholly or in part by assessed contributions may be established by the Assembly.

Budget comparison

2.77 A comparison of actual amounts with the amounts in the annual programme budget is presented in Statement V. This comparison is made on the same modified cash basis of accounting as adopted for the annual programme budget.

2.78 A reconciliation of the actual amounts on a modified cash basis with actual amounts presented in the financial statements is included in note 24, considering that the full accrual accounting and modified cash basis budget differ.

Restatement of prior year comparatives

2.79 Comparative information for 2017 is restated to reflect correction of an error from actuary in the actuarial calculation of the 2017 defined benefit obligation and reimbursement rights for Judges pension for the total amount of €1,358 thousand identified after the publication of the Court's 2017 Financial Statements. This correction does not affect net assets/equity and has the following effect:

<i>In thousands of euros</i>	<i>2017 Financial Statements ICC-ASP/17/12</i>	<i>Correction</i>	<i>Comparative information in 2018 financial statements</i>
Reimbursement rights	27,330	1,358	28,688
Employee benefit liabilities - current	10,542	89	10,631
Employee benefit liabilities - non-current	53,376	1,269	54,645
Total net assets/equity	98,825	-	98,825

3. Cash and cash equivalents

<i>In thousands of euros</i>	2018	2017
Cash on hand	94	37
Cash at bank	18,798	7,045
Total	18,892	7,082

3.1 Cash and cash equivalents are subject to restrictions such that they can only be utilized in support of the approved activities of the funds to which they were provided. Cash and cash equivalents include an amount equivalent to €206 thousand (2017: €54 thousand) held in currencies other than the euro.

4. Accounts receivable from non-exchange transactions

<i>In thousands of euros</i>	2018	2017
Current		
Assessed contributions receivable (regular budget)	21,122	31,048
Assessed contributions receivable (other)	6	27
Voluntary contributions receivable	35	244
Non-current		
Assessed contributions receivable (other)	31	36
Total accounts receivable, gross	21,194	31,355
Provision for doubtful debt	(6,331)	(6,887)
Total accounts receivable, net	14,863	24,468

4.1 Assessed contributions receivable (regular budget): Assessed contributions comprise majority of the Court's receivables. The outstanding balance of €21,122 thousand comprises €5,782 thousand due for prior financial periods and €15,340 thousand due for 2018 (Schedule 1). Contributions received from States Parties in excess of contributions due in an amount of €1,509 thousand are reported as contributions received in advance (note 12.1). The status of outstanding contributions as at 31 December 2018 by State Party is provided in Schedule 1.

4.2 Assessed contributions receivable (other): relate to the outstanding balances due to the Working Capital Fund, Contingency Fund and for the total cost of permanent premises from States which acceded to the Rome Statute after 2015.

4.3 Voluntary contributions receivable: the amount of €35 thousand represents an outstanding amount receivable from donors for 2017-2018 projects.

4.4 Provision for doubtful debt: The Court recognized provision for doubtful debt in an amount of 90 per cent of outstanding contributions from States Parties that are in arrears for more than two years. Article 112 of the Rome Statute stipulates that a State Party which is in arrears in the payment of its assessed contributions, shall have no vote in the Assembly and in the Bureau if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The Assembly may, nevertheless, permit such a State Party to vote in the Assembly and in the Bureau if it is satisfied that the failure to pay is due to conditions beyond the control of the State Party.

Changes in provision for doubtful debt

<i>In thousands of euros</i>	<i>Total</i>
Provision for doubtful debt as at 1 January 2018	6,887
Increase/(decrease) in provision	(556)
Provision for doubtful debt as at 31 December 2018	6,331

4.5 The following table illustrates accounts receivable by age:

<i>In thousands of euros</i>	<i>Not yet due</i>	<i>Less than 1 year</i>	<i>1-3 years</i>	<i>Over 3 years</i>	<i>Total</i>
Assessed contributions receivable (regular budget)	-	15,340	4,538	1,244	21,122
Assessed contributions receivable (other)	36	-	1	-	37
Voluntary contributions receivable	-	35	-	-	35
Total accounts receivable, gross	36	15,375	4,539	1,244	21,194

5. Other accounts receivable

<i>In thousands of euros</i>	<i>2018</i>	<i>2017</i>
Receivable from governments	1,118	1,024
Other receivables	2,138	1,828
Other accounts receivable, gross	3,256	2,852
Provision for doubtful debt	(1,904)	(1,724)
Other accounts receivable, net	1,352	1,128

5.1 Receivables from governments represent receivables for refundable energy tax and VAT.

5.2 Other receivables mainly comprise of amounts advanced by the Court on the basis of a judicial decision dated 20 October 2011 (Trial Chamber III, no. ICC-01/05-01/08-568) for the legal representation of an accused person. In 2018 the Court paid €176 thousand towards such costs.

5.3 Provision for doubtful debt: as the recovery of the legal aid costs advanced by the Court is uncertain, the receivable amount is fully provided for and recognized as costs of the Court.

Changes in provision for doubtful debt

<i>In thousands of euros</i>	<i>Other receivables</i>
Provision for doubtful debt as at 1 January 2018	1,724
Increase in provision	180
Provision for doubtful debt as at 31 December 2018	1,904

5.4 The following table illustrates other accounts receivable by age:

<i>In thousands of euros</i>	<i>Less than 1 year</i>	<i>1-3 years</i>	<i>Over 3 years</i>	<i>Total</i>
Receivable from governments	1,118	-	-	1,118
Other receivables	467	750	921	2,138
Other accounts receivable, gross	1,585	750	921	3,256

6. Prepayments and other current assets

<i>In thousands of euros</i>	<i>2018</i>	<i>2017</i>
Advances to staff	2,049	1,680
Advances to vendors	-	24
Prepaid expenses	831	539
Accrued interest	55	78
Total	2,935	2,321

6.1 Advances to staff comprise €1,900 thousand of education grant advances for the portion of the school year to be completed during 2019, €34 thousand of travel advances for trips in 2018, and €15 thousand of advances for field operations.

6.2 Prepaid expenses represent payments to vendors for software maintenance and licences relating to periods after 31 December 2018.

7. Property, plant and equipment

<i>In thousands of euros</i>	<i>Land</i>	<i>Asset under construction</i>	<i>Building</i>	<i>Motor vehicles</i>	<i>Furniture and fittings</i>	<i>ICT equipment</i>	<i>Other assets</i>	<i>Total</i>
Cost								
At 1 January 2018	9,741	10	197,183	3,335	572	10,205	2,488	223,534
Additions	-	291	244	561	51	451	193	1,791
Capitalization	-	(4)	4	-	-	-	-	-
Reclassification	-	-	47	-	-	-	(47)	-
Disposals/Write-offs	-	-	-	-	(1)	(1,065)	(111)	(1,177)
At 31 December 2018	9,741	297	197,478	3,896	622	9,591	2,523	224,148
Accumulated depreciation								
Accumulated depreciation at 1 January 2018	-	-	22,249	2,205	468	7,615	1,711	34,248
Depreciation Charge	-	-	10,365	367	25	1,013	181	11,951
Reclassification	-	-	5	-	-	-	(5)	-
Disposals/Write-offs	-	-	-	-	(1)	(1,042)	(111)	(1,154)
At 31 December 2018	-	-	32,619	2,571	492	7,587	1,776	45,045
Net book value								
at 1 January 2018	9,741	10	174,934	1,130	104	2,590	777	189,286
At 31 December 2018	9,741	297	164,859	1,325	130	2,004	747	179,103

7.1 Based on the deed dated 23 March 2009 between the host State and the Court establishing the ground lease and building and planting rights, land ready for development was leased to the Court for no consideration. The lease may be terminated by mutual consent at the end of the Court's mandate or by a decision of the Assembly. The value of the land is estimated on the basis of its not-for-profit function by an independent valuer.

8. Intangible assets

<i>In thousands of euros</i>	<i>Software externally acquired</i>	<i>Software in development</i>	<i>Software internally developed</i>	<i>Total</i>
Cost				
At 1 January 2018	11,025	86	-	11,111
Additions	54	760	-	814
Retirement / Write-off	-	-	-	-
Capitalization	-	(328)	328	-
At 31 December 2018	11,079	518	328	11,925

<i>In thousands of euros</i>	<i>Software externally acquired</i>	<i>Software in development</i>	<i>Software internally developed</i>	<i>Total</i>
Accumulated Amortization				
At 1 January 2018	10,002	-	-	10,002
Amortization charge	388	-	5	393
At 31 December 2018	10,390	-	5	10,395
Net book value				
At 1 January 2018	1,023	86	-	1,109
At 31 December 2018	689	518	323	1,530

8.1 Software in development represents costs of developing two softwares: a) employee and manager self-services through electronic forms and b) digital storage for forensic files preservation. Completion of these projects is expected in 2019.

8.2 In 2018 three intangible assets were developed internally: a) OTP assistance database, b) mission planning solution phase 1, and c) victim application electronic collection.

9. Accounts payable

<i>In thousands of euros</i>	<i>2018</i>	<i>2017</i>
Current		
Counsel payables	379	510
Suppliers	4,630	4,464
Secretariat of the Trust Fund for Victims	506	475
Other payables	213	266
<i>Total current</i>	<i>5,728</i>	<i>5,715</i>
Non-current		
Secretariat of the Trust Fund for Victims	636	505
<i>Total non-current</i>	<i>636</i>	<i>505</i>
Total accounts payable	6,364	6,220

9.1 Liability towards the Secretariat of the Trust Fund for Victims represents amount assessed for funding of the Secretariat net of expenses incurred against this assessment. The Court assesses States Parties for the budget of the Secretariat. In substance, the Court collects assessed contributions as an agent of the Trust Fund and these assessments do not increase net assets or revenue of the Court, but are recognized as a payable to the Trust Fund. The payable to the Trust Fund is reduced as expenses are incurred by the Secretariat. Liabilities to vendors and the staff of the Secretariat are settled directly by the Court. The payables are finally settled when the Court credits any cash surplus pertaining to Major Programme VI, in accordance with the Financial Regulations and Rules of the Court, to the States Parties.

10. Employee benefit liabilities

<i>In thousands of euros</i>	2018	2017 (Restated)
Current		
Salaries and entitlements	468	792
Annual leave accrual	6,303	6,297
Other long-term benefits	1,867	2,094
Post-employment benefits	1,491	1,448
<i>Sub-total current</i>	<i>10,129</i>	<i>10,631</i>
Non-current		
Other long-term benefits	9,939	8,583
Post-employment benefits	49,406	46,062
<i>Sub-total non-current</i>	<i>59,345</i>	<i>54,645</i>
Total	69,474	65,276

Current employee benefit liabilities

10.1 Current liabilities comprise payables for salaries and other entitlements, annual leave accrual and the current portion of other long-term benefits and post-employment benefits.

10.2 Annual Leave Accrual: At 31 December 2018, €6,303 thousand represents the accumulated annual leave accrual for all staff members of the Court.

Non-current employee benefit liabilities

10.3 Actuarial assumptions used to determine the value of other long-term benefits and post-employment benefits are as follows:

<i>Financial assumptions</i>	2018	2017
Discount rate:		
Judges pension scheme	1.65%	1.60%
Relocation allowance and other benefits of judges	0.30%	0.11%
Home leave and family visit of staff	0.30%	0.11%
ASHI	1.95%	2.05%
Staff repatriation grant	1.42%	1.35%
Other benefits of staff	1.35%	1.27%
Wage inflation	1.50%	1.50%
Price inflation	2.00%	2.00%
Medical cost trend rate	5.00%	5.00%
Individual salary increase rate	1.20%	1.20%
<i>Demographic assumptions</i>		
Individual turnover rates	From 0% to 7% depending on age group	
Disability rates	Based on UNJSPF	
Mortality tables	UNJSPF active and inactive (2017)	
Age corrections	Generational improvement scale (for inactive)	
Age difference M/F	Based on actual age difference	

10.4 The discount rate used to discount benefit obligations reflects time value of money. The currency and term of the financial instrument selected to reflect time value of money is consistent with the currency and estimated term of the benefit obligation.

10.5 The actuarial gains and losses due to changes in financial assumptions are caused by the changes of the discount rates. The discount rates for the judges post-employment plan, judges other long-term benefits and staff other long-term benefits have increased, while the discount rate for the ASHI post-employment plan has decreased.

10.6 The actuarial losses due to experience adjustments are caused by the positive deviation from the mortality rates and the increase of both eligible staff participants in the several plans and the increase of their average salary.

Reconciliation of the opening and closing balance of the present value of the defined benefit obligation

<i>In thousands of euros</i>	<i>Judges</i>		<i>Staff members</i>		<i>Total</i>
	<i>Pension scheme</i>	<i>Other long-term</i>	<i>ASHI</i>	<i>Other long-term</i>	
Present value of the defined benefit obligation as at 1 January 2018	28,688	862	18,822	9,815	58,187
Service cost	674	211	2,157	2,295	5,337
Interest expense	459	1	430	132	1,021
Remeasurement (gains)/losses	242	(58)	884	(87)	980
Benefits paid	(1,414)	(440)	(44)	(924)	(2,822)
Present value of the defined benefit obligation as at 31 December 2018	28,648	576	22,249	11,231	62,704

Reconciliation of the opening and closing balance of the reimbursement rights

<i>In thousands of euros</i>	<i>Judges' pension scheme</i>
Reimbursement right as at 1 January 2018	28,688
Interest revenue	454
Remeasurement gains/(losses)	(266)
Contributions by employer	1,305
Benefits paid	(1,414)
Administration cost	(119)
Reimbursement right as at 31 December 2018	28,648

10.7 The fair value of the reimbursement rights is deemed to be the present value of the related obligation. Administration cost of €19 thousand was paid to judges pension scheme administrator in 2018.

Total defined benefit cost recognised in the Statement of financial performance and net assets/equity

<i>In thousands of euros</i>	<i>Judges</i>		<i>Staff members</i>		<i>Total</i>
	<i>Pension scheme</i>	<i>Other long-term</i>	<i>ASHI</i>	<i>Other long-term</i>	
Net service cost	674	211	2,157	2,295	5,337
Net interest on the net defined benefit liability/(asset)	4	1	430	132	567
Administration costs	119	-	-	-	119
Remeasurement of the net defined benefit liability	-	(58)	-	(87)	(145)
Defined benefit cost recorded in profit or loss	798	153	2,587	2,340	5,877
Remeasurement of the net defined benefit liability	508	-	884	-	1,392
Defined benefit cost recorded in net assets/equity	508	-	884	-	1,392
Total defined benefit cost	1,305	153	3,471	2,340	7,269

Sensitivity analysis

10.8 A significant actuarial assumption for the determination of the defined benefit obligation is the discount rate. The sensitivity analyses have been determined based on a 0.25% change of the assumptions at the end of reporting period.

	<i>Discount rate %</i>	<i>Defined benefit obligation</i>	<i>Discount rate plus 0.25%</i>	<i>Defined benefit obligation</i>	<i>Discount rate less 0.25%</i>	<i>Defined benefit obligation</i>
Judges						
Pension scheme	1.65	28,648	1.90	27,794	1.40	29,544
Home leave benefits	0.30	47	0.55	47	0.05	47
Removal/travel on separation	0.30	90	0.55	89	0.05	91
Relocation allowance	0.30	430	0.55	426	0.05	434
Survivors benefit	0.30	9	0.55	9	0.05	10
Staff						
Home leave benefits	0.30	1,182	0.55	1,181	0.05	1,183
Family visit	0.30	23	0.55	23	0.05	23
Removal/Travel on separation	1.35	2,267	1.60	2,217	1.10	2,320
Repatriation grant	1.42	7,348	1.67	7,170	1.17	7,534
Death grant	1.35	410	1.60	402	1.10	418
ASHI	1.95	22,249	2.20	20,594	1.70	24,066

10.9 Effect of an increase of one percentage point and effect of a decrease of one percentage point in the assumed medical cost trend rates are as follows:

Medical cost trend rate

<i>In thousands of euros</i>	4%	5%	6%
Defined benefit obligation as at 31/12/2018	18,590	22,249	26,891
Current Service cost for Fiscal year 2019	2,007	2,401	2,900

United Nations Joint Staff Pension Fund

10.10 The Fund's Regulations state that the Pension Board shall have an actuarial valuation made of the Fund at least once every three years by the Consulting Actuary. The practice of the Pension Board has been to carry out an actuarial valuation every two years using the Open Group Aggregate Method. The primary purpose of the actuarial valuation is to determine whether the current and estimated future assets of the Pension Fund will be sufficient to meet its liabilities.

10.11 The Court's financial obligation to the UNJSPF consists of its mandated contribution, at the rate established by the United Nations General Assembly (currently at 7.9% for participants and 15.8% for member organizations) together with any share of any actuarial deficiency payments under Article 26 of the Regulations of the Pension Fund. Such deficiency payments are only payable if and when the United Nations General Assembly has invoked the provision of Article 26, following determination that there is a requirement for deficiency payments based on an assessment of the actuarial sufficiency of the Fund as of the valuation date. Each member organization shall contribute to this deficiency an amount proportionate to the total contributions which each paid during the three years preceding the valuation date.

10.12 During 2017, the Fund identified that there were anomalies in the census data utilized in the actuarial valuation performed as of 31 December 2015. As such, as an exception to the normal biennial cycle, a roll forward of the participation data as of 31 December 2013 to 31 December 2016 was used by the Fund for its 2016 financial statements.

10.13 The actuarial valuation as of 31 December 2017 resulted in a funded ratio of actuarial assets to actuarial liabilities, assuming no future pension adjustments, of 139.2% (150.1% in the 2016 roll forward). The funded ratio was 102.7% (101.4% in the 2016 roll forward) when the current system of pension adjustments was taken into account.

10.14 After assessing the actuarial sufficiency of the Fund, the Consulting Actuary concluded that there was no requirement, as of 31 December 2016, for deficiency payments under Article 26 of the Regulations of the Fund as the actuarial value of assets exceeded the actuarial value of all accrued liabilities under the plan. In addition, the market value of assets also exceeded the actuarial value of all accrued liabilities as of the valuation date. At the time of this report, the General Assembly has not invoked the provision of Article 26.

10.15 Should Article 26 be invoked due to an actuarial deficiency, either during the ongoing operation or due to the termination of the UNJSPF pension plan, deficiency payments required from each member organization would be based upon the proportion of that member organization's contributions to the total contributions paid to the Fund during the three years preceding the valuation date. Total contributions paid to the UNJSPF during the preceding three years (2015, 2016 and 2017) amounted to USD 6,931.39 million, of which 0.92% was contributed by the Court.

10.16 During 2018, contributions paid to UNJSPF amounted to €23,241 million (2017 €23,026 million). No significant variance is expected in the contributions due in 2018.

10.17 Membership of the Fund may be terminated by decision of the United Nations General Assembly, upon the affirmative recommendation of the Pension Board. A proportionate share of the total assets of the Fund at the date of termination shall be paid to

the former member organization for the exclusive benefit of its staff who were participants in the Fund at that date, pursuant to an arrangement mutually agreed between the organization and the Fund. The amount is determined by the United Nations Joint Staff Pension Board based on an actuarial valuation of the assets and liabilities of the Fund on the date of termination; no part of the assets which are in excess of the liabilities are included in the amount.

10.18 The United Nations Board of Auditors carries out an annual audit of the UNJSPF and reports to the UNJSPF Pension Board and to the United Nations General Assembly on the audit every year. The UNJSPF publishes quarterly reports on its investments and these can be viewed by visiting the UNJSPF at www.unjspf.org.

Service-incurred injury

10.19 The Court entered into an agreement with an insurance company to offer coverage for service-incurred injuries for the Court's staff, judges, consultants and temporary assistants. The insurance premium, calculated as a percentage of the pensionable remuneration for staff members and a comparable percentage for judges, consultants and temporary assistants, is charged to the organization's budget and is reflected in the accounts under expenditures. The total premium paid during 2018 for this insurance was €399 thousand.

Secretariat of the Trust Fund for Victims

10.20 Employees of the Secretariat of the Trust Fund for Victims are provided with benefits and entitlements in accordance with staff regulations and consistent with those of employees of the Court. These benefits are provided on a pooled basis with the Court's staff and it is not considered feasible to perform a separate actuarial valuation. Long-term and post-employment benefits that relate to the Secretariat of the Trust Fund for Victims and that are included in the obligations of the Court are estimated at €408 thousand.

10.21 The value of annual leave due to employees of the Secretariat of the Trust Fund for Victims as at 31 December 2018, also provided on a pooled basis, are included in the Court's liabilities and amounted to €70 thousand.

11. Host State loan

<i>In thousands of euros</i>	<i>2018</i>	<i>2017</i>
Host State loan current	1,843	1,801
Host State loan non-current	68,865	70,708
Total	70,708	72,509

11.1 The loan is recognized at amortized cost using the effective interest rate. The effective interest rate is applied to each stream of drawings from the total capital amount available.

11.2 Repayment of the host State loan commenced on 30 June 2016, the date on which the rental agreement of the Court concerning interim premises expired. States Parties that did not pay the one-time contribution are assessed annually for loan repayment. The following table illustrates the remaining contractual maturity of the loan:

<i>In thousands of euros</i>	<i>Less than 1 year</i>	<i>1-3 years</i>	<i>Over 3 years</i>	<i>Total</i>
Host State loan	3,585	10,755	87,836	102,176

12. Deferred revenue and accrued expenses

<i>In thousands of euros</i>	2018	2017
Assessed contributions in advance	1,509	2,273
Deferred voluntary contributions	1,191	910
Accrued expenses	2,471	2,104
Accrual on host State loan	3,585	3,585
Total	8,756	8,872

12.1 Assessed contributions received in advance: €1,509 thousand was received from States Parties prior to the year to which they relate. Contributions received in advance decreased by €764 thousand. The details of received contributions relating to year 2019 by State Party is provided in Schedule 1.

12.2 Deferred voluntary contributions represent awards from donors, subject to conditions, for which implementation is expected in the future financial period. The amount of €1,191 thousand relates primarily to the activities of the Trust Fund “Building Legal Expertise and Fostering Cooperation” and “Junior Professional Officer Programme”. These contributions will be recognized as revenue, as and when the conditions are satisfied. Details of voluntary contributions transferred subject to conditions as of 31 December 2018 are provided in Schedule 6.

12.3 Accrued expenses represent the amount of goods and services delivered for which the invoices were not yet received by the reporting date.

12.4 The accrual on the Host State loan represents the amount of 2018 annuity due for payment in February 2019.

13. Provisions

<i>In thousands of euros</i>	2018	2017
Provision for litigation	898	2,060
Provision for US tax	111	126
Other provisions	203	194
Total	1,212	2,380

Changes in provisions

<i>In thousands of euros</i>	<i>Litigation provision</i>	<i>US tax provision</i>	<i>Other provisions</i>	<i>Total</i>
Provision as at 1 January 2018	2,060	126	194	2,380
Increase in provision	258	37	9	304
Decrease due to payments	(1,295)	(43)	-	(1,338)
Decrease due to reversals	(125)	(9)	-	(134)
Provision as at 31 December 2018	898	111	203	1,212

13.1 Provision for litigation of €898 thousand corresponds to estimated liability of the Court for cases filed by current or former staff members of the Court, including primarily with the Administrative Tribunal of the International Labour Organization (ILOAT). In addition there are other cases pending which are either disclosed as contingent liabilities or it is considered that the possibility of an outflow of resources is remote.

13.2 Provision for US tax liability: According to the practice and fundamental principles of the International Civil Service, as determined by the ILOAT, all employees of the Court are entitled to exemption from taxation on Court salaries, emoluments and allowances paid by the Court. The calculated tax liability is €11 thousand estimated for the year 2018 for six United States taxpayers on the payroll of the Court during this period.

13.3 Other provisions represent an estimate of the amount payable by the Court in relation to an appendix D case.

14. Net assets/equity

<i>In thousands of euros</i>	2018	2017
General		
Contingency Fund	5,243	3,764
Working Capital Fund	9,058	17
General Funds		
Funds for Employee Benefit Liabilities	263	479
Cash Surplus / (Deficit)	2,993	(5,622)
Other General Fund	79,272	105,142
Remeasurement of post-employment related plans	(8,041)	(6,650)
Total General balances	88,788	97,130
Trust Funds	2,021	1,695
Total	90,809	98,825

14.1 Remeasurement of post-employment related plans: the balance of €8,041 thousand represents actuarial losses relating to pension of Judges and after service health insurance plan of the Court's staff.

15. Revenue

<i>In thousands of euros</i>	2018	2017
Assessed contributions		
To programme budget	144,890	142,413
Change in provision for doubtful debt	556	(2,353)
<i>Sub-total assessed contributions</i>	<i>145,446</i>	<i>140,060</i>
Voluntary contributions		
To trust funds (Schedule 6)	2,038	1,662
<i>Sub-total voluntary contributions</i>	<i>2,038</i>	<i>1,662</i>
Financial revenue		
Interest revenue	110	158
Net foreign exchange gain	48	3
<i>Sub-total financial revenue</i>	<i>158</i>	<i>161</i>
Other revenue		
Other miscellaneous revenue	413	219
<i>Sub-total other revenue</i>	<i>413</i>	<i>219</i>
Total revenue	148,055	142,102

15.1 Assessed contributions to programme budget: the Assembly, in its resolution ICC-ASP/16/Res.1, approved the funding of the appropriations of the Court for the financial period 1 January to 31 December 2018 in the amount of €47,432 thousand. €2,542 thousand of the total appropriations relates to contributions to the Secretariat of the Trust Fund for Victims and is reported separately in the financial statements of the Trust Fund.

15.2 The Court recognizes revenue when the inflow of the economic benefits or service potential is probable. For the doubtful debt estimated in relation to the assessed contributions receivable the revenue is reduced and will be reinstated once the uncertainty over collection is removed. In 2018, an estimate of a doubtful debt provision decreased by €56 thousand.

15.3 Details of voluntary contributions by donors are provided in Schedule 6.

Contributions in kind

15.4 In 2018 the Court received services-in-kind related to short-term pro bono personnel. These resources provide expertise in specific areas that help support the activities of the Court. The value of such services received by the Court in 2018 is estimated at €202 thousand.

15.5 In 2018 the Seventeenth session of the Assembly of State Parties was conducted at the World Forum Convention Centre in The Hague. The premises were provided by the host State. The approximate amount of this donation in kind is €305 thousand

16. Employee benefit expenses

<i>In thousands of euros</i>	2018	2017
Judges' salaries	3,373	3,237
Judges' entitlements and allowances	1,516	1,718
Staff salaries	57,571	56,112
Staff entitlements and allowances	29,414	29,231
Temporary assistance	16,225	16,567
Total	108,099	106,865

16.1 In 2018 one ex-gratia payment for €3,998 was made.

17. Travel and hospitality expenses

<i>In thousands of euros</i>	2018	2017
Hospitality	31	22
Travel	5,637	6,610
Total	5,668	6,632

18. Expenses for contractual services

<i>In thousands of euros</i>	2018	2017
Public information	489	387
External translation	489	592
Training	851	806
Consultants and individual contractors	1,826	1,648
Other contractual services	2,503	2,117
Total	6,158	5,550

19. Expenses for counsel fees

<i>In thousands of euros</i>	2018	2017
Counsel for defence	4,191	4,894
Counsel for victims	1,412	1,349
Total	5,603	6,243

20. Operating expenses

<i>In thousands of euros</i>	2018	2017
Rental, utility and maintenance	6,038	6,644
Communications and software maintenance	3,290	3,235
Witness-related expenses	1,895	2,378
Other operating expenses	1,746	2,045
Total	12,969	14,302

21. Supplies and materials expenses

<i>In thousands of euros</i>	2018	2017
Office supplies	551	546
Library books, magazines and subscriptions	333	113
Other supplies	425	445
Low value asset purchases	1,147	1,047
Total	2,456	2,151

21.1 Low value asset purchases: represent furniture and fittings, ICT equipment and other assets with a value below €1,000 which is not capitalized.

22. Depreciation, amortization and impairment

<i>In thousands of euros</i>	2018	2017
Depreciation	11,951	11,923
Amortization	393	388
Total	12,344	12,311

22.1 No material impairment losses were incurred in 2018.

23. Financial expenses

<i>In thousands of euros</i>	2018	2017
Bank charges	76	68
Interest expense on the host State loan	1,784	1,826
Total	1,860	1,894

23.1 Interest expense on the host State loan amounting to €1,784 thousand is recognized on an effective interest rate basis.

24. Statement of comparison of budget and actual amounts

24.1 The Court's budget and accounts are prepared on different bases. The Statement of financial position, Statement of financial performance, Statement of changes in net assets/equity and Statement of cash flows are prepared on a full accrual basis, whereas the Statement of comparison of budget and actual amounts (Statement V) is prepared on a modified cash basis of accounting.

24.2 As required under IPSAS 24, where the financial statements and the budget are not prepared on a comparable basis, the actual amounts presented on a comparable basis to the budget are reconciled to the actual amounts presented in the financial statements, identifying separately any basis, timing and entity differences. There are also differences in formats and classification schemes adopted for the presentation of financial statements and the budget.

24.3 Differences in bases occur when the approved budget is prepared on a basis other than the accounting basis, as stated in note 24.1 above.

24.4 Timing differences occur when the budget period differs from the reporting period reflected in the financial statements. There are no timing differences for the Court for the purposes of comparison of the budget and the actual amounts.

24.5 Entity differences occur as the budget includes the Secretariat for the Trust Fund of Victims (note 1.2(g)) which is not part of the reporting entity for which the financial statements are prepared. On the other hand, the annual programme budget does not include the trust funds segments, whereas the financial statements do.

24.6 Differences in presentation are due to differences in the format and classification schemes adopted for the presentation of the Statement of cash flows and Statement of comparison of budget and actual amounts.

24.7 Reconciliation between the actual amounts on a comparable basis in the Statement of comparison of budget and actual amounts (Statement V) and the actual amounts in the Statement of cash flows (Statement IV) for the period ended 31 December 2018 is presented below:

<i>In thousands of euros</i>	<i>Operating</i>	<i>Investing</i>	<i>Financing</i>	<i>Total</i>
Actual amount on comparable basis (Statement V)	2,406	-	-	2,406
Basis differences	14,736	-	-	14,736
Presentation differences	-	(2,471)	(3,585)	(6,056)
Entity differences	669	-	-	669
Actual amount in the Statement of cash flows (Statement IV)	17,810	(2,471)	(3,585)	11,754

24.8 Open commitments including open purchase orders and net cash flows from operating, investing and financing activities are presented as basis differences. Revenue and other fund related expenses that do not form part of the Statement of Comparison of Budget and Actual Amounts are reflected as presentation differences. Under entity differences, the activities of the Secretariat of the Trust Fund for Victims are not reported in the financial statements, but are included in the budgetary process. The trust funds are included in the financial statements but are not part of the actual amounts on a comparable basis.

24.9 An explanation of material differences between the budget and actual amounts is included in the Report on activities and programme performance of the International Criminal Court for the year 2018.

25. Segment Reporting

Statement of financial position by segment as at 31 December 2018

<i>In thousands of euros</i>	<i>General</i>	<i>Trust Funds</i>	<i>Inter-segment</i>	<i>Total</i>
Assets				
<i>Current assets</i>				
Cash and cash equivalents	14,790	4,102	-	18,892
Accounts receivable (non-exchange transactions)	14,797	35	-	14,832
Other accounts receivable	2,175	-	(823)	1,352
Prepayments and other current assets	2,909	26	-	2,935
Total current assets	34,671	4,163	(823)	38,011
<i>Non-current assets</i>				
Accounts receivable (non-exchange transactions)	31	-	-	31
Property, plant and equipment	179,103	-	-	179,103
Intangible assets	1,530	-	-	1,530
Reimbursement right	28,648	-	-	28,648
Total non-current assets	209,312	-	-	209,312
Total assets	243,983	4,163	(823)	247,323
Liabilities				
<i>Current liabilities</i>				
Accounts payable	5,614	937	(823)	5,728
Employee benefit liabilities	10,121	8	-	10,129
Host State loan	1,843	-	-	1,843
Deferred revenue and accrued expenses	7,560	1,196	-	8,756
Provisions	1,212	-	-	1,212
Total current liabilities	26,350	2,141	(823)	27,668
<i>Non-current liabilities</i>				
Accounts payable	636	-	-	636
Employee benefit liabilities	59,345	-	-	59,345
Host State loan	68,865	-	-	68,865
Total non-current liabilities	128,846	-	-	128,846
Total liabilities	155,196	2,141	(823)	156,514
Net assets/equity				
Contingency Fund	5,243	-	-	5,243
Working Capital Fund	9,058	-	-	9,058
Other fund balances	74,487	2,021	-	76,508
Total net assets/equity	88,788	2,021	-	90,809
Total liabilities and net assets/equity	243,983	4,163	(823)	247,323

Statement of financial position by segment as at 31 December 2017

<i>In thousands of euros</i>	<i>General</i>	<i>Trust Funds</i>	<i>Inter-segment</i>	<i>Total</i>
Assets				
<i>Current assets</i>				
Cash and cash equivalents	4,238	2,844	-	7,082
Accounts receivable (non-exchange transactions)	24,188	244	-	24,432
Other accounts receivable	1,357	-	(229)	1,128
Prepayments and other current assets	2,316	5	-	2,321
Total current assets	32,099	3,093	(229)	34,963
<i>Non-current assets</i>				
Accounts receivable (non-exchange transactions)	36	-	-	36
Property, plant and equipment	189,286	-	-	189,286
Intangible assets	1,109	-	-	1,109
Reimbursement right	28,688	-	-	28,688
Total non-current assets	219,119	-	-	219,119
Total assets	251,218	3,093	(229)	254,082
Liabilities				
<i>Current liabilities</i>				
Accounts payable	5,486	458	(229)	5,715
Employee benefit liabilities	10,613	18	-	10,631
Host State loan	1,801	-	-	1,801
Deferred revenue and accrued expenses	7,950	922	-	8,872
Provisions	2,380	-	-	2,380
Total current liabilities	28,230	1,398	(229)	29,399
<i>Non-current liabilities</i>				
Accounts payable	505	-	-	505
Employee benefit liabilities	54,645	-	-	54,645
Host State loan	70,708	-	-	70,708
Total non-current liabilities	125,858	-	-	125,858
Total liabilities	154,088	1,398	(229)	155,257
Net assets/equity				
Contingency Fund	3,764	-	-	3,764
Working Capital Fund	17	-	-	17
Other fund balances	93,349	1,695	-	95,044
Total net assets/equity	97,130	1,695	0	98,825
Total liabilities and net assets/equity	251,218	3,093	(229)	254,082

Statement of financial performance by segment for the year ended 31 December 2018

<i>In thousands of euros</i>	<i>General</i>	<i>Trust Funds</i>	<i>Total</i>
Revenue			
Assessed contributions	145,446	-	145,446
Voluntary contributions	-	2,038	2,038
Financial revenue	158	-	158
Other revenue	411	2	413
Total revenue	146,015	2,040	148,055
Expenses			
Employee benefit expenses	107,384	715	108,099
Travel and hospitality	5,289	379	5,668
Contractual services	5,746	412	6,158
Counsel fees	5,602	1	5,603
Operating expenses	12,762	207	12,969
Supplies and materials	2,456	-	2,456
Depreciation and amortization	12,344	-	12,344
Financial expenses	1,859	1	1,860
Total expenses	153,442	1,715	155,157
Surplus/(deficit) for the period	(7,427)	325	(7,102)

Statement of financial performance by segment for the year ended 31 December 2017

<i>In thousands of euros</i>	<i>General</i>	<i>Trust Funds</i>	<i>Total</i>
Revenue			
Assessed contributions	140,060	-	140,060
Voluntary contributions	-	1,662	1,662
Financial revenue	162	(1)	161
Other revenue	218	1	219
Total revenue	140,440	1,662	142,102
Expenses			
Employee benefit expenses	106,515	350	106,865
Travel and hospitality	5,969	663	6,632
Contractual services	5,331	219	5,550
Counsel fees	6,243	-	6,243
Operating expenses	13,943	359	14,302
Supplies and materials	2,151	-	2,151
Depreciation and amortization	12,311	-	12,311
Financial expenses	1,894	-	1,894
Total expenses	154,357	1,591	155,948
Surplus/(deficit) for the period	(13,917)	71	(13,846)

26. Commitments and operating leases

Operating leases

26.1 Operating costs include lease payments in an amount of €2,532 thousand, recognized as operating lease expenses during the year. The amount includes minimum lease payments. No sublease payments or contingent rent payments were made or received.

Commitments

26.2 At 31 December 2018 contractual commitments of the Court for the acquisition of property plant and equipment contracted but not delivered amounted €78 thousand.

27. Contingent liabilities

27.1 At the end of 2018, two cases filed by staff members of the Court with the ILOAT have been identified for which it is not considered likely that an outflow of economic resources will be required. A total of approximately €85 thousand is disclosed as contingent liabilities for these cases. In addition, there are cases from current or former staff members of the Court, the liability for which cannot be reliably estimated.

27.2 On 19 March 2019, Mr Jean-Pierre Bemba Gombo filed a second public redacted Version of his request for compensation and damages pursuant to article 85 of the Rome Statute (ICC-01/05-01/08-3673-Red2). Both the Prosecution and the Registry filed their respective observations on 6 May 2019 as ordered ((ICC-01/05-01/08-3680-Red and ICC-01/05-01/08-3681-Red, respectively) and a hearing was publicly held on 9 May 2019. Additional submissions will be filed by lawyers for Mr Bemba on 4 June 2019 and replies thereto may be filed by both the Prosecution and the Registry on 26 June 2019. At this early stage of the proceedings, liability for this claim, if any, cannot be reliably estimated.

27.3 The Court may receive claims for reimbursements of child allowance previously deducted by the Court from the entitlements of the staff members who were in receipt of the Host State subsidy “kinderbijslag”. Host State Government recently reviewed the eligibility of the staff members of International Organisations, resulting in number of cases where staff was deemed ineligible to the subsidy and obliged to repay the amount received from the Host State. The probability of such outcome for the Court’s staff members is unknown, as well as the amount of potential reimbursement to staff is uncertain, and will depend on occurrence or non-occurrence of future events which are not within control of the Court.

28. Related party disclosures

28.1 Key management personnel are defined as the President, the Chef de Cabinet, the Registrar, the Prosecutor, the Deputy Prosecutor and Directors.

28.2 The aggregate remuneration paid to key management personnel includes net salaries, post adjustment, entitlements, assignment and other grants, rental subsidy, employer contributions to the pension plan and current health insurance contributions.

28.3 The amounts paid during the year and outstanding balances of receivables at year end are as follows:

<i>In thousands of euros</i>	<i>No. of individuals</i>	<i>Aggregate remuneration</i>	<i>Receivables</i>
Key management personnel	13	2,626	187

28.4 Key management personnel also qualify for post-employment benefits and other long-term benefits. At year end, accrued liabilities amounted to:

<i>In thousands of euros</i>	<i>Annual leave accrual</i>	<i>Other long-term benefits</i>	<i>Post-employment benefits</i>	<i>Total</i>
Key management personnel	322	618	1,484	2,424

28.5 In its resolution ICC-ASP/1/Res.6, the Assembly established the Trust Fund for Victims for the benefit of victims of crimes within the jurisdiction of the Court, and the families of such victims.

28.6 In the annex to that resolution, the Assembly established a Board of Directors, which is responsible for management of the Trust Fund, and decided that the Registrar of the Court shall be responsible for providing such assistance as is necessary for the proper functioning of the Board in carrying out its tasks and shall participate in the meetings of the Board in an advisory capacity.

28.7 In 2018, the Assembly approved an appropriation of €2,542 thousand for the Secretariat of the Trust Fund for Victims, which administers the Trust Fund and provides administrative support to the Board and its meetings. The amount of assessment net of expenses incurred by the Secretariat for the current and prior period in an amount of €1,142 thousand is recognized as a liability towards the Trust Fund for Victims. The Court provides various services to the Trust Fund for Victims, including office space, equipment and administrative services free of charge.

29. Write-off losses of cash and receivables

29.1 In addition to the items written off during 2018 as stated in note 7 above, a total amount of €2 thousand was written off as the value of receivables deemed to be irrecoverable.

30. Events after the reporting date

30.1 On the date of signing of these accounts, there were no material events, favourable or unfavourable, between the reporting date and the date on which the financial statements were authorized for issue that affected these statements.

Annex

Schedule 1

International Criminal Court

Status of contributions as at 31 December 2018 (in euros)

States Parties	Outstanding as at 31-12-2017		Outstanding	Assessed	Credits from 2017		Outstanding	Total outstanding	Receipts relating to 2019
		Collections			2018	Collections			
		Prior years							
Afghanistan	-	-	-	15,091	-	15,091	-	-	-
Albania	-	-	-	19,563	-	19,563	-	-	-
Andorra	-	-	-	14,672	-	14,672	-	-	-
Antigua and Barbuda	11,688	-	11,688	5,077	-	-	5,077	16,765	-
Argentina	2,146,569	2,146,569	-	2,185,464	-	-	2,185,464	2,185,464	-
Australia	-	-	-	5,725,819	-	5,725,819	-	-	-
Austria	-	-	-	1,877,379	-	1,877,379	-	-	-
Bangladesh	-	-	-	15,278	-	15,278	-	-	-
Barbados	16,850	16,850	-	17,118	-	17,118	-	-	-
Belgium	-	-	-	2,310,149	-	2,310,149	-	-	-
Belize	115	115	-	2,588	-	2,588	-	-	-
Benin	-	-	-	7,766	-	7,766	-	-	-
Bolivia	-	-	-	29,345	-	29,345	-	-	-
Bosnia and Herzegovina	-	-	-	31,790	-	31,790	-	-	-
Botswana	-	-	-	36,504	-	36,504	-	-	-
Brazil	16,540,369	16,471,110	69,259	9,783,462	-	-	9,783,462	9,852,721	-
Bulgaria	-	-	-	116,865	-	116,865	-	-	-
Burkina Faso	8,939	4,406	4,533	9,947	-	-	9,947	14,480	-
Cabo Verde	1,277	-	1,277	2,588	-	-	2,588	3,865	-
Cambodia	-	-	-	10,223	-	10,223	-	-	-
Canada	-	-	-	7,156,663	-	7,156,663	-	-	-
Central African Republic	5,724	-	5,724	2,588	-	-	2,588	8,312	-
Chad	24,558	-	24,558	12,381	-	-	12,381	36,939	-
Chile	-	-	-	977,582	-	977,582	-	-	-
Colombia	754,515	754,515	-	788,855	-	-	788,855	788,855	-
Comoros	19,367	-	19,367	2,588	-	-	2,588	21,955	-
Congo	62,390	-	62,390	15,378	-	-	15,378	77,768	-
Cook Islands	-	-	-	2,588	2	2,586	-	-	-
Costa Rica	-	-	-	115,221	11,015	104,206	-	-	2,784
Côte d'Ivoire	-	-	-	23,571	-	23,571	-	-	23,572
Croatia	-	-	-	260,427	-	260,427	-	-	-
Cyprus	-	-	-	105,295	-	105,295	-	-	-
Czechia	-	-	-	842,798	-	842,798	-	-	-
Democratic Republic of the Congo	-	-	-	14,417	-	14,417	-	-	14,104
Denmark	-	-	-	1,430,843	-	1,430,843	-	-	-
Djibouti	4,129	-	4,129	2,588	-	-	2,588	6,717	-
Dominica	10,647	10,647	-	2,588	-	2,588	-	-	262
Dominican Republic	260,490	112,817	147,673	119,024	-	-	119,024	266,697	-
Ecuador	-	-	-	164,129	-	164,129	-	-	-
El Salvador	-	-	-	34,235	-	34,235	-	-	-
Estonia	-	-	-	93,069	-	93,069	-	-	-
Fiji	-	-	-	7,766	2	7,764	-	-	-
Finland	-	-	-	1,117,257	-	1,117,257	-	-	-
France	-	-	-	12,699,594	-	12,699,594	-	-	-
Gabon	42,555	42,555	-	43,508	-	43,508	-	-	-
Gambia	-	-	-	2,588	-	2,580	8	8	-
Georgia	-	-	-	19,563	-	19,563	-	-	-
Germany	-	-	-	15,653,545	-	15,653,545	-	-	-
Ghana	4,525	-	4,525	41,256	-	-	41,256	45,781	-
Greece	-	-	-	1,153,938	-	1,153,938	-	-	-
Grenada	-	-	-	2,588	-	2,588	-	-	-
Guatemala	-	-	-	72,451	3,807	68,644	-	-	327
Guinea	19,506	-	19,506	5,034	-	-	5,034	24,540	-
Guyana	144	144	-	5,034	-	5,034	-	-	1,738
Honduras	19,727	19,727	-	20,699	-	14,225	6,474	6,474	-
Hungary	-	-	-	400,017	-	400,017	-	-	-
Iceland	-	-	-	56,388	-	56,388	-	-	-
Ireland	-	-	-	820,789	-	820,789	-	-	-
Italy	-	-	-	9,182,888	-	9,182,888	-	-	-
Japan	-	-	-	25,255,675	-	25,255,675	-	-	-

States Parties	Outstanding as at 31-12-2017			Assessed	Credits from 2017			Total outstanding	Receipts relating to 2019
	Collections	Outstanding			Collections	Outstanding			
	Prior years			2018					
Jordan	-	-	-	49,052	-	49,052	-	-	
Kenya	-	-	-	46,011	-	46,011	-	-	
Latvia	-	-	-	122,557	-	122,557	-	-	
Lesotho	-	-	-	2,588	-	2,588	-	-	
Liberia	2,671	-	2,671	2,588	-	-	2,588	5,259	
Liechtenstein	-	-	-	17,118	-	17,118	-	-	
Lithuania	-	-	-	176,357	176,357	-	-	-	
Luxembourg	-	-	-	156,792	-	156,792	-	-	
Madagascar	200	-	200	7,766	-	-	7,766	7,966	
Malawi	-	-	-	5,178	-	-	5,178	5,178	
Maldives	9,796	9,796	-	5,034	-	5,034	-	-	
Mali	-	-	-	7,910	-	7,910	-	-	
Malta	-	-	-	39,270	-	39,270	-	-	
Marshall Islands	5,963	-	5,963	2,588	-	-	2,588	8,551	
Mauritius	-	-	-	29,345	-	29,345	-	-	
Mexico	3,460,846	3,460,846	-	3,515,902	-	3,515,902	-	-	
Mongolia	-	-	-	12,227	-	12,227	-	-	
Montenegro	4	4	-	9,782	-	9,782	-	-	
Namibia	-	-	-	24,454	-	24,454	-	-	
Nauru	-	-	-	2,588	51	-	2,537	2,537	
Netherlands	-	-	-	3,630,979	-	3,630,979	-	-	
New Zealand	-	-	-	692,612	-	692,612	-	-	
Niger	31,784	-	31,784	5,178	-	-	5,178	36,962	
Nigeria	1,286,628	1,252,459	34,169	524,880	-	-	524,880	559,049	
North Macedonia	-	-	-	18,254	-	18,254	-	-	
Norway	-	-	-	2,201,083	-	2,201,083	-	-	
Panama	5,473	5,473	-	84,036	-	84,036	-	86	
Paraguay	29,756	-	29,756	35,658	-	-	35,658	65,414	
Peru	-	-	-	349,770	19,318	209,031	121,421	121,421	
Philippines	-	-	-	404,209	-	404,209	-	-	
Poland	-	-	-	2,060,460	2,060,460	-	-	1,466,500	
Portugal	-	-	-	960,465	-	960,465	-	-	
Republic of Korea	-	-	-	5,226,281	-	5,226,281	-	-	
Republic of Moldova	-	-	-	9,782	-	9,782	-	-	
Romania	-	-	-	450,815	-	450,815	-	-	
Saint Kitts and Nevis	-	-	-	2,588	-	2,588	-	-	
Saint Lucia	-	-	-	2,588	-	2,588	-	-	
Saint Vincent and the Grenadines	252	252	-	2,588	-	2,588	-	-	
Samoa	-	-	-	2,445	2	2,443	-	7	
San Marino	-	-	-	7,336	-	7,336	-	-	
Senegal	326	-	326	13,077	-	-	13,077	13,403	
Serbia	-	-	-	78,396	-	78,396	-	-	
Seychelles	-	-	-	2,588	-	2,588	-	-	
Sierra Leone	-	-	-	2,588	1,672	-	916	916	
Slovakia	-	-	-	391,982	-	391,982	-	-	
Slovenia	-	-	-	205,845	-	205,845	-	-	
South Africa	-	-	-	891,850	-	891,850	-	-	
Spain	-	-	-	5,985,606	-	5,985,606	-	-	
State of Palestine	-	-	-	17,824	-	17,824	-	-	
Suriname	-	-	-	15,113	-	-	15,113	15,113	
Sweden	-	-	-	2,342,256	-	2,342,256	-	-	
Switzerland	-	-	-	2,793,072	-	2,793,072	-	-	
Tajikistan	-	-	-	10,212	-	10,212	-	-	
Timor-Leste	7,290	7,257	33	7,336	-	-	7,336	7,369	
Trinidad and Tobago	-	-	-	83,287	-	-	83,287	83,287	
Tunisia	-	-	-	73,727	-	59,176	14,551	14,551	
Uganda	-	-	-	15,235	-	6,120	9,115	9,115	
United Kingdom	-	-	-	10,934,653	-	10,934,653	-	-	
United Republic of Tanzania	1,012	1,012	-	15,278	-	12,670	2,608	2,608	
Uruguay	2,449	2,449	-	193,618	-	193,618	-	-	
Vanuatu	8,846	8,846	-	2,588	-	2,588	-	-	
Venezuela	6,207,902	937,984	5,269,918	1,488,140	-	-	1,488,140	6,758,058	
Zambia	29,004	-	29,004	15,235	-	-	15,235	44,239	
Burundi (withdrawn State)	3,588	-	3,588	-	-	-	-	3,588	
Rounding difference	-	-	-	1,005	-	1,005	-	-	
Total (123 States Parties)	31,047,874	25,265,833	5,782,041	147,431,719	2,272,686	129,819,149	15,339,884	21,121,925	1,509,380

Schedule 2

International Criminal Court - Status of Working Capital Fund and Contingency Fund as at 31 December 2018 (in euros)

Status of Working Capital Fund

	2018	2017
Balance at beginning of financial period	-	3,634,515
Receipts from States Parties	15,782	12,461
Refunds to States Parties	-	-
Refund to withdrawn State	-	(149)
Temporary withdrawal for liquidity	-	(9,041,272)
Replenishments	9,041,272	-
Cash Surplus	-	5,394,445
Balance as at 31 December	9,057,054	-
Established level	11,600,000	11,600,000
Due from States Parties (Schedule 3)	(953)	(16,735)
Funding shortage / to be financed through future surplus funds	(2,541,993)	(2,541,993)
Temporary withdrawal for liquidity	-	(9,041,272)
Balance as at 31 December	9,057,054	-

Status of Contingency Fund

	2018	2017
Balance at beginning of financial period	3,759,138	5,785,308
Receipts from States Parties	4,991	452
Refund to withdrawn State	-	(46)
Temporary withdrawal for liquidity	-	(1,478,982)
Withdrawal - not absorbed by regular budget	-	(547,594)
Replenishments	1,478,982	-
Balance as at 31 December	5,243,111	3,759,138
Established level	7,000,000	7,000,000
Due from States Parties (Schedule 4)	(295)	(5,286)
Funding shortage	(1,756,594)	(1,756,594)
Temporary withdrawal for liquidity	-	(1,478,982)
Balance as at 31 December	5,243,111	3,759,138

¹⁾ ICC-ASP/16/Res.1, Section B, para. 4

Schedule 3

International Criminal Court - Status of advances to the Working Capital Fund as at 31 December 2018 (in euros)

<i>States Parties</i>	<i>Working Capital Fund</i>	<i>Cumulative payments</i>	<i>Outstanding</i>
Afghanistan	791	791	-
Albania	1,358	1,358	-
Andorra	1,061	1,061	-
Antigua and Barbuda	298	298	-
Argentina	91,904	91,904	-
Australia	322,986	322,986	-
Austria	113,380	113,380	-
Bangladesh	906	906	-
Barbados	1,121	1,121	-
Belgium	140,858	140,858	-
Belize	149	149	-
Benin	446	446	-
Bolivia	1,513	1,513	-
Bosnia and Herzegovina	2,272	2,272	-
Botswana	2,246	2,246	-
Brazil	488,335	488,335	-
Bulgaria	6,835	6,835	-
Burkina Faso	507	507	-
Cabo Verde	149	149	-
Cambodia	594	594	-
Canada	437,867	437,867	-
Central African Republic	149	141	8
Chad	480	87	393
Chile	53,391	53,391	-
Colombia	42,165	42,165	-
Comoros	149	141	8
Congo	798	463	335
Cook Islands	149	149	-
Costa Rica	6,173	6,173	-
Côte d'Ivoire	1,507	1,507	-
Croatia	17,006	17,006	-
Cyprus	6,713	6,713	-
Czechia	54,582	54,582	-
Democratic Republic of the Congo	621	621	-
Denmark	94,382	94,382	-
Djibouti	149	149	-
Dominica	149	149	-
Dominican Republic	6,719	6,719	-
Ecuador	7,909	7,909	-
El Salvador	850	850	-
Estonia	5,800	5,800	-
Fiji	446	446	-
Finland	72,995	72,995	-
France	783,276	783,276	-
Gabon	2,780	2,780	-
Gambia	149	149	-
Georgia	1,095	1,095	-
Germany	1,011,325	1,011,325	-
Ghana	2,193	2,193	-
Greece	84,285	84,285	-
Grenada	149	149	-
Guatemala	4,058	4,058	-
Guinea	210	76	134
Guyana	210	210	-
Honduras	1,182	1,182	-
Hungary	32,989	32,989	-
Iceland	3,754	3,754	-
Ireland	56,829	56,829	-
Italy	615,860	615,860	-
Japan	1,533,276	1,533,276	-

<i>States Parties</i>	<i>Working Capital Fund</i>	<i>Cumulative payments</i>	<i>Outstanding</i>
Jordan	3,137	3,137	-
Kenya	2,233	2,233	-
Latvia	7,142	7,142	-
Lesotho	149	149	-
Liberia	149	149	-
Liechtenstein	1,209	1,209	-
Lithuania	10,743	10,743	-
Luxembourg	10,955	10,955	-
Madagascar	446	446	-
Malawi	298	298	-
Maldives	210	210	-
Mali	533	533	-
Malta	2,368	2,368	-
Marshall Islands	149	141	8
Mauritius	1,865	1,865	-
Mexico	247,922	247,922	-
Mongolia	568	568	-
Montenegro	677	677	-
Namibia	1,480	1,480	-
Nauru	149	149	-
Netherlands	234,377	234,377	-
New Zealand	38,364	38,364	-
Niger	298	268	30
Nigeria	20,554	20,554	-
North Macedonia	1,121	1,121	-
Norway	125,843	125,843	-
Panama	4,333	4,333	-
Paraguay	1,723	1,723	-
Peru	18,470	18,470	-
Philippines	23,461	23,461	-
Poland	131,467	131,467	-
Portugal	65,180	65,180	-
Republic of Korea	297,893	297,893	-
Republic of Moldova	507	507	-
Romania	30,902	30,902	-
Saint Kitts and Nevis	149	149	-
Saint Lucia	149	149	-
Saint Vincent and the Grenadines	149	149	-
Samoa	149	149	-
San Marino	446	446	-
Senegal	825	825	-
Serbia	5,436	5,436	-
Seychelles	149	149	-
Sierra Leone	149	149	-
Slovakia	24,644	24,644	-
Slovenia	13,830	13,830	-
South Africa	54,580	54,580	-
Spain	407,860	407,860	-
State of Palestine	769	769	-
Suriname	715	715	-
Sweden	141,862	141,862	-
Switzerland	160,632	160,632	-
Tajikistan	507	507	-
Timor-Leste	358	358	-
Trinidad and Tobago	5,903	5,903	-
Tunisia	4,843	4,843	-
Uganda	878	878	-
United Kingdom	723,004	723,004	-
United Republic of Tanzania	906	906	-
Uruguay	9,337	9,337	-
Vanuatu	149	149	-
Venezuela	89,402	89,402	-
Zambia	878	841	37
Rounding difference	(4)	(4)	-
Total (123 States Parties)	9,058,007	9,057,054	953

Schedule 4

International Criminal Court Status of contributions to the Contingency Fund for 2018 (in euros)

<i>States Parties</i>	<i>Outstanding as at 31-12-2017</i>	<i>Replenishments</i>	<i>Collections</i>	<i>Outstanding as at 31-12-2018</i>
Afghanistan	-	-	-	-
Albania	-	-	-	-
Andorra	-	-	-	-
Antigua and Barbuda	-	-	-	-
Argentina	-	-	-	-
Australia	-	-	-	-
Austria	-	-	-	-
Bangladesh	-	-	-	-
Barbados	-	-	-	-
Belgium	-	-	-	-
Belize	-	-	-	-
Benin	-	-	-	-
Bolivia	-	-	-	-
Bosnia and Herzegovina	-	-	-	-
Botswana	-	-	-	-
Brazil	-	-	-	-
Bulgaria	-	-	-	-
Burkina Faso	-	-	-	-
Cabo Verde	-	-	-	-
Cambodia	-	-	-	-
Canada	-	-	-	-
Central African Republic	-	-	-	-
Chad	-	-	-	-
Chile	-	-	-	-
Colombia	-	-	-	-
Comoros	46	-	-	46
Congo	73	-	-	73
Cook Islands	-	-	-	-
Costa Rica	-	-	-	-
Côte d'Ivoire	-	-	-	-
Croatia	-	-	-	-
Cyprus	-	-	-	-
Czechia	-	-	-	-
Democratic Republic of the Congo	-	-	-	-
Denmark	-	-	-	-
Djibouti	-	-	-	-
Dominica	8	-	8	-
Dominican Republic	-	-	-	-
Ecuador	-	-	-	-
El Salvador	-	-	-	-
Estonia	-	-	-	-
Fiji	-	-	-	-
Finland	-	-	-	-
France	-	-	-	-
Gabon	-	-	-	-
Gambia	-	-	-	-
Georgia	-	-	-	-
Germany	-	-	-	-
Ghana	-	-	-	-
Greece	-	-	-	-
Grenada	-	-	-	-
Guatemala	-	-	-	-
Guinea	84	-	-	84
Guyana	-	-	-	-
Honduras	-	-	-	-
Hungary	-	-	-	-
Iceland	-	-	-	-
Ireland	-	-	-	-
Italy	-	-	-	-
Japan	-	-	-	-

<i>States Parties</i>	<i>Outstanding as at 31-12-2017</i>	<i>Replenishments</i>	<i>Collections</i>	<i>Outstanding as at 31-12-2018</i>
Jordan	-	-	-	-
Kenya	-	-	-	-
Latvia	-	-	-	-
Lesotho	-	-	-	-
Liberia	-	-	-	-
Liechtenstein	-	-	-	-
Lithuania	-	-	-	-
Luxembourg	-	-	-	-
Madagascar	-	-	-	-
Malawi	-	-	-	-
Maldives	-	-	-	-
Mali	-	-	-	-
Malta	-	-	-	-
Marshall Islands	-	-	-	-
Mauritius	-	-	-	-
Mexico	-	-	-	-
Mongolia	-	-	-	-
Montenegro	-	-	-	-
Namibia	-	-	-	-
Nauru	-	-	-	-
Netherlands	-	-	-	-
New Zealand	-	-	-	-
Niger	92	-	-	92
Nigeria	-	-	-	-
North Macedonia	-	-	-	-
Norway	-	-	-	-
Panama	-	-	-	-
Paraguay	-	-	-	-
Peru	-	-	-	-
Philippines	-	-	-	-
Poland	-	-	-	-
Portugal	-	-	-	-
Republic of Korea	-	-	-	-
Republic of Moldova	-	-	-	-
Romania	-	-	-	-
Saint Kitts and Nevis	-	-	-	-
Saint Lucia	-	-	-	-
Saint Vincent and the Grenadines	-	-	-	-
Samoa	-	-	-	-
San Marino	-	-	-	-
Senegal	-	-	-	-
Serbia	-	-	-	-
Seychelles	-	-	-	-
Sierra Leone	-	-	-	-
Slovakia	-	-	-	-
Slovenia	-	-	-	-
South Africa	-	-	-	-
Spain	-	-	-	-
State of Palestine	-	-	-	-
Suriname	-	-	-	-
Sweden	-	-	-	-
Switzerland	-	-	-	-
Tajikistan	-	-	-	-
Timor-Leste	-	-	-	-
Trinidad and Tobago	-	-	-	-
Tunisia	-	-	-	-
Uganda	-	-	-	-
United Kingdom	-	-	-	-
United Republic of Tanzania	-	-	-	-
Uruguay	-	-	-	-
Vanuatu	-	-	-	-
Venezuela	4,983	-	4,983	-
Zambia	-	-	-	-
Total (123 States Parties)	5,286	-	4,991	295

Schedule 5

International Criminal Court Status of cash surplus as at 31 December 2018 (in euros)¹

<i>Current year</i>	<i>2018</i>	<i>2017</i>
Credits		
Receipts of assessed contributions	132,091,835	126,352,729
Receipts of voluntary contributions	-	-
Receipts of miscellaneous income	546,285	645,925
	132,638,120	126,998,654
Charges		
Disbursed expenditures	138,114,484	137,180,914
Unliquidated obligations	6,054,319	5,287,423
Provision for US Tax liability	37,403	86,011
Provision for doubtful debt	179,330	318,707
Provision for ILOAT cases	334,987	1,760,288
Provision for staff entitlements	9,100	194,311
Accrual for annual leave and relocation allowance for Judges	295,800	307,200
	145,025,423	145,134,854
Provisional cash surplus/(deficit)	(12,387,303)	(18,136,200)
Contingency Fund withdrawal (Schedule 2)	-	547,594
Prior year's cash deficit	-	(5,621,876)
Provisional cash surplus/(deficit) after Contingency Fund withdrawal and prior year's cash deficit	(12,387,303)	(23,210,482)
Disposition of prior year's provisional surplus/(deficit)		
Prior year's provisional surplus/(deficit)	(23,210,482)	(13,180,870)
Plus: receipt of prior period contributions and other income	25,265,833	5,591,759
Savings on, or cancellation of, prior period obligations	937,165	1,967,235
Prior year's cash surplus/(deficit)	2,992,516	(5,621,876)
Reconciliation of provisional surplus/(deficit) to budget surplus/(deficit)		
Provisional cash surplus/(deficit)	(12,387,303)	(18,136,200)
Assessed contributions receivables	15,339,884	18,234,667
Assessed contributions / difference between budgeted and actual host State loan amount	73	3,647
Assessed contributions / net adjustment withdrawn State	-	(3,783)
Miscellaneous income receipts	(546,285)	(645,925)
Budget surplus/(deficit) (Statement V)	2,406,369	(547,594)

¹Includes Major Programme VI: Secretariat of the Trust Fund for Victims.

Schedule 6

International Criminal Court Status of voluntary contributions as at 31 December 2018 (in euros)

<i>Trust Fund</i>	<i>Donors</i>	<i>Balance brought forward</i>	<i>Contributions received in 2018</i>	<i>Contributions recorded in 2018</i>	<i>Contributions related to 2019</i>	<i>Balance due from donors</i>
Building Legal Expertise and Fostering Cooperation, 2017-2018	European Commission	372,290	-	407,256	-	34,966
<i>Sub-total</i>		<i>372,290</i>	<i>-</i>	<i>407,256</i>	<i>-</i>	<i>34,966</i>
Building Legal Expertise and Fostering Cooperation, 2018-2019	European Commission	-	850,000	206,647	643,353	-
<i>Sub-total</i>		<i>-</i>	<i>850,000</i>	<i>206,647</i>	<i>643,353</i>	<i>-</i>
Lessons Learned Project, 2017-2018	Open Society Foundation	79,081	-	79,081	-	-
<i>Sub-total</i>		<i>79,081</i>	<i>-</i>	<i>79,081</i>	<i>-</i>	<i>-</i>
20th Anniversary of the Rome Statute, 2018	Cyprus	-	1,000	1,000	-	-
	Finland	-	5,000	5,000	-	-
	Municipality of The Hague	-	10,000	10,000	-	-
	Netherlands	-	10,000	10,000	-	-
	Nigeria	-	2,000	2,000	-	-
	Organisation internationale de la Francophonie	-	10,000	10,000	-	-
	Republic of Korea	-	10,000	10,000	-	-
<i>Sub-total</i>		<i>-</i>	<i>48,000</i>	<i>48,000</i>	<i>-</i>	<i>-</i>
Development of Interns and Visiting Professionals, 2016-2018	Netherlands	-	100,000	100,000	-	-
	Republic of Korea	-	39,839	39,839	-	-
<i>Sub-total</i>		<i>-</i>	<i>139,839</i>	<i>139,839</i>	<i>-</i>	<i>-</i>
Access to Justice / Justice and Law Enforcement Capacity Building, 2017-2018	Denmark	64,284	123,019	187,303	-	-
<i>Sub-total</i>		<i>64,284</i>	<i>123,019</i>	<i>187,303</i>	<i>-</i>	<i>-</i>
Special Fund for Relocations	Australia	-	188,800	188,800	-	-
	Belgium	-	95,000	95,000	-	-
	Luxembourg	15,000	35,000	50,000	-	-
<i>Sub-total</i>		<i>15,000</i>	<i>318,800</i>	<i>333,800</i>	<i>-</i>	<i>-</i>
Family Visit for Indigent Detainees	United Kingdom	-	11,362	11,362	-	-
<i>Sub-total</i>		<i>-</i>	<i>11,362</i>	<i>11,362</i>	<i>-</i>	<i>-</i>

<i>Trust Fund</i>	<i>Donors</i>	<i>Balance brought forward</i>	<i>Contributions received in 2018</i>	<i>Contributions recorded in 2018</i>	<i>Contributions related to 2019</i>	<i>Balance due from donors</i>
Junior Professional Officer Programme	Japan	155,683	496,787	347,346	305,124	-
	Republic of Korea	105,943	95,022	77,151	123,814	-
	Switzerland	117,759	107,688	106,919	118,528	-
<i>Sub-total</i>		<i>379,385</i>	<i>699,497</i>	<i>531,416</i>	<i>547,466</i>	-
Least Developed Countries	Finland	-	20,000	20,000	-	-
	Ireland	-	10,000	10,000	-	-
	Philippines	-	4,034	4,034	-	-
	Private	-	81	81	-	-
<i>Sub-total</i>		-	<i>34,115</i>	<i>34,115</i>	-	-
Sponsored Travel to External Conferences	Germany	-	268	268	-	-
	Netherlands	-	14,243	14,243	-	-
	Republic of Korea	-	21,589	21,589	-	-
	Senegal	-	4,262	4,262	-	-
	Other, Non-Government	-	18,952	18,952	-	-
<i>Sub-total</i>		-	<i>59,314</i>	<i>59,314</i>	-	-
Total voluntary contributions		910,040	2,283,946	2,038,133	1,190,819	34,966

Schedule 7

International Criminal Court Status of trust funds as at 31 December 2018 (in euros)

<i>Trust Fund</i>	<i>Balance brought forward</i>	<i>Contributions recorded</i>	<i>Financial/ other revenue</i>	<i>Expenses (Including donor refunds)</i>	<i>Balance carried forward</i>
General Trust Fund	10,669	-	-	-	10,669
Building Legal Expertise and Fostering Cooperation, 2017-2018	-	407,256	356	407,612	-
Building Legal Expertise and Fostering Cooperation, 2018-2019	-	206,647	-	206,647	-
Lessons Learned Project, 2017-2018	-	79,081	-	79,081	-
20th Anniversary of the Rome Statute	-	48,000	-	37,848	10,152
Development of Interns and Visiting Professionals	110,608	139,839	-	107,890	142,557
Access to Justice and Justice and Law Enforcement Capacity Building, 2017-2018	-	187,303	-	187,303	-
Special Fund for Relocations	1,457,202	333,800	-	95,000	1,696,002
Family Visits for Indigent Detainees	25,303	11,362	1,044	22,051	15,658
Junior Professional Officer Programme	-	531,416	-	531,416	-
Least Developed Countries	6,468	34,115	808	16,556	24,835
Sponsored Travel to External Conferences	-	59,314	-	59,314	-
Programme Support	84,695	-	10	(36,781)	121,486
Total	1,694,945	2,038,133	2,218	1,713,937	2,021,359

General description and purpose of 2018 trust funds disclosed in Schedule 7

1. The *General Trust Fund* relates to unrestricted funds, implementation of which was on hold during 2018.

2. Contracts with the European Commission and other donors for the *Building legal expertise and fostering cooperation* programme provide financial support to the implementation of the following three sub-projects:

(a) *Seminars, events and trainings for fostering cooperation, sharing expertise and building national capacity*: provide representatives and professionals from States Parties and non-States Parties, including situation countries, with opportunities to develop their knowledge as well as to share mutually relevant information, thus strengthening the Court's capacity to implement its mandate based on improved judicial cooperation; and to develop the knowledge and practical skills of legal professionals, build and maintain relationships with counsel and associations of lawyers, and provide a forum for consultations with the legal profession;

(b) *Legal Professional Programme*: provides representatives and professionals from situation countries, countries in which the ICC is conducting preliminary investigations, and any other relevant developing country State Parties to the Rome Statute with opportunities to develop their legal knowledge and enhance national capacities to investigate and prosecute crimes within the jurisdiction of the ICC; and

(c) *Legal Tools Database*: under the responsibility of the Office of the Prosecutor facilitates development of the capacity to investigate, prosecute and adjudicate core international crimes cases, in particular at the national level. It has been designed to assist legal professionals to work on core international crimes as enshrined in the Rome Statute and relevant national legislation, by providing (a) free access to legal information in international criminal law, legal digests of such information, and specialized software to work with such law; and (b) training, coaching and offering help desk services. The sub-project forms one important element in the Court's effort to reinforce national capacity and to ensure that those alleged of such crimes can be brought to justice in accordance with international standards.

3. Collectively, these sub-projects stem from the programme's overall objective to "contribute to the fight against impunity, by promoting the Rome Statute System and increasing support for the ICC" and its sub-objectives to: (i) broaden the understanding of the ICC and the Rome Statute amongst the key stakeholders, in particular ICC States Parties and legal professionals, and achieve greater support and cooperation of States with the ICC; and (ii) to reinforce national capacities in dealing with crimes under the Rome Statute, particularly in countries related to situations before the ICC, by promoting the principle of complementarity.

4. The *Lessons Learned Project* encompassed an objective assessment, performed by three external experts, involving a root cause analysis of how the Office of the Prosecutor conducted the preliminary examination, investigations and prosecutions in a specific situation, examining how both internal processes and external factors were handled. The exercise was designed to determine whether the Office has corrected and improved its working methods since that experience, and what changes may still be necessary, in order to hone performance internally and to manage more effectively external factors that impinge on success.

5. The Trust Fund for the 20th *Anniversary of the Rome Statute* aimed to raise global awareness of the role and significance of the Rome Statute, to increase public recognition and foster a genuinely positive narrative focused on the victims and survivors of the world's gravest crimes. The initiative was targeting national governments, NGOs, civil society, media, academia and general public worldwide. The objectives were achieved through a number of events and have been finalized in cooperation with the States Parties. The central events took place on 16 and 17 July at the Court, with the participation of high profile officials from ICC situation countries, the experts and panellists. The communication programme facilitated further the presentation of the ICC's "Trauma, Healing and Hope" exhibit, displaying the history and work of the Court and comprising photos from the situation countries. The exhibitions were on display at the Court, at the Atrium in the Hague, marking the anniversary and International Criminal Justice Day (17 July). Aimed at strengthening further the role and significance of the Rome Statute at global level, the exhibits were also displayed by the Court in the field offices throughout the year and at the UN headquarters in New York.

6. The Trust Fund for the *Development of Interns & Visiting Professionals* has been established to provide funded internship and visiting professional opportunities to nationals from developing regions that are a State Party to the Rome Statute. The programme provides the participants an opportunity for intellectual growth, development of knowledge and skills specific to a career or career setting and the acquisition of transferable professional skills. Funding for the trust fund is provided by interested donors.

7. The "*Access to Justice and Justice and Law Enforcement Capacity Building*", July 2017- December 2018: although the Uganda Field Office had been implementing outreach activities for 12 years in Uganda, following the arrest of Dominic Ongwen, it was identified that due to the very high number of affected communities residing across the Norther Uganda, parallel to existing ones, new structures and channels needed to be created that would allow greater dialogue and participation of the affected communities. Since the Court does not have a sub-office in any of the affected communities, through implementation of the Special Project, funded by the Danish Embassy in Kampala, the Office was able to partner with 48 community volunteers, two from each of the 23 beneficiary parishes, who created forums of trust amongst its communities, enabled its members to have direct access to the proceedings in the HQ and ultimately, galvanised the support for the ICC. By

engaging the community volunteers in the project, the Court was furthermore able to overcome immense challenges to provide access timely and accurately on the trial of Ongwen, bringing the proceedings closer to and understandable for the affected communities. Another component of the project relates to the sharing of best practices and experiences with representatives of the Ugandan Justice, Law and Order sectors with a view to contribute to the strengthening of their capacities in the handling of international crimes. The ICC intervention was intended to contribute to enhancing coordinated investigative and prosecutorial strategies for the handling of international crimes and the closing of the impunity gap. It was also aimed to help strengthening Ugandan relevant institutions to adequately start, manage and complete a criminal judicial process, and to develop stronger and more capable justice and law enforcement mechanisms.

8. The *Special Fund for Relocations* is established to assist States which are willing but do not have the capacity to enter into relocation agreements with the Court with cost neutral solutions. It aims at increasing the number of effective relocations and building local capacity to protect witnesses. The fund receives voluntary contributions from States Parties and covers direct expenses of the person at risk relocated in the receiving State.

9. The Trust Fund for *Family Visits for Indigent Detainees* was established within the Registry by the Assembly in its resolution ICC-ASP/8/Res.4. The purpose is to fund family visits for indigent detainees through voluntary contributions.

10. The Trust Fund for the *Junior Professional Officer Programme* has been established to provide funded appointments to nationals from sponsoring participating countries. The programme provides opportunities for young professionals to be placed in entry level positions, at the cost of their governments, in an effort to familiarize them with the inner workings of the Court and the International Legal system as a whole, with an aim at creating increased suitability to positions at the Court. The programme provides the participants with an opportunity for professional growth and the development of real world skills that can be applied to their careers at the ICC and the International Public Sector.

11. The Trust Fund for *Least Developed Countries* was established by ICC-ASP/2/Res.6 and amended by ICC-ASP/4/Res.4. It is managed by the Secretariat of the Assembly of States Parties and promotes participation of delegates of the least developed countries and other developing countries in the work of the Assembly of States Parties by covering their travel costs to the Assembly as determined by the Fund.

12. The *Sponsored Travel to External Conferences* stands for travel and accommodation costs, funded by various donors for the Court's officials and other delegates to participate in external conferences, trainings and public events. The sponsors are mainly Governments, universities and other educational institutions, and international non-profit organizations.

Final audit report on the financial statements of the International Criminal Court for the period ended 31 December 2018

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I. Audit objectives, scope and approach

1. We have audited the financial statements of the International Criminal Court (the Court) in accordance with the International Standards on Auditing (ISA) and regulation 12 of its Financial Regulations and Rules, including the additional terms of reference governing the audit of the International Criminal Court.
2. The objective of the audit was to determine with reasonable assurance that the financial statements, taken as a whole, did not present any significant anomalies, either through fraud or through error, so that the External Auditor could provide an opinion as to whether these statements were drawn up, in all material respects, in accordance with the International Public Sector Accounting Standards (IPSAS) for financial year 2018.
3. The additional terms of reference governing the External Auditor are set out in the annex to the Financial Regulations and Rules, paragraph 6 (c), which stipulates that the improper use of the Court's money and other assets and any expenditure not in accordance with the intention of the Assembly of States Parties (Assembly) must be brought to the notice of the Assembly of States Parties.
4. Financial statements prepared in accordance with IPSAS contain a statement of financial position, a statement of financial performance, a statement of changes in net assets, a statement of cash flows, a statement of comparison between budget and actual data and notes for the financial year then ended.
5. A set of seven schedules statements presenting additional information not falling within the scope of this audit was appended to the financial statements by the Organization. The audit team ensured that those schedules were coherent with the financial statements, but did not carry out any other due diligence concerning them
6. The audit consisted of two phases:
 - (a) An interim audit, focused on aspects relating to internal controls (from 3 to 14 December 2018); and
 - (b) A final audit, focused on the financial statements and the disclosure obligations imposed by IPSAS (from 6 May to 24 May 2019).
7. The findings and recommendations were discussed with the Registry team. The final meeting with the Director of the Division of Management Services, the Head of the Finance Section and his team, and the Deputy Head of the Human Resources Section, was held on 24 May 2019.
8. We hereby provide an **unqualified** opinion on the financial statements of the International Criminal Court for the year ended 31 December 2018.

II. List of recommendations

Recommendation n° 1. The External Auditor recommends that Finance Section should strengthen its controls on the veracity of figures proposed by the consultants to be reported in the financial statements of the International Criminal Court for employee benefits, in particular in obtaining more detailed information.

Recommendation n° 2. The External Auditor recommends to implement a control to prevent granting access rights that lead to inappropriate access to the information system or non-respect of segregation of duties principles in a context of an integrated and centralized information system. The External Auditor recommends also to implement a yearly control (at least) of review to detect any inappropriate access rights granted within the SAP system.

Recommendation n° 3. The External Auditor recommends to perform an annual test in order to ensure the ability to fully restore the IT environment in case of any disaster.

III. Overview of the financial position

9. Assets represent €247.323 million at 31 December 2018 compared with €254.082 million at 31 December 2017, a decrease of €6,759 million (- 2.7 per cent). The overall level of cash and cash equivalents¹ increased from €7.082 million to €18.892 million (+ €11.810 million, increase of 167 per cent), level mainly linked to an improvement in collection of assessed contributions.

10. The total of receivables from non-exchange transactions represents a gross figure of €21.194 million at 31 December 2018. It mainly relates to assessed contributions from States Parties. Outstanding assessed contributions to Regular Budget amount to €21.122 million at the end of 2018. Although still high, this level is in progress compared with €31.048 million at the end of 2017. The net amount of accounts receivable is €4.863 million, due to the deduction of the provision for doubtful debt (€6.331 million) recognized for 90 percent of arrears in contributions older than two years €6.887 million in 2017, decrease of €0.556 million). Brazil, Venezuela and Argentina hold the major part of outstanding contributions from State Parties, €18 796 million out of €21.122 million.

11. Property, plant and equipment represent €179.103 million vs €189.286 million at 31 December 2017, and amount to 72.4 per cent of assets. Depreciation of the permanent premises was calculated over a full year for €10.365 million roughly as in 2017, the net book value of the building being €164.859 million at 2018 year end.

12. Reimbursement rights which amount to €28.648 million (€28.688 million at the end of 2017, after restatement) correspond to fair value of the insurance contract with Allianz to which the Court contributes in order to cover the after-service pensions of Judges.

13. Liabilities are mainly debts to suppliers, to employees and to the Host State for the loan to finance the permanent premises. Proven risks are also recorded there as part of the contingencies and provisions.

14. Liabilities are split between current liabilities and non-current liabilities. This distinction is primarily based on the expected delay of payment of the provisioned amount² in accordance with IPSAS. The provision mainly includes the amounts covering disputes before the International Labor Organization Administrative Tribunal (ILOAT). This amount has sharply decreased from €2.060 million to €0.898 million during the year. This decrease results mainly from payments and reversals registered on the litigations provisioned in the past years. There is however an increase of provision of €0.258 million mainly due to new ILOAT or internal on going litigations cases. The provisions for US Tax are stable at €0.111 million for 2018 (€0.126 million for 2017)

15. Employee benefits liabilities are also split between current and non-current liabilities:

(a) The annual leave accrued and other long term and post-employment benefits due within one year appear in current liabilities (€10.129 million); and

(b) The non-current portion corresponds to the Court's long-term liabilities, such as Judges' pensions and After Service Health Insurance (ASHI) (€9.345 million).

16. The loan from the Host State was intended to finance the permanent premises project. It amounts to €70.708 million at the end of 2018 (*versus* €72.509 million at the end of 2017).

17. Deferred revenue and accrued expenses, totaling €3.756 million, are essentially composed of assessed contributions collected in advance (€1.509 million), voluntary contributions collected in advance (€1.191 million), invoices not yet received at the closing of the accounts for services related to the Court's operations (€2.471 million), as well as €3.585 million in annual payments and interest on the loan maturing on 1 February 2019.

¹ The amounts in "cash and cash equivalents" correspond to immediately available funds or demand deposits.

² Debts due in less than 12 months are considered current, while others are classified as non-current debts.

18. Net assets, amounting to €0.809 million (€8.825 million in 2017), constitute the Court's net equity, the various components of which are detailed in Statement III - "Statement of changes in net assets/equity" with the following breakdown:

(a) A positive balance of €79.272 million (vs €105.142 million at the end of 2017) for the component of the General fund merging the previous "fund for permanent premises project" and other general funds, under the denomination of "Other general fund balances" since 2017 Statement III;

(b) A positive amount of €5.243 million (vs €3.764 million in 2017) for the contribution of States Parties to finance the Contingency Fund reserve and a strong increase for the Working Capital Fund reserve growing to €0.058 million in 2018 compared to €0.017 million³ last year;

(c) A negative equity of €4.785 million for the remaining funds of the General Fund. They include the positive equity of the Fund for employee benefits liabilities (€0.263 million) and the cash surplus (€2.993 million), and the negative equity of remeasurement of post-employment related plans (- €3.041 million); and

(d) The positive equity of the 13 Trust funds fueled through voluntary contributions to the Court (not to be confused with the Trust Fund for Victims, which is a distinct entity producing its own Financial statements), with a total of €2.021 million.

19. The statement of financial performance shows a negative result of €7.102 million, compared to - €13.846 million for 2017. The deterioration of performance noticed last year has been reduced by the half, but there still remains a significant deficit up to 4.8 per cent of the revenues of the Court. The main factors explaining this evolution is the low growth of employee benefits expenses which are the most important part of the expenses (+ 1.15 per cent, compared with +12.14 % in 2017). Among other expenses, operating expenses, travel & hospitalities and counsel fees have notably decreased, while contractual fees have increased, the other expenses remaining stable. All in all, the level of expenses of the Court is stable and has even slightly decreased in 2018, at €155.157 million compared to €155.948 million in 2017, which was a year of major growth for expenses (€144.741 million in 2016). Total revenue growth is 4.2 percent, mainly from assessed contributions. The gap between the rate growth of revenues and 0.5 percent decrease for expenses explains the reduction of the deficit of the statement of financial performance.

IV. Observations and recommendations

20. The External Auditor's observations and recommendations on 2018 financial statements relate to:

- (a) Overall comments on budget and funding of the Court;
- (b) Outstanding assessed contributions;
- (c) Payroll and employee benefits;
- (d) Employee benefits liabilities;
- (e) ILOAT fees;
- (f) Procurement, Miscellaneous Obligation Documents;
- (g) Information systems (IS); and
- (h) The internal audit functions.

³ The Working Capital Fund is used to meet short-term liquidity needs at the end of the year in the context of outstanding assessed contributions. The Contingency Fund has also been used to meet short term liquidity problems.

A. Overall comments on budget and funding of the Court

21. The External Auditor has taken note of the budget for 2018 approved by the Assembly in its 16th session (4-13 December 2017) and of the "Report on activities and programme performance of the International Criminal Court for the year 2018"⁴ distributed on 22 March 2019 to the Committee on Budget and Finance (CBF) which details the budgetary performance for every Major Programme of the Court in 2018.

22. A separate performance audit has been conducted in 2019 by a distinct external audit team on "ICC Budgetary Process" according to specific terms of reference. Detailed comments on these budgetary issues can be found in a separate report that will not be duplicated here.

23. As part of its specific audit works on the 2018 financial statements, the External Auditor has checked the compliance of Statement V of comparison of budget and actual amounts, and the correlated note n°24, with the requirements of IPSAS 24. No observation is made on this topic. The methodology of the reconciliation and its checking had been developed in annex I of the audit report on 2017 financial statements and will not be duplicated here either.

24. In the audit report on 2017 financial statements, the comments and analysis of the External Auditor were concluded by the expression of a risk on the going concern of the Court due to a possible shortage of cash during the year 2018. This situation was due to persistent delays in the payments of arrears of assessed contributions from some States Parties, and the inadequate availability of funding from the Working Capital Fund and the Contingency Fund at the moment. This risk had also been underlined by the CBF in previous reports in 2018.

25. However, risks of liquidity shortages appear to be recurrent in the Court in the long run, with periods of tensions alternating with periods of recovery. Divergences among States Parties exist on the budgetary solutions and tools to be provided to the Court for the treatment of the recurrent periodic volatility of the liquidity and the decisions to take on the basis of the reports and proposals of the Committee.

26. The risks emphasized in the audit report of July 2018 have been monitored in the second half of 2018, where an improvement of the level of cash has been recorded, due to payments of arrears and payments from States Parties (see below).

27. In the scope of the present audit report on 2018 financial statements, the External Auditor has analyzed the monthly liquidity forecasts for 2019, and the according reporting from the Registry to the CBF. The assumptions used as the basis for this forecasting have been communicated. According to these forecasts, the liquidity of the Court should be positive, unless some assessed contributions were to be delayed or postponed, especially in November 2019. The Court has no grasp on the date of payment, which is totally under the contributing State Party control. In this scope there could be a risk of liquidity shortage and inability of the Court to face its commitments about the end of the year, even after using all available funds provided by the Working Capital Fund and the Contingency Fund. At the time of this report, the External Auditor has no additional visibility on the commitments of relevant contributors to deliver payments in time and amounts as forecasted.

28. A more detailed development on the topic and the attached problematics for its treatment is exposed in the above mentioned performance audit report on "ICC Budget Process".

⁴ CBF/32/14.

B. Outstanding assessed contributions

1. Evolution of arrears

29. The following table shows a long term (12 years) evolution of the assessed contributions and related outstanding arrears:

Table 1: Outstanding assessed contributions from 2007 to 2018 (in thousands of euros)

Year	Assessed contributions	Collections for current year	Collection current year/ Assessed contribution	Outstanding current year as at 31 December	Outstanding current year/ Assessed contribution	Collections for prior year	Outstanding as prior year as at 31 December	Total Outstanding as at 31 December
2007	88,872	83,021	93%	5,851	7%	9,672	2,298	8,149
2008	90,382	90,077	100%	305	0%	7,896	252	557
2009	96,230	95,469	99%	761	1%	225	332	1,093
2010	103,623	97,849	94%	5,774	6%	612	481	6,255
2011	103,608	101,222	98%	2,386	2%	5,849	406	2,792
2012	108,800	102,640	94%	6,160	6%	2,382	410	6,569
2013	112,040	105,380	94%	6,659	6%	6,248	321	6,980
2014	118,706	110,672	93%	8,034	7%	525	6,455	14,489
2015	125,598	112,959	90%	12,639	10%	6,343	8,147	20,786
2016	138,786	124,726	90%	14,060	10%	16,440	4,345	18,405
2017	144,587	126,353	87%	18,235	13%	5,592	12,813	31,048
2018	147,432	132,092	90%	15,340	10%	25,266	5,782	21,122

Source: External Auditor from aging balances.

30. Outstanding contributions reached its highest level in 2017 and amounted to €1.0 million. Indeed, unpaid debts increased by 67 per cent in 2017 while the assessed contributions progressed only by 4 per cent.

31. In terms of current year's collections, the collected amount has increased compared to last year, from 87 per cent to 90 per cent. In 2018 main outstanding States Parties paid their ageing contributions. In fact, the collection related to previous periods amounts to €25.3 million. Since 2014, the outstanding contributions as prior years reaches one of its lower level. However the outstanding contributions related to current year is still high €15.3 million.

Table 2: Most significant outstanding assessed contributions as of 31 December 2018 (in thousands of euros)

State Parties	Outstanding as of 31 December 2018	Outstanding related to 2018	Outstanding related to prior years
Brazil	9,853	9,783	70
Venezuela	6,758	1,488	5,270
Argentina	2,185	2,185	0
Colombia	789	789	0
Nigeria	559	525	34
Total five States Parties	20,144	14,770	5,374
%	95%	96%	93%
Total all States Parties	21,122	15,340	5,782

Source: External Auditor from aging balance as of 31 December 2018.

32. By the end of 2018, thirty-five States Parties had not entirely paid their assessed contributions. In comparison, in the previous year the overdue receivables concerned forty States Parties. However, the structure of the ageing balance remains nearly the same as last year. The five most important outstanding arrears represent 95 per cent of the total outstanding balance as of 31 December 2018.

33. Brazil cleared a significant portion of its arrears prior to 2018, but the full amount for 2018 remains outstanding. The last payment from Brazil was in November 2018.

34. Venezuela has accumulated unpaid amounts for several years. Its outstanding contributions (€5.3 million) related to prior years represent 91 per cent of the total amount (€5.9 million). According to article 112 of the Rome Statute, Venezuela should be declared ineligible for voting at the Assemblies of States Parties. The receivables attached to its contributors are classified as doubtful debts.

35. While Argentina, Colombia and Nigeria made payments in 2018, respectively in April, September and March, these payments were used to settle arrears prior to the current year.

2. Ineligibility for the vote

36. The Court recognizes provision with respect to doubtful debts. It represents 90 per cent of the receivables' balance unpaid for more than two years. As of 31 December 2018, the amount of this provision amounted to €6.3 million and concerns ten countries that should be ineligible for votes at the ASP. The largest share of provision relates to Venezuela amounting to €6.1 million.

37. In order to strengthen the process of recovering payment arrears, the External Auditor recommended last year to permit to vote States Parties in arrears for the preceding two full years only once the payment schedule has been respected⁵. In consequence, the Court set up a proposal of a multi-year payment plan for States Parties in arrears as a mechanism offered to them in order to regularize their ageing contributions.

38. During his final mission, the External Auditor updated the arrears as of 30 April 2019. This leads to the following table:

Table 3: Breakdown of outstanding assessed contributions by year (in thousands of euros)

	<i>Outstanding as of 30 April 2019</i>	<i>Outstanding as of 31 December 2018</i>	<i>Collections related to prior years</i>
2007	1	1	0
2008	1	1	0
2009	3	3	0
2010	5	5	0
2011	6	6	0
2012	13	13	0
2013	16	16	0
2014	1,200	1,200	0
2015	1,280	1,280	0
2016	1,474	1,474	0
2017	1,746	1,784	-38
2018	13,678	15,340	-1,662
2019	56,289	-	-
Total	75,712	21,123	-1,700

Source: External Auditor from aging balance as of 30 April 2019 and 31 December 2018.

⁵ In accordance with the conditions of article 112 of the Rome Statute.

39. As at 30 April 2019, the Court collected a total of €2 million related to assessed contributions, compared to €5.6 million at the same time of previous year. The payments made during the first four months of 2019 were mainly related to 2019 assessed contributions. Only €1.7 million was used to clear outstanding balances related to 2018.

40. At the end of April 2019, three other countries should also be ineligible for votes at the ASP. As a result, the outstanding balance related to those thirteen countries ineligible for votes increased from €7.1 million to €9.5 million especially due to the increase of Venezuela arrears from €6.8 million to €8.8 million.

C. Payroll and employee benefits

41. The Court's staff expenditure had a moderate increase of 1.15 per cent compared to 6.4 per cent in 2017 from 2016, stepping from €106.9 million in 2017 to €108.1 million in 2018. It is comparable to the moderate growth of 1.1 per cent that was measured in 2016 from 2015.

Table 4: Change in 2017-2018 Employee benefit expenses (in thousands of euros)

	2017	2018	Change 2018/2017	Change as %
Judges' salaries	3,237	3,373	136	+4.2
Judges' entitlements and allowances	1,718	1,516	- 202	- 11.8 %
Staff salaries	56,112	57,571	1,459	+ 2.6 %
Staff entitlements and allowances	29,231	29,414	183	0.6 %
Temporary assistance	16,567	16,225	- 342	-2.1 %
Total	106,865	108,099	1,234	+1.15%

Source: External Auditor, on the basis of note 16 to the financial statements.

42. This moderate increase of total payroll is explained by various effects:

(a) Staff salaries and allowances have increased by €1.6 million, which is significantly lower than the increase of €2.7 million registered in 2017. Temporary assistance also decreased by €0.342 million. Non temporary staff (established, excluding GTA⁶ and short-term appointment – STA) amounts to 80.5 per cent staff costs (including judges) or 84.9 per cent (excluding judges);

(b) Temporary assistance, which includes mostly GTA and STA, represents a minor part of staff costs, and this part is decreasing, with 15 per cent in 2018, compared to 15.5 per cent in 2017 and 21.3 per cent in 2016; and

(c) Staff costs represent 69.7 per cent of expenses. 59 per cent of this share is for established positions (and Judges). This confirms that employee benefits are the major component of Court's expenses, and that most of them are fixed costs.

D. Employee benefits liabilities

43. The post-employment benefits, termination benefits and other long-term employee benefit liabilities are composed by the judges pension scheme, the after service health insurance for the staff, the termination benefits and the other long-term benefits.

44. The accounting for employee benefits under IPSAS 39 "Employee Benefits" is technically complex as the liabilities are frequently material because they are long-term and measurement has to take into consideration various assumptions. For this purpose, the Organization relies on the services of a consultant (Deloitte).

⁶ General temporary assistance.

45. The populations entitled to benefits are:

(a) The judges, who have defined retirement benefits and disability benefits based on vested rights and covered by an insurance contract recorded as a reimbursement right; and

(b) The staff who benefit from the health regime for retirees, named “after service health insurance” (ASHI) plan financed by 50 per cent by the Organization. In addition, internationally recruited professional staff under long-term contracts, who benefit from other long-term benefits such as home leave benefits, removal/travel on separation, relocation allowance, survivors benefit, family visits, repatriation grant and death grant.

46. The post-employment benefits and the other long-term benefits amount to €2.703 million vs €8.187 million in 2017 and €0.1 million in 2016. This important increase is linked to the commitment towards judges and staff whose cumulated number, active and retired, is growing in time. The reimbursement rights related to the judges pension amounts to €8.6 million, vs €8.7 million after correction in 2017 (€7.3 million before correction).

47. The External Auditor found that the opening balances on items related to employee benefits liabilities of 2018 financial statements were not similar to the figures that were settled in the closing balances of 2017 financial statements. It appeared that the difference resulted from the correction of an error made in the valuation of the pensions and related rights of a retired judge, that was ousted of the model parameters used by the consultant.

48. When the error was flagged by the consultant in 2019, the Court implemented a retrospective correction of error. The effect was an increase in the asset and in the liabilities of the same amount of €1.358 million. The accounts moved were “reimbursements rights” (asset side), “employee benefits liabilities” and “provisions” on the liabilities side. This correction did not have any effect on the net asset nor on the performance of 2017.

49. However, even if the case was in the end correctly treated in the final version of the financial statements, the External Auditor regrets that this specific situation was not disclosed to them from the start, as well as not initially mentioned in the financial statements. The External Auditor required, as settled by IPSAS 3, that additional information should be written in the notes, which was done in note 2.79 of the financial statements.

50. The External Auditor had to ask for further explanations to verify the amount of €1.358 million. The Finance Section had to refer to Deloitte to specify how the exact amount was calculated, arguing, which was confirmed by Deloitte, of the complexity of the actuarial model. The External Auditor remarks that the detection of the error, the valuation of the correction to be made, and the verification of its accuracy, relied mostly on the consultant.

51. In order to strengthen the control by the Finance Section on the veracity of outsourced figures, the reports from the consultant should provide some additional supporting documentation, such as disclosing the number of judges, active and retired, with their identification number, used as a basis of calculation of reimbursement rights.

<p>Recommendation n° 1. The External Auditor recommends that the Finance Section should strengthen its controls on the veracity of figures proposed by the consultants to be reported in the financial statements of the International Criminal Court for employee benefits, in particular in obtaining more detailed information.</p>

E. ILOAT Fees

52. Apart from the awards and compensations eventually claimed by staff members through the International Labour Organization Administrative Tribunal procedures, for which the Court discloses information on its provisions in notes n°2.58, 2.59, 13.1 and 27.1, “ILOAT fees” are recorded as “employee benefits” expenses. The related amount charged in 2018 was €165,542, among which €156,037 as ILOAT sessions share of costs.

53. According to the annex to the statute of the ILOAT, article IX, paragraph 2: “Expenses occasioned by the sessions or hearings of the Tribunal shall be borne by the international organization against which the complaint is filed.”. These expenses are invoiced to each organization in proportion with the number of judgements delivered during a session by the ILOAT.

54. The ILOAT holds two sessions per year. The External Auditor took note that 11 judgements have been delivered in 2018 by the ILOAT: six in January 2018 as a result of its 125th session; five in June 2018 as a result of its 126th session. The fees paid by the Court to the ILOAT for these two sessions amounted to €156,037.

55. The Court considers that these “ILOAT fees” are recorded as invoiced expenses, and the External Auditor does not challenge this doctrine.

56. The amount of ILOAT fees appears anyway as an unavoidable expense likely to be charged when a case is judged. The CBF expressed its concern in its 31st session report to the ASP (ICC-ASP/17/15) on the growing number of cases pending before the ILOAT and their costs implications, among them ILOAT fees, no matter if the judgement turns in favour or disfavour to the Court, of a gross average cost of about €4 thousand per judgement in 2018.

F. Procurement, Miscellaneous Obligation Documents

57. The Court uses different acquisition methods: through Procurement as per rules 110.12 to 110.19 of the Court’s Financial Regulations and Rules (FRR), and also through the use of Miscellaneous Obligation Document (MOD) as per financial rule 110.8.

58. As per financial rule 110.8 (Obligating documents) “an obligation must be based on a formal contract, agreement, purchase order or other form of undertaking, or on liability recognized by the Court. All obligations must be supported by an appropriate obligating document”.

59. The External Auditor obtained the “Standard Operating Procedure (SOP) for Miscellaneous Obligation Document” dated 2 January 2013. This SOP refers to the Court’s financial rule 110.8 and specifies that “*the MOD’s should be avoided and the volume of MOD’s should be minimized at the ICC*”. These MOD are signed by a Certifying Officer (CO) as requested by FRR 110.4.

60. However, the MOD’s amounts to €6.8 million in 2018 and €7.7 million in 2017, which represents 21 per cent of the Court non-staff expenses (excluding depreciation and financial expenses). The sections using this procedure are mainly the Counsel Support Section (CSS) for €4.8 million and the Victims and Witnesses Section (VWS) for 1.1 million in 2018.

61. The use of MOD is understandable for some activities of the ICC which require confidentiality when only few trusted third parties should intervene, for example for activities of the Victims and Witnesses Section. It is less understandable when the MOD procedure is used for generic acquisitions or activities that could go through a procurement procedure.

62. The following table shows the detail of the MOD amounts as per FRR 110.8 compared with the total of expenses in the accompanying notes 17 to 21 to financial statements.

Table 5: Expenses documented according to FRR 110.8 (in thousands of euros) as part of total non-staff expenses (excluding depreciation and financial expenses)

<i>Expenses from the notes 17 to 21 of the financial statements</i>	<i>Total expenses 2018</i>	<i>Obligating Documents (MOD) 2018</i>	<i>%</i>	<i>Total expenses 2017</i>	<i>Obligating Documents (MOD) 2017</i>	<i>%</i>
Counsel Support Section	5,612	4,839	86%	6,246	5,285	85%
Victims Witnesses Section	2,221	1,104	50%	2,827	1,592	56%
Deputy Prosecutor for Investigations	2,880	455	16%	3,093	364	12%
Field Office	2,596	312	12%	2,782	296	11%
Other sections	19,545	89	1%	19,929	159	1%
Total	32,854	6,780	21%	34,877	7,696	22%

Source: External Auditor, based on the notes 17 to 21 of the financial statements, (the expenses are travel and hospitality, contractual services, counsel fees, operating expenses and supplies and materials expenses).

63. Furthermore the MODs do not fall under the ICC's FRR 110.12 to 110.19 regarding procurement rules and specifically regarding the required competition level as per rule 110.15 and the procurement review committees as per rule 110.14.

G. Information systems

64. The External Auditor focused its work on the IT internal control framework. The overall objective was to assess whether IT internal control procedures are adequately designed and effectively implemented to reduce risks related to the use of ICC Information systems. As such, the work covered the IT environment, Information Systems (IS) governance and the internal control procedures implemented around the use of the SAP application.

1. IT environment and IS governance

65. Initiated in 2017, the five-year IT strategy pursued in 2018 the roadmap planned. This strategy is detailed into annual objectives for each section. Those objectives are followed on a regularly basis by the IMSS⁷ management. However, IT resources, mainly focused on daily task are consequently less available for mid and long term projects.

66. Information systems had been sparsely improved in 2018. A new tool for evidence management was implemented in 2018. Some projects were initiated in 2018 but will be delivered only in 2019, as the self-service HR Solution or the new budget control system.

67. Moreover, since 2015, the management of the SAP application is shared between the "SAP team" (under DMS supervision) in charge of the applicative and functional support and IMSS (under DJS⁸ supervision) in charge of the infrastructure management. This organization requires a good cooperation and communication between teams with different hierarchical dependence.

2. Information systems risk management

68. In the framework of the risk management improvement of the ICC, the Head of IMSS Section was nominated as responsible of the information systems risk management in 2018. IS risk definition and actions plan were also documented.

69. The risk on information security is described as follows: "unauthorized disclosure of confidential information". The actions plan relies on four pillars: Governance, Process, People and Technology. In 2018, actions plans were deployed on People and Technology

⁷ Information Management Services Section.

⁸ Division of Judicial Services.

themes. The information security training is now mandatory and included for the new joiners in their HR inboard program. Several communication campaigns are broadcasted within the facility.

70. New tools were implemented to analyze internal systems vulnerabilities as well as external. A pen test has been scheduled between the fourth quarter 2018 and the first quarter 2019. For the Governance and Process parts, actions plans should be finalized in 2019.

3. Internal control

71. Efforts have been deployed by IS teams to reinforce and rationalize internal control procedures notably by the use of a unique tool for all IT requests. However, efforts need to be maintained by defining a complete and operational control environment.

72. The SolveIT tool is now used systematically for all access management requests. However, the access rights approval is still under the only responsibility of the SAP team whereas it should be under business responsibility. Controls aiming at ensuring that access rights are aligned with business responsibilities and aiming at guaranteeing the respect of segregation of duties principles do not exist. No user's access review was implemented as of 2018.

Recommendation n° 2. The External Auditor recommends to implement a control to prevent granting access rights that lead to inappropriate access to the information system or non-respect of segregation of duties principles in a context of an integrated and centralized information system. The External Auditor recommends also to implement a yearly control (at least) of review to detect any inappropriate access rights granted within the SAP system.

73. IMSS initiated the process of data restorations in 2018. However it is in only 2019 that a test was planned on the SAP environment.

Recommendation n° 3. The External Auditor recommends to perform an annual test in order to ensure the ability to fully restore the IT environment in case of any disaster.

H. The internal audit function

74. According to ISA 315 and 610, the External Auditor on financial statements has to look at internal audit works, and appreciates its level of support at its disposal for external audit tasks. This appreciation has, among other criteria, to check if the internal audit established in the entity is compliant with International internal audit standards, and especially on its independency criteria.

75. The External Auditor must take into consideration the compliance of the internal audit function with international standards of internal audit such as the International standards for the professional practice of internal audit (International Professional Practices Framework of the Institute of Internal Auditors -IPPF Standards).

76. In that view, the report of the External Auditor on 2013 financial statements contained a recommendation on the replacement of the existing Audit Committee by a renewed Audit Committee that would proceed from the Assembly.

77. At its fourteenth session in November 2015, the Assembly approved the establishment of the renewed Audit Committee, to whom the Director of Internal Audit now reports. This reform strengthened the link between the internal audit function and the governance of the Court, which is a condition of its independency.

78. The International standards for the professional practice of internal audit also require that the Internal Audit function shall not only be linked to the Audit committee but also to the Top Management.

79. The Audit Committee expressed similar concerns as early in its 2016 report on its 1st and 2nd session, that the Director of the OIA was not invited to attend the Coordination Council (CoCo) meetings, and recommended the Court to enhance and deepen collaboration with the OIA, in particular by inviting the Director of the OIA, as appropriate, to attend the meetings of the CoCo and other inter-organ coordination mechanisms.

80. The Director of internal audit has stated that, in 2018 and in 2019, she had periodic individual meetings with each Head of Organ, and with Directors of each Organ, but none with the CoCo as a whole. This is a sign that the concern expressed in 2016 by the Audit Committee is still valid.

81. The CoCo appears as the highest level of management of the Court associating the Heads of organs. According to the International standards of the IPPF paragraph 2060, the Director of Internal Audit should report to it on major topics such as fraud risks, risk management, subjects related to governance, communication on internal audit reports and results, on internal audit independency, and on the internal audit plan and its achievement.

82. While underlying the risk of a weakness in the link between OIA and the the CoCo, the External Auditor has taken knowledge with great interest of internal audit reports that were provided by the IOA without restriction, and used them as supporting information in various works dealing with Field Offices, SAP accesses and physical and environmental protection.

83. IOM (Independent Oversight Mechanism) mandate enables this entity (internal to the Court but independent from organs) to accomplish tasks in domains such as inspections and evaluation which could be seen as close to Internal Audit domains. However, according to the definition of IOM functions in resolution ICC-ASP/12/Res.6 of 27 November 2013, IOM is not to be considered as a part of the Internal Audit function. For the External Auditor, IOM is then considered as participating to the global system of controls internally operated in the Court, but not to the Internal Audit function. No report from IOM has been delivered nor used for external audit purposes.

V. Follow-up of previous recommendations

84. The External Auditor reviewed the implementation of the recommendations still pending at the date of the audit, altogether coming from previous audits of the financial statements or from other reports produced by the External Auditor.

85. 25 recommendations were pending at the end of 2017. Five came from previous audit reports on the financial statements, and four from the audit report on 2017 financial statements. One recommendation came from the report on cash reserves (2015), and five from the Division of External Operations (2017). The performance audit on Human resources management added ten new recommendations..

86. The follow-up of recommendations coming from performance reports on Cash reserves (one), the DEO (five) and Human resources management (10) is developed in Appendices.

87. The following table displays the recommendations still partially implemented at the beginning of 2019, coming from previous audit reports on financial statements, and the appreciation on their implementation at the end of the review by the External Auditor.

88. Globally, out of these nine recommendations related to audits on financial statements, six have been implemented, two are partially implemented, and one has not started to be implemented. The implementation of the three remaining pending recommendations will have to be reviewed again in future audit reports, altogether with the new recommendations issued by the present audit report on 2018 financial statements, and with the nine recommendations partially implemented resulting from previous performance audits on Cash reserves, the DEO and Human Resources management.

Table 6 : Previous financial audit report recommendations still pending as of 1 January 2019

<i>No.</i>	<i>Subject</i>	<i>Outstanding recommendations</i>	<i>Implemented</i>	<i>Partially implemented</i>	<i>Not implemented</i>
ICC-2017-1	Article 112 of the Rome Statute.	In order to strengthen the process of recovering payment arrears, the External Auditor recommends to allow States Parties in arrears for the preceding two full years to vote only once the payment schedule has been fulfilled, in accordance with the conditions of article 112 of the Rome Statute.		X	
ICC-2017-2	Disclosure of judges insurance contract conditions	Due to the particular nature of the insurance contract related to the judges pension plan, the External Auditor recommends that the ICC elaborate more precisely in the notes of the financial statements for a better insight into the consequences that would arise from a decision to move to another insurer or a change of the insurance policy conditions in force.		X	
ICC-2017-3	Detailed disclosures of actuarial gains/losses	The External Auditor recommends to the ICC, starting 2018, to disclose in more detail explanations of the significant actuarial gains and losses in the notes to the financial statements.	X		
ICC-2017-4	Disclosure of VWS Expenditures	The External Auditor requires that all disclosable, not highly sensitive audit evidence regarding VWS expenditures, for the 2018 interim audit, be available before the beginning of the mission, for audit test sampling. The External Auditor recommends to the concerned to prepare this documentation before the first day of the mission. In the future, if the amount of highly sensitive non-disclosable evidence for testing appears to exceed the audit materiality threshold, the External Auditor would have to refer to the matter in his opinion and in his report on the financial statements.	X		
ICC-2016-1	Staff	In order to strengthen the internal control dedicated to the administration of salaries and benefits, the External Auditor recommends incorporating, into each step of the current monthly payroll calculation procedure, the risk associated (missing supporting documents, non-compliance with the staff rules, creation of fictitious staff, discrepancy between staff paid and real staff, parameter setting error, miscalculation...), the control to be performed in relation to the identified risk and the control owner, into each step of the current monthly payroll calculation procedure..	X		
ICC-2016-2	Staff	The External Auditor recommends that the Human Resources section formalise all the verifications and controls carried out during the preparation of the monthly payroll and retain them for documentation purposes.	X		
ICC-2015-3	Permanent premises	For better visibility and budgeting of maintenance costs, the External Auditor recommends that the ICC: (i) first, finalise the development of a reliable maintenance plan as soon as possible; then, (ii) review the breakdown of components so as to align them with the maintenance plan projections and distinguish the components properly.			X
ICC-2015-6	Accounting internal control	In order to ensure effective and efficient internal control, the External Auditor recommends that the ICC complete the full deployment of the information system to prepare financial statements according to IPSAS and ensure the stability and strength of the accounting function.	X		

<i>No.</i>	<i>Subject</i>	<i>Outstanding recommendations</i>	<i>Implemented</i>	<i>Partially implemented</i>	<i>Not implemented</i>
ICC-2013/1	Provisions for bad debts and funds received from defendants	In order to clarify the decision-making process regarding the treatment of funds received in connection with the seizure of assets, the External Auditor recommends that the Court establish an official directive setting out the details of the treatment of funds received in the various stages of the judicial proceeding with a clear definition of functions and responsibilities within the Court's system. This directive will form the basis of an appropriate accounting and budgetary treatment.	X		
Total number of recommendations: 9			6	2	1

89. Recommendation ICC-2017-1. In December 2018, the ASP requested the Court to develop guidelines and provide information on the States Parties in arrears. A draft was to be submitted to the CBF in May 2019. The External Auditor can then deem that the recommendation has started to be partially implemented.

90. Recommendation ICC-2017-2. The reference to Judges Pensions and the information are given in note 2.51 of the 2018 financial statements. However, the note does not provide any figure on the potential costs of the new contract in the case of another insurer. These figures should be disclosed in the 2019 financial statements in order to fulfil the requirements of the recommendation, which can now only be considered as partially implemented.

91. Recommendation ICC-2017-3. Additional relevant information has been disclosed in paragraphs 10.6 and 10.5 of the notes to the 2018 financial statements. The recommendation is implemented.

92. Recommendation ICC-2017-4. It can be considered as implemented since the External Auditor has been given adequate access to all the supporting documentation.

93. Recommendation ICC-2016-1. It was aimed to strengthen the monitoring of risks and the internal control on staff expenditures. It has started to be implemented in May 2018 on some HR processes, and a further set of 10 processes were automated in February 2019, the last process being planned in April 2019. This allows the recommendation to be considered as implemented.

94. Recommendation ICC-2016-2. It is considered implemented, the relevant documentation of payroll controls being available as a result of the achievement of automation processes.

95. Recommendation ICC-2015-3. It is considered not implemented yet. The new contractor selected for the maintenance contract entered into effect has not yet provided a maintenance plan, this task being done progressively. A first phase, focused on a five year rolling plan for capital replacements, was expected to be submitted to the CBF in April 2019. This plan, when available, will serve as a basis for defining the various components of the PP (Permanent Premises). In the meantime, the entry in the accounts of the PP and its depreciation schedule will not change.

96. Recommendation ICC-2015-6. It is considered as implemented. The ASP has approved a post redeployment of an established post among the Registry.

97. Recommendation ICC-2013-1. It is considered as implemented, after approval by the ASP in the 13 December 2018 resolution ICC-ASP/17/Res.4 "Amendments to the financial regulations and rules", annex, part B "Amendments concerning seizure of assets".

VI. Acknowledgements

98. The External Auditor wishes to express deep appreciation to the directors and staff members of the ICC for their reception and the accuracy of the information that they provided.

End of audit observations.

External Auditor
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Annexes

Annex I

Follow-up of Report on cash reserves

<i>No.</i>	<i>Subject</i>	<i>Outstanding recommendations</i>	<i>Implemented</i>	<i>Partially implemented</i>	<i>Not implemented</i>
ICC-2015-6-3	Cash reserves	Put in place a financing plan for employee liabilities, in order to even out the corresponding expenses, which are likely to increase in the future. A study should be undertaken to determine whether a reserve should be established and its possible amount.		X	

1. No change was noticed in 2018 for recommendation ICC-2015-6-3, which then remains under consideration at the ICC level. The External Auditor deems that the choice between creating a dedicated reserve and securing a relevant flow of resources to match with futures employee benefits commitments has to be made by States Parties.

Annex II

Follow-up of Report on the Division of External Operations (DEO)

<i>No.</i>	<i>Subject</i>	<i>Outstanding recommendations</i>	<i>Implemented</i>	<i>Partially implemented</i>	<i>Not implemented</i>
DEO-2017-1	Synergy among organs	When the effects of the ReVision project are stabilized, the External Auditor recommends that further reflection should be undertaken in order to deepen the synergies between the various organs of the Court in relation to external operations and relations, while at the same time ensuring that basic legal rules are respected, which would, presuppose a more pragmatic and rational, and therefore less dogmatic, approach to the principles of neutrality, independence and confidentiality, approach which currently seems to prevail, even if synergies between different bodies already happened		X	
DEO -2017-2	Coordination on security matters	The External Auditor recommends to deepen the reflection on the role of the central Coordinator of field security and to ensure that he gets the means to fulfil his mission, despite a complex, and uneasy to define, positioning between DEO, Division of Management Services and heads of field offices. On a more ad hoc basis, re-evaluate the subject and format of the Weekly Security Reports required from field offices.	X		
DEO-2017-3	Reporting and communication between VPRS and HFO	If the suggested interchangeability or even merger of the Outreach and VPR field teams is a complete success, and it will be confirmed at Headquarters level, the External Auditor recommends that the current official Organizational structure should be reviewed by organizing, with precise arrangements defined jointly by DEO and DJS, a functional reporting or communication line between Heads of field offices on the one hand and the VPR section on the other hand, which is currently non-existent and its practical content should be clearly defined.	X		

<i>No.</i>	<i>Subject</i>	<i>Outstanding recommendations</i>	<i>Implemented</i>	<i>Partially implemented</i>	<i>Not implemented</i>
DEO-2017-4	Relevant information for HFO	The External Auditor recommends to formalise and rationalise the coordination procedures initially set up being “improvised” by the new Heads of offices (various levels may be envisaged: Standard Operational Procedure, Services Level Agreements, Book of Best Practices...). They should be defined in the framework of bilateral agreements between the Heads of field offices and the other VWS, OTP and TFV, TFV and field offices, in order to institutionalise the access of Heads of field offices to all information in a timely manner regarding the mobilisation of local resources without breaching confidentiality or transgressing the principles of neutrality of the Registry or of independence of the Office of the Prosecutor and of the Trust Fund for Victims.	X		
DEO-2016-6	adjustment of staff, opening/closing of offices,	The External Auditor recommends that when, by the end of the first half of 2017, the Office of the Registry sets up procedures for the adjustment of staff, and opening/closing of offices, a strategic field workforce planning be implemented, defining clearly the responsibilities, not only of the Registry, but also of all the organs of the ICC resorting to field office services, in particular OTP and TFV.	X		
Total number of recommendations: 5			4	1	-

1. Recommendation DEO-2017-1 on synergy is partially implemented. Nine actions for an improvement of coordination and cooperation actions among the organs of the Court have been committed, backed by approbation by the CoCo, in various areas. The DEO considers three of them as still “in progress” while six are declared as “implemented”. As it was mentioned last year, it will require time to evaluate the overall degree of implementation of the whole of the scope of this structural recommendation. However, the External Auditor recognizes the positive steps taken such as definition of priorities, Joint Analysis Cell (JAC) and other ways towards a deeper synergy among the organs of the Court, as listed in the memo approved by the CoCo on synergy among the Court.

2. Recommendation DEO-2017-2 is considered as implemented. A new framework for weekly security report has been settled, and action has been intensified to streamline the reporting lines, position and coordination procedures relevant for the Field Security Coordinator (FSCO) interlocutors, as well as to reform the weekly security reports and clarify the role of the FSCO.

3. Recommendation DEO-2017-3 may now be considered as implemented. An action plan has been committed in order to map out the field functions of Outreach and VPR (Victim Participation and Reparations), strengthen the working relationships of the staff and units involved, sharing of information between VPRS, Public Information and Outreach Section (PIOS) and Field Offices (FO). The “Guideline on workflow HQ/FO” is drafted and finalized, keeping the status of a live documents open to future adaptations. Managerial actions, periodical discussions and video-conferences on cross cutting issues and common strategy between Field Offices, VPRS, other HQ Sections involved in outreach and communication are conducted on regular basis.

4. Recommendation DEO-2017-4 is considered as implemented. The implementation was only deemed partial last year in the waiting of results of initiatives for coordination procedures between HFO (Head of Field Offices) and other organs of the Court. The efforts have been sustained, the HFO being in a situation to get a better access to relevant information needed for field management and visibility, in respect of the independence and the security concerns of the organs.

5. Recommendation DEO-2017-6 is considered as implemented. The CBF has approved the report on the SOP and the protocol on operations of opening and closing of Field Offices at its 30th session in April 2018.

Annex III

Follow-up of Report on Human Resources Management (July 2018)

<i>No.</i>	<i>Subject</i>	<i>Outstanding recommendations</i>	<i>Implemented</i>	<i>Partially implemented</i>	<i>Not implemented</i>
HR-2018-1	Gender balance	In order to adequately address the issue of gender (im)balance at the ICC, the External Auditor recommends to the Court, based on a study to be prepared by the Human Resources Section, to introduce additional measures aimed at increasing the representation of female staff, particularly at more senior levels, such as through a mentoring programme and the establishment of a Focal Point for Women.		X	
HR-2018-2	HR management policies	The External Auditor recommends that all organs strive to apply one set of HR management policies through the same operational rules, with the Registry HRS responsible for maintaining, developing and promoting these unified Court-wide HR rules, in consultation and cooperation with the other organs.		X	
HR-2018-3	Management of professional profiles	In the management of professional profiles, the External Auditor recommends: (a) organizing management reviews to better identify the development needs and the development potential of ICC employees; (b) initiating negotiations with a view to achieving the integration of the ICC into the UN Inter-Organization Agreement in order to broaden the career prospects of its staff; (c) proposing to the Court a limited modification of the rules of appointment by reserving a priority round for staff in place at ICC for a proportion of the positions to be filled that should remain limited to prevent the risk of killing de facto most of the external recruitment (10 per cent for example).		X	
HR-2018-4	Training plans for performance appraisal	The External Auditor recommends that the appraisers be instructed to ensure that the interview sheets are completed with the definition of training plans.	X		
HR-2018-5	Performance appraisal system changes	In terms of performance appraisal, the External Auditor recommends that the new Registrar: (a) quickly decide on the principle of the proposed change and, in the event of a positive conclusion, approve the procedure with the legal office and implement it; (b) whatever the chosen performance appraisal system, put in place a mechanism to make the appraisals of the various departments more homogenous.	X		
HR-2018-6	Elected officials	The External Auditor recommends to the Court to establish: (a) either an incompatibility between belonging to ICC staff and running for election; (b) or strict conditions guaranteeing the absence of exposure of the Court's departments to risks of conflicts of interest in the performance of the duties of the internal candidates for elected functions.		X	

<i>No.</i>	<i>Subject</i>	<i>Outstanding recommendations</i>	<i>Implemented</i>	<i>Partially implemented</i>	<i>Not implemented</i>
HR-2018-7	Opinion surveys	The External Auditor recommends that the Court periodically (for example every 2-3 years) carry out an opinion survey to monitor changes in staff perceptions and to identify areas for improvement.	X		
HR-2018-8	Ombudsman function	The External Auditor recommends that the ICC finalize its thoughts on the establishment of an Ombudsman function to be shared with one or more nearby institutions.		X	
HR-2018-9	Ethics charter	The External Auditor recommends that the ICC develop and publish an ethics charter.		X	
HR-2018-10	Annual report on HR management	The External Auditor recommends supplementing the annual report on the Human Resources management presented to the CBF with: (a) the inclusion of all information relevant to a comprehensive HR report, i.e., a standardized document, addressing all the quantitative aspects (workforce, diversity, absenteeism, performance, training, etc.); (b) the definition of a stable standard for calculating the number of recruitments done during the year presented in the annual Human Resources report to the CBF; (c) the improvement of tools for inventory and identification of STA recruitments, by tracking all assessment reports and by precisely measuring the number of STA recruitments to be mentioned in the Human Resources report.		X	
Total number of recommendations: 10			3	7	-

1. Recommendation HR 2018-1 (gender balance) is partially implemented. An action plan has been launched on five sets of actions such as mentoring, training, focal point (for women), recruitment framework and recruitment measures proposals. As for some of the other recommendations issued from the same audit report, still recent at the moment of the review, the implementation has started but its total achievement requires time, not precisely determined by ICC.

2. Recommendation HR 2018-2 (HR Management policies) might be considered as having started to be partially implemented. Human Resources Section (HRS) has been designed as responsible in the perspective of promoting and developing Court wide rules in relevant HR management areas. Recognition of outcomes will need time according to the independence of organs and required consultation processes.

3. Recommendation HR 2018-3 (Management of professional profiles) is partially implemented. Some of the actions planned have been implemented, such as a new Administrative Instruction (AI) and access for staff to relevant existing tools. Other actions have started to be implemented, such as the integration in UN interorganization agreement (letter sent in that view to the UN Secretariat) and on internal access to vacancy announcements. The other aspects are just at the early stage of preparation of a concept paper.

4. Recommendation HR 2018-4 (Training plans for performance appraisal) is implemented, as settled in the new AI on Performance Management promulgated in February 2019 and in the organization of related workshops with Managers.

5. Recommendation HR 2018-5 (Performance appraisal system changes) can be considered as implemented, as linked to the above recommendation HR 2018-4 and the new AI on Performance Management appraisal promulgated in February 2019. In addition to the training of the evaluators indicated above, the system now includes more flexible evaluation interviews adapted to the services and units concerned.

6. Recommendation HR 2018-6 (Elected officials and incompatibility) is only partially implemented, since consultations have started on this recommendation which imply to explore and resolve strong legal issues.
 7. Recommendation HR 2018-7 (Opinion Surveys) can be considered as implemented. A survey has been carried out in October 2018, with a high response rate. Results have been communicated and periodical surveys will follow in the future.
 8. Recommendation HR 2018-8 (Ombudsman function) can be considered as partially implemented at the time of the audit review. The Court has selected an external expert in conflicts resolution who, according to ICC, will join in mid-2019. He will develop a Court wide Alternative Dispute resolution scheme.
 9. Recommendation HR 2018-9 (Ethics charter) has been taken in charge by “Immediate Offices” of the Head of Organs. This can be considered as a starting point towards the implementation of the recommendation.
 10. Recommendation HR 2018-10 (Annual report on HR management) can be considered as partially implemented. The automation of HR processes and final stage of its deployment in 2019 (with “Education grant” process) enables HRS to be supplied by data covering a wider scope. In line with the recommendation, as well as requests from several States Parties, the report on HR Management that was provided to the CBF at its 32nd session (April 2019) introduces a more data-driven presentation with, when possible, year-on-year comparisons. HRS has indicated having obtained some corresponding reports from other international organization as a sample of existing practices. The report will continue to be further developed.
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