



Cluster (Sub)-Section	Assembly	Assembly & Court	Court	Comments
-----------------------	----------	------------------	-------	----------

I. GOVERNANCE

A. Unified Governance

1. Structure of the Court: (1) ICC/Court Governance, (2) ICC/IO Governance			all	R1 to R7
2. Decision-Making Process and Internal Legal Framework			all	R8 to R11
3. Content of Internal Legal framework		R13	R12	R12 and R13
4. Working Culture at the Court			all	R14 to R20

B. Chambers Governance (Working Environment and Culture, Structure, Management and Organisation)

1. Working Environment and Culture, 2. Chambers Structure and Organisation (1) Static and Dynamic Case Teams Led by référendaires (2) Specialised Pre-trial Team (3) Transferability of Case Teams (4) Role of Presiding Judges (5) Legal Staff Support to Judges, 3. Managment in Chambers (1) Head of Chmabers Staff (2) Legal Advisers to Divisions (3) Quality of Legal Support Staff and Professional Development (4) Administrative Assistants			all	R21 to R37. R23 and R33 could also depend from the ASP due to potential budgetary impact
--	--	--	-----	--

C. OTP Governance

1. The OTP Structure, 2. The OTP Regulatory Framework (1) Current OTP Regulatory Framework (2) Areas Not Addressed Under the Current Framework			all	R38 to R45
--	--	--	-----	------------

3. OTP Management and Leadership Structures (1) Prosecutor and Deputy Prosecutor - <i>Roles of Prosecutor and Deputy Prosecutor, Issue of two Deputy Prosecutors</i>	R48	R46 and R 47	R46 to R48
3. (2) Executive Committee (ExCom)		all	R49 to R52
3. (3) Immediate Office of the Prosecutor (IOP) - <i>Chef de Cabinet, Public Information Unit (PIU)</i>		all	R53 to R56. R55 could also depend from the ASP due to potential budgetary impact
3. (4) Integrated Teams		all	R57 to R63
4. OTP Staffing (1) Staff Qualifications		all	R64 to R70
4. (2) Quantity of Staff		all	R71 to R75, R74 and R75 could also depend from the ASP due to potential budgetary impact

D. Registry Governance			
1. Election of the Registrar and Deputy Registrar	R78	R76 and R77	R76 to R78
2. Various Sections of the Registry		all	R79
3. Field offices		all	R80 to R86. R80 could also depend from the ASP due to potential budgetary impact

II. HUMAN RESOURCES			
A. General; B. Working Environment and Culture, Staff Engagement, Staff Welfare; C. Bullying and Harassment;			
		all	R87 and R88

D. Management of Human Resources			
		all	R89 and R89. R89 : + ASP if budgetary impact

E. Adequacy of Human Resources - Recruitment; F. Short-Term Appointments, Local Recruitment			
		R91, R92, R93	R91-96. R92, R93 : +ASP if budgetary impact

	R94, R95, R96		
G. Performance Appraisal			
		all	R97 and R98.

H. Staff Training and Development			
	R99		R99.

I. Multilingualism			
--------------------	--	--	--

	R100		R100.
J. Flexibility, Scalability and Mobility in Staffing			
1. Internal Mobility 2. External Mobility 3. Secondments 4. Tenure	R102, R103	R101	R101 to R103
		R104, R105	R104 and R105
III. ETHICS AND PREVENTION OF CONFLICTS OF INTEREST			
A. Ethics Framework			
Court staff and/or officials, Individuals affiliated with the Court	R106, R108, R109	R107	R106 to R109. R108 : IOM mandate should be reviewed and budgetary impact to be expected
B. Prevention of Conflict of Interest			
	R112, R114	R110, R111, R113	R110 to R114
IV. INTERNAL GRIEVANCE PROCEDURES			
A. General; B. Accountability of Judges			
1. Disciplinary Mechanisms and Complaints 2. Disciplinary Standards 3. A Readjusted Disciplinary Arrangement 4. Judicial Council of the Court	R124, 125, R126, R127, R128, R131	R115, R116, R117, R118, R119, R120, R121, R122, R123, R129, R130	R115 to 131.
V. BUDGET PROCESS			
A. Court Budget Process, B. Committee on Budget and Finance (CBF) C. Enhancing Dialogue D. Assembly of States Parties E. Miscellaneous			
	R135, R139, R141	R136, R137, R138, R140, R143	R132, R133, R134, R142
			R132 to 143.
VI. PERFORMANCE INDICATORS AND STRATEGIC PLANNING			
A. Efficiency B. Effectiveness			
		All	R144 to 148
VII. EXTERNAL RELATIONS			
A. Relations with the United Nations B. Role of the Court's New York Liaison Office to the UN (NYLO) Relations with UN Agencies and Other International and Regional Organisations			
		all	R149 to R152. R150 : + ASP if budgetary impact
D. Relations with Civil Society and Media Organisations			
		all	R152 to R162. R155, R156, R157, R158, R159, R161, R162 : + ASP if budgetary impact
E. Communications Strategy F. Outreach Strategy			
	R165, R167	R163, 164, R166, R167, R168	R163 to R168. R166, R168 : + ASP if budgetary impact

G. External Political Measures against the Court

R169

R170

R169 and R170

VIII. ELECTION OF THE PRESIDENCY

R173

R171 and R172

R171 to R173

IX. WORKING METHODS

A. Induction and Continuing Professional Development

1. Induction Programme 2. Timing 3. Contents 4. Continuing Professional Development

all

R174 to R177 : all could also depend on the ASP due to potential budgetary impact

B. Full-Time Service of New Judges

all

R178 to R180

C. Code of Judicial Ethics

all

R181 to R184

D. Judicial Collegiality

all

R185 to R188

X. EFFICIENCY OF THE JUDICIAL PROCESS AND FAIR TRIAL RIGHTS

A. Pre-Trial Stage

1. Disclosure of Evidence 2. Confirmation of Charges 3. Length of Pre-Trial Stage 4. Chambers Practice Manual and Judicial Case Management

all

R189 to R198

B. Trial Stage

<p>1. Transfer of the Case to Trial Division 2. No Case to Answer 3. Amicus Curiae 4. Evidence Admitted vs Submitted 5. Witness Preparation/Proofing 6. Prior Recorded Testimony and Live Testimony by Means of Audio or Video-Link Technology 7. Management of the Trial 8. Court Activities <i>in situ</i> and Site Visits 9. Brief Absence of a Judge 10. Technology in the Judicial Process (1) Case Law Database (2) Other Digital Resources and Legal Tools (3) Effect on the Defence and Legal Representatives of Victims</p>	<p>R201 - R203 - R206</p> <p>R199 - R200 - R202 - R204 - R205 - R207 to R212</p>	<p>R199 to R212 : R205 and R207 could also depend on the ASP due to potential budgetary impact</p>
--	--	--

C. Interlocutory Appeals		
	R213	R213

D. Management of Transitions in the Judiciary		
<p>1. Continuing in Office on Expiry of Term 2. Designation of an Alternate Judge 3. Appointment of a Substitute Judge</p>	R214 - R215	R214 to R215

XI. DEVELOPMENT OF PROCESSES AND PROCEDURES TO PROMOTE COHERENT AND ACCESSIBLE JURISPRUDENCE AND DECISION-MAKING		
A. Standard of Review in Appeals B. Departure from Established Practice and Jurisprudence C. developing a Deliberation Culture D. Judgment Structure and Drafting E. Conflicts Between Different Legal Systems and Best Practices		
	<p>R218</p> <p>All except R218</p>	<p>R216 to R225</p> <p>The IER pointed out the necessary urgent action to provide legal certainty (by amending the RS) regarding the applicable standard of review in appeals, but did not considered it appropriate to make a recommendation on this topic. This issue could be considered by the ASP.</p>

XII. OTP SITUATIONS AND CASES: PROSECUTORIAL STRATEGIES OF SELECTION, PRIORITISATION, HIBERNATION AND CLOSURE		
A. Initial Situation and Case Selection: Preliminary Examinations		

1. Situation Selection During Phase 1 2. Situation Selection during PRs (Phases 2-4) (1) Narrower Standards for Admissibility (2) Feasibility Considerations in Situation Selection and Prioritisation	all	R226 to R229
---	-----	--------------

B. Selection and Prioritisation of Cases and Perpetrators

1. The Criteria for Case Selection and Prioritisation (1) The Policy in relation to Selecting and Charging Suspects (2) Defining a Case: Charging Practices (3) Case Prioritisation: Feasibility Issues	all	R230 to R239
2. The Process of Case Selection and Prioritisation	all	R240 to R242

C. Situation Prioritisation, Hibernation and Closure

R247 due to item (ii)	all except R247	R243 to R250
-----------------------	-----------------	--------------

XIII. PRELIMINARY EXAMINATIONS

A. Concerns Related to Preliminary Examinations Section (PES)

	all	R251 to R253
--	-----	--------------

B. Length of PE Activities, Time Limits

	all	R254 to R261
--	-----	--------------

C. Complementarity and Positive Complementarity

1. Complementarity Assessments for Admissibility (Article 17) 2. Positive Complementarity	all	R262 to R265
---	-----	--------------

D. Transparency of Preliminary Examinations

	all	R266 and R267: R267 could also depend on the ASP due to potential budgetary impact
--	-----	--

XIV. INVESTIGATIONS

A. Investigative Strategy

	all	R268 to R271
--	-----	--------------

B. Investigative Technique and Tools

1. Cooperation for Evidence Collection		R273 to R275	all except R273 to R275	R272 to R278: R277 could also depend on the ASP due to potential budgetary impact
2. Cooperation Requests - JCCD International Cooperation Section			all	R279 to R282
3. Developing Technical Expertise within the ID (1) Financial Investigations (2) Tracking and Arrests of Fugitives (3) Remote Investigations	R284 and R289	R290 due to budgetary impact	all except R284, R289 and R290	R283 to R292: R286 and R291 could also depend on the ASP due to potential budgetary impact

C. ID Field Presence in Situation Countries				
			all	R293 to R298: all could also depend on the ASP due to potential budgetary impact

D. Evidence Assessment and Analysis				
			all	R299 to R304: R303 and R304 could also depend on the ASP due to potential budgetary impact

XV. OTP INTERNAL QUALITY CONTROL MECHANISMS				
A. Evidence Reviews: Internal and Peer Review				
			all	R305 to R310

B. Trial Monitoring				
			all	R311 and R312

C. Lessons Learnt				
			all	R313 to R319: R314, R318 and R319 could also depend on the ASP due to potential budgetary impact

XVI. DEFENCE AND LEGAL AID				
A. Institutional Representation				
			all	R320 to 327

B. Legal Aid				
	R332	R328, R331	R329, R330, R333, R334, R335	R328 to 335. R331 could also depend on the ASP due to potential budgetary impact. R332: up to the States Parties themselves, rather than the ASP collectively.

XVII. VICTIM PARTICIPATION				
----------------------------	--	--	--	--

A. Outline of the System B. The System in Operation C. Recognition of Victims as Participants D. Concerns about the System as a Whole E. Legal Representation of Victims F. Tracing Victims in the Reparations Phase			
	R336, R337, R339	R338, R340, R341	R336 to 341.

XVIII. VICTIMS: REPARATIONS AND ASSISTANCE

A. Current Framework for Victims Participation in the Rome Statute System, and its Functioning B. Judicial Matters Related to Reparations

B. 1. General (Judicial) Principles on Reparations 2. Specialised Reparations Chamber 3. Non-Stay of Reparation Proceedings 4. Individual Requests for Reparations 5. Registry-Led Victim Application Process 6. New Potential Beneficiary Requests and Information 7. Reparations Experts 8. Mutually Agreed Protocols 9. Chambers Oversight Role in Implementation	R344, R345, R346, R347, R348, R349, R351, R352, R353	R342, R343, R350	R342 to 353.
--	--	------------------	--------------

C. The TFV and its Secretariat: Governance and Functioning

1. Delivery of Mandate 2. Governance, Oversight and Management	R355, R356, R357	R354, R358, R359, R360	R354 to 360.
--	------------------	------------------------	--------------

XIX. OVERSIGHT BODIES

A. ASP - Court Relations

	R361, R363	R362	
--	------------	------	--

B. Internal and External Oversight Mechanisms

	R364, R366, R368	R367	R365
--	------------------	------	------

C. Secretariat of the ASP

	R369, R370		
--	------------	--	--

XX. IMPROVEMENT OF THE SYSTEM OF NOMINATION OF JUDGES

	all		R371 to R380. R378 : up to States Parties themselves, rather than the ASP collectively.
--	-----	--	---

XXI. DEVELOPMENT OF THE RULES OF PROCEDURE AND EVIDENCE

	R381	R382, R383, R384	R381 to R384
--	------	------------------	--------------

RESOLUTION ICC-ASP/18/Res.7

<p>OP 18</p> <p>Appendix II, para 5</p>	<p>(a) Strengthening, cooperation (b) Non-cooperation, (c) Complementarity, and the relationship between national jurisdictions and the Court, (d) Equitable geographical representation and gender balance The election of the Prosecutor, implementation of arrest warrants and reviewing Assembly working methods</p>	<p>all</p> <p>all</p>	
---	--	-----------------------	--

KEY	
CWM	Court-wide Matters
OSM: C	Organ Specific Matters: Chambers
OSM: OTP	Organ Specific Matters: Office of the Prosecutor
OSM: R	Organ Specific Matters: Registry
EG	External Governance
RI	Remaining Issues