


**Fourteenth session**

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**Report on activities and programme performance of the  
International Criminal Court for the year 2014\***
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## **I. Introduction**

1. This report details the main activities conducted by the International Criminal Court (“the Court”) in 2014 and provides an overview of its budgetary performance for that year. Annexes I to XIII provide detailed information on, *inter alia*, performance by major programme and the realization of budgetary assumptions as well as indicators relating to defendants, victims and witnesses managed by the Registry, to missions, and to documents and pages filed by the Office of the Prosecutor (OTP).

2. As can be seen from the detailed descriptions of activities in the first section of the report, the Court conducted not only the activities projected for 2014 but also various unforeseen activities, support for which was initially requested from the Contingency Fund but the costs for which, ultimately, were entirely absorbed by the regular programme budget, as explained in section IV. These costs included those arising from the extension of judges’ mandates; the reopening of the Court’s field office in Bangui, Central African Republic (CAR); prosecutorial activities in the situations in Kenya and the CAR related to offences against the administration of justice under article 70 of the Rome Statute, as well as the corresponding implementation of witness relocation and assisted moves; and the sudden surrender to the Court of Mr Charles Blé Goudé in the situation in Côte d’Ivoire.

## **II. Main activities of the Major Programmes**

### **A. Major Programme I – The Judiciary**

#### **1. The Presidency**

3. In 2014, the Presidency continued exercising its functions in its three main areas of responsibility: judicial and other legal tasks, external relations, and administration.

4. The legal workload of the Presidency’s Legal and Enforcement Unit (LEU) again showed a significant increase in 2014. This was principally due to the continued rise in the demand for support for the Presidency’s administrative functions in the context of the consultations of the Hague Working Group’s Study Group on Governance (SGG) on Cluster I: “Expediting the Judicial Process” and the Working Group on Lessons Learnt (WGLL). Achievements included, first, the preparation of four Court-proposed amendments to the Rules of Procedure and Evidence (“the Rules”), which have been under discussion in the Assembly of States Parties (“the Assembly”); and, second, coordinating the preparation of two comprehensive reports of the Judiciary on changes to working practice intended to expedite the criminal process. In total, the LEU was involved in a dozen informal and formal meetings with the SGG on Cluster I and with the Working Group on Amendments (WGA). In other areas, the LEU continued to prepare Presidency decisions on applications, many of which were confidential. The LEU also facilitated the constitution of chambers and supported meetings and plenaries of the judges. In addition, the LEU successfully negotiated the conclusion of two enforcement-related agreements and was involved in inter-organ discussions on and conclusion of Court-wide agreements with international organizations. This increase in workload led to the request for a P3 position using general temporary assistance (GTA), which was approved for six months in the 2015 budget.

5. In the area of external relations, the Presidency engaged with States, the Assembly and its subsidiary organs, inter-governmental and regional organizations and civil society in order to enhance cooperation with, awareness of and support for the Court. As the public face of the Court as a whole, the President (or one of the Vice-Presidents, on his behalf) held official meetings with several heads of state and numerous other senior representatives of national authorities, international organizations and civil society, either at the seat of the Court, in the case of visiting delegations, or during official missions. Members of the Presidency gave keynote speeches and represented the Court at several high-level conferences and seminars. The Presidency led the inter-organ coordination of Court-wide external relations matters, such as the preparation of official statements and reports, representation at various forums and strategic cooperation and communication with other stakeholders in the Rome Statute system. As the leading organ within the Court in the promotion of the universality of the Rome Statute, the Presidency cooperated closely with

the President of the Assembly, various States Parties, non-governmental organizations and regional bodies in encouraging non-States Parties to give active and informed consideration to acceding to the Rome Statute.

## 2. Pre-Trial Division

6. Pre-trial chambers are currently seized of ten situations.<sup>1</sup> One new situation, the situation in the Central African Republic II, was assigned by the Presidency to Pre-Trial Chamber II on 18 June 2014. Although, in theory, six judges should be assigned to the Pre-Trial Division, since 1 July 2014 there have been only five, following the resignation of one judge. One of the five judges assigned to the Pre-Trial Division is actually assigned to three trial chambers, and the two pre-trial chambers are therefore composed of only four judges, two judges having been sitting in both pre-trial chambers since 1 July 2014. All judges in the Pre-Trial Division are also assigned to trial chambers and/or are participating in interlocutory appeals and/or appeals on the merits.

7. With regard to the situation in the Democratic Republic of the Congo (DRC), in the case of *The Prosecutor v. Bosco Ntaganda*, the confirmation of charges hearing took place before Pre-Trial Chamber II from 10 to 14 February 2014. On 9 June 2014, the Pre-Trial Chamber confirmed 13 charges of war crimes and five charges of crimes against humanity against Mr Ntaganda and committed him for trial before a trial chamber on the charges as confirmed. On 16 July 2014, the Pre-Trial Chamber granted leave to Mr Ntaganda's defence counsel to withdraw from the case. On 17 July 2014, the Pre-Trial Chamber issued its third decision on Mr Ntaganda's interim release, deciding that he should continue to be detained and ordering the Registrar to transmit the decision on the confirmation of the charges, together with the record of the case, to the Presidency for the constitution of a trial chamber.

8. With regard to the situation in the Central African Republic, in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido*, the five suspects made their first appearances before Pre-Trial Chamber II between November 2013 and March 2014. On 17 March 2014, Pre-Trial Chamber II rejected a request presented by the Defence for Mr Mangenda Kabongo for the Court not to exercise its jurisdiction in the case. On 28 May 2014, the Pre-Trial Chamber rejected a request presented by the Defence for Mr Kilolo Musamba for the judicial functions of the Chamber to be exercised by the full Chamber instead of a single judge. On 30 June 2014, the OTP submitted its document containing the charges and list of evidence. On 5 August 2014, at the request of the Prosecutor, the Pre-Trial Chamber decided to amend the calendar for the confirmation of the charges and gave the Prosecutor until 21 August 2014 for the filing of her reply to the written submissions of the Defence teams and until 11 September 2014 to those Defence teams for the filing of their replies to the Prosecutor's written submissions. On 5 August 2014, the Pre-Trial Chamber decided that Mr Aimé Kilolo Musamba and Mr Jean-Jacques Mangenda Kabongo should remain in detention. On 15 August 2014, the Pre-Trial Chamber granted leave to Mr Aimé Kilolo Musamba's defence counsel to withdraw from the case. On 21 October 2014, after seeking the views of the Prosecutor and of relevant States for the purposes of the review of the Suspects' detention, the Pre-Trial Chamber ordered the release of Mr Aimé Kilolo Musamba, Mr Jean-Jacques Mangenda Kabongo, Mr Fidèle Babala Wandu and Mr Narcisse Arido. On 11 November 2014, the Pre-Trial Chamber issued its decision under article 61(7) of the Statute, partially confirming the charges against the five Suspects and committing them for trial before a trial chamber on the charges as confirmed.

9. With regard to the situation in Darfur, Sudan, in the case against Mr Omar Hassan Ahmad Al Bashir, during the reporting period Pre-Trial Chamber II issued decisions inviting the following competent authorities, on the respective dates, to cooperate with the Court in the arrest and surrender of Mr Al Bashir in the event that he enters their territories: the Federal Democratic Republic of Ethiopia (30 January 2014), the Federal Democratic Republic of Ethiopia (17 February 2014), the Democratic Republic of the Congo (26 February 2014), the State of Kuwait (24 March 2014), the Republic of Chad (3 March

<sup>1</sup> Uganda; the Democratic Republic of the Congo; the Central African Republic I; Darfur, Sudan; Kenya; Libya; Côte d'Ivoire; Mali; the Registered Vessels of the Union of the Comoros, the Hellenic Republic and the Kingdom of Cambodia; and, finally, the Central African Republic II.

2014), the Federal Democratic Republic of Ethiopia (29 April 2014), the State of Qatar (7 July 2014), the Kingdom of Saudi Arabia (1 October 2014), the Arab Republic of Egypt (14 October 2014), the Federal Democratic Republic of Ethiopia (4 November 2014) and the Federal Democratic Republic of Ethiopia (8 December 2014).

10. On 3 March 2014, the Pre-Trial Chamber issued a decision inviting the competent authorities of the DRC to submit observations with regard to their alleged failure to execute the requests for the arrest and surrender of Mr Al Bashir during his visit to the DRC from 26 to 27 February 2014. After receiving the observations, the Pre-Trial Chamber issued a decision on 9 April 2014 finding that the DRC had failed to cooperate with the Court by deliberately refusing to arrest and surrender Mr Al Bashir when he was on its territory, and referring the decision to the President of the Court for transmission to the United Nations Security Council and the Assembly of States Parties.

11. With regard to the situation in Libya, in the case of *The Prosecutor v. Saif Al-Islam Gaddafi*, on 15 May 2014 Pre-Trial Chamber I requested Libya to inform the Chamber, by 28 May 2014, as to the status of implementation of its duties, *inter alia*, to surrender Mr Gaddafi to the Court immediately and to return to his Defence the originals of the materials seized from his Defence counsel when she visited him in Zintan in 2012. On 11 July 2014, the Pre-Trial Chamber issued a decision reminding Libya of its duty to proceed with the immediate surrender of Mr Gaddafi to the Court. On 10 December 2014, the Pre-Trial Chamber found that Libya had failed to comply with the Court's requests to surrender Mr Gaddafi and to return to Mr Gaddafi's defence counsel the originals of the documents seized in Zintan. Consequently, the Pre-Trial Chamber decided to refer the matter of Libya's non-compliance with these requests to the United Nations Security Council.

12. With regard to the situation in Côte d'Ivoire, in the case of *The Prosecutor v. Laurent Gbagbo*, on 12 June 2014 Pre-Trial Chamber I confirmed four charges of crimes against humanity against Mr Gbagbo and committed him for trial before a trial chamber on the charges as confirmed. On 12 March and 11 July 2014, the Pre-Trial Chamber issued decisions on the review of Mr Gbagbo's detention pursuant to article 60(3) of the Statute and, in each instance, decided that he should remain in detention. In its decisions, the Pre-Trial Chamber also ordered the Registry and the Defence to submit reports on the progress of efforts to address the issue of Mr Gbagbo's health, with a view to exploring the different options for conditional release. On 11 September 2014, the Pre-Trial Chamber rejected the Defence request for leave to appeal the decision on the confirmation of the charges against Mr Gbagbo and ordered the Registrar to transmit that decision and the record of the proceedings to the Presidency for the constitution of a trial chamber.

13. In the case of *The Prosecutor v. Simone Gbagbo*, on 28 February 2014 Pre-Trial Chamber I, following the admissibility challenge lodged by Côte d'Ivoire, authorized Ms Gbagbo's co-counsel, at his request, to withdraw from the case. After receiving further observations and documents from Côte d'Ivoire, the Prosecutor, the Office of Public Counsel for Victims (OPCV) and the Defence for Ms Gbagbo, on 28 August 2014 the Pre-Trial Chamber granted Côte d'Ivoire until 10 October 2014 to present further submissions and evidence in support of its admissibility challenge. On 11 December 2014, the Pre-Trial Chamber issued its decision on Côte d'Ivoire's challenge to the admissibility of the case against Ms Gbagbo, rejecting that challenge and reminding Côte d'Ivoire of its obligation to surrender Ms Gbagbo to the Court without delay.

14. In the case of *The Prosecutor v. Charles Blé Goudé*, the Suspect was surrendered to the Court on 22 March 2014 and had his first appearance, before Pre-Trial Chamber I, on 27 March 2014. On 11 July 2014, at the request of the Prosecutor, the Pre-Trial Chamber decided to postpone the start of the confirmation of charges hearing to 22 September 2014. On 1 August 2014, the Pre-Trial Chamber issued a second decision on victim participation in the pre-trial proceedings. On 1 September 2014, at the request of the Defence, the Pre-Trial Chamber decided to postpone the start of the confirmation of charges hearing to 29 September 2014. On 11 September 2014, the Pre-Trial Chamber rejected two requests presented by the Defence to amend the document containing the charges. The confirmation of charges hearing took place before Pre-Trial Chamber I from 29 September to 2 October 2014. On 12 November 2014, the Pre-Trial Chamber rejected the Defence challenge to the admissibility of the case against Mr Blé Goudé for insufficient gravity.

15. On 11 December 2014, Pre-Trial Chamber I confirmed four charges of crimes against humanity against Mr Blé Goudé and committed him for trial before a trial chamber on the charges as confirmed.

### 3. Trial Division

16. The most important trial chamber developments of 2014 included: (i) the trial judgment in the case of *The Prosecutor v. Germain Katanga*; (ii) the closing arguments in the trial in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*; (iii) the arrest warrant issued in the case of *The Prosecutor v. Abdallah Banda Abakaer Nourain*; (iv) the Prosecution's withdrawal of the charges in the case of *The Prosecutor v. Uhuru Muigai Kenyatta*; and (v) the constituting of trial chambers to hear the trials of Mr Ntaganda, Mr Gbagbo and Mr Blé Goudé.

17. Following Pre-Trial Chamber I's decision confirming the charges against Mr Gbagbo, the case was referred to Trial Chamber I on 17 September 2014. On 17 November 2014, the Chamber set a trial commencement date of 7 July 2015.

18. On 11 December 2014, Pre-Trial Chamber I rendered its decision on the confirmation of charges against Mr Blé Goudé. On 20 December 2014, the Presidency referred the case to Trial Chamber I and transmitted the record of the proceedings. A first status conference was scheduled for February 2015.

19. On 16 and 22 December 2014, the Prosecution requested the joinder of the cases against Mr Blé Goudé and Mr Gbagbo. Trial Chamber I granted the request on 11 March 2015.

20. In *Katanga*, on 7 March 2014 Trial Chamber II issued the trial judgment (*Decision pursuant to Article 74 of the Statute*). A majority of the Trial Chamber was satisfied beyond reasonable doubt of Mr Katanga's guilt as an accessory, within the meaning of article 25(3)(d) of the Statute, to one crime against humanity (murder) and four war crimes (murder, attacking a civilian population, destruction of property and pillaging) committed on 24 February 2003 during the attack on the village of Bogoro, in the Ituri district of the Democratic Republic of the Congo.

21. On 23 May 2014, Trial Chamber II, ruling in the majority, sentenced Mr Katanga to a total of 12 years' imprisonment and ordered that the time he had spent in pre-trial detention at the Court's detention centre – between 18 September 2007 and May 2014 – be deducted from his sentence (*Decision pursuant to Article 76 of the Statute*).

22. On 16 April 2014, following the article 76 decision, the Presidency reconstituted Trial Chamber II, which is henceforth composed of Judge Christine Van den Wyngaert, Judge Silvia Fernández de Gurmendi and Judge Olga Herrera Carbuccion. Judge Fernández was elected as the Presiding Judge. A decision establishing the principles relating to reparations pursuant to article 75 of the Statute is expected from Trial Chamber II in 2015.

23. On 25 June 2014, the Defence and the Prosecution both discontinued their appeals against Trial Chamber II's trial judgment and sentencing decision.

24. In the trial in *Bemba*, on 7 April 2014 Trial Chamber III closed the presentation of evidence in the case and set a schedule for the filing of closing briefs. On 2 October 2014, the Chamber ordered the recall of Witness P-169 and reopened the presentation of evidence for the sole purpose of hearing his testimony. Following the conclusion of Witness P-169's testimony, the Chamber decided on the admission into evidence of documents submitted in relation to the testimony and thereby closed the submission of evidence in *Bemba*. The final oral submissions were heard on 12 and 13 November 2014, whereupon the Chamber retired for deliberation. In accordance with its decision of 26 May 2014, the Chamber will issue separate decisions on the guilt or innocence of the Accused and, in the case of conviction, on the sentence to be imposed. A Defence request for provisional release to Belgium was rejected by the Chamber on 23 December 2014.

25. In *Banda*, on 16 April 2014 Trial Chamber IV vacated the trial commencement date of 5 May 2014 in the light of logistical difficulties encountered by the Registry. On 14 July 2014, the Chamber set 18 November 2014 as the new date for commencement of the trial and issued a cooperation request to the Government of Sudan to take all necessary steps to facilitate Mr Banda's presence for his trial.

26. On 11 September 2014, the Chamber concluded that the Government of Sudan's cooperation was not forthcoming and that there were no guarantees, in the current circumstances, that Mr Banda would be in an objective position to appear voluntarily. The Chamber issued an arrest warrant against Mr Banda, vacated the trial date of 18 November and suspended preparatory measures for the trial as well as rulings on pending filings until Mr Banda's arrest or voluntary appearance before the Court. A Defence application for leave to appeal against the arrest warrant was granted, and the Appeals Chamber's determination is pending.

27. In the case of *The Prosecutor v. Mr William Samoei Ruto and Mr Joshua Arap Sang*, on 15 January 2014 Trial Chamber V(a) issued an oral ruling excusing Mr Ruto conditionally from continued presence at trial under rule 134 *quater*. On 18 February 2014, it issued its decision containing the reasons for the oral decision.

28. On 17 April 2014, the Chamber issued its decision on the Prosecution's application for witness summonses, ruling, by majority, that the Chamber is able to require witnesses to testify before the Court via video-link. The decision was upheld on appeal on 9 October 2014. Summonses for nine witnesses were granted in 2014. In 2014, four of those witnesses appeared after being formally summonsed, and another two witnesses appeared voluntarily before a formal summons was issued. Overall, the Chamber heard the testimony of 20 witnesses in 2014.

29. In the case of *The Prosecutor v. Uhuru Muigai Kenyatta*, on 31 March 2014 Trial Chamber V(b) deferred its decision on the Prosecution's application for a finding of non-compliance in relation to the Government of Kenya ("Article 87(7) Application") and granted a fixed-period adjournment to allow further time for the resolution of certain cooperation matters between the Government of Kenya and the Prosecution. The Chamber convened two status conferences in October 2014 in relation to (i) the progress of execution in the outstanding cooperation matters and (ii) the sufficiency of the evidence against Mr Kenyatta. Mr Kenyatta appeared at the second status conference in person.

30. On 3 December 2014, in two decisions, the Chamber respectively rejected the Prosecution's Article 87(7) Application and ordered it to either (i) indicate that it had sufficient evidence to proceed to trial or (ii) withdraw the charges against Mr Kenyatta. On 5 December 2014, the Prosecution withdrew the charges against Mr Kenyatta. On 9 December 2014, the Prosecution filed a request for leave to appeal the decision rejecting the Prosecution's Article 87(7) Application. The resolution of this request remains pending.

31. On 23 July 2014, Trial Chamber VI was seized of the case against Mr Bosco Ntaganda. On 11 September 2014, the Chamber held the first status conference. On 9 October 2014, the Chamber decided that the trial would commence on 2 June 2015. The possibility of holding part of the trial *in situ* is under consideration.

#### 4. Appeals Division

32. In 2014, the workload of the Appeals Division remained heavy. The Appeals Chamber issued judgments in relation to **three** final appeals arising from the case of *The Prosecutor v. Thomas Lubanga Dyilo* and continued hearing the **three** final reparations appeals arising in the same case and the Prosecutor's final appeal against acquittal in the case of *The Prosecutor v. Mathieu Ngudjolo Chui*. Regarding the three final appeals completed in the reporting period, it took an average of **728** days, from the filing of the documents in support of the appeal to the delivery of judgment, to complete all three appeals, which resulted in two judgments – one confirming the decision to convict Mr Lubanga and one upholding the decision on his sentence. It should be noted that this average includes the time period prior to the Appeals Chamber's receipt of all of the parties' filings (such as the response to the document in support of the appeal and the reply of the appellants), and that these final appeals included two substantive applications for the admission of additional evidence on appeal and the holding of an evidentiary hearing in relation to those applications.

33. In 2014, the Appeals Chamber was seized of **13** interlocutory appeals and comparable proceedings, such as decisions on disqualification requests. At the time of writing, **five** of these appeals are still pending before the Appeals Chamber. In addition, the

Appeals Chamber completed **six** interlocutory appeals of which it had been seized in 2013 and which were still pending at the time of the last report. On average, for interlocutory appeals filed in 2014, it took **168** days from the filing of the document in support of the appeal to the delivery of judgment on an interlocutory appeal (not counting the interlocutory appeals that are still pending). While this average is higher than the average of 89 days reported for 2013, the Appeals Chamber completed **14** interlocutory appeals in 2014, twice as many as were completed in 2013. Finally, it should be noted that **three** of these appeals relate to Libya's admissibility challenge in the case of *The Prosecutor v. Saif Al-Islam Gaddafi and Abdullah Al-Senussi*. These appeals took **331**, **367**, and **293** days, respectively, to complete. In this regard, it is highlighted that, while technically considered *interlocutory* appeals, these appeals had distinct procedural features in terms of the complexity of the parties' filings (for example, the Appeals Chamber received nearly 600 pages of filings from the parties in the *Al-Senussi* appeal). Furthermore, one of these appeals related to the surrender order for Mr Al-Senussi, which could only be issued after the admissibility challenge had been decided upon. Thus, while it is reported that it took 367 days to resolve this appeal (this figure is included in the average), this is not reflective of the actual amount of time spent resolving this appeal.

(a) *The Prosecutor v. Thomas Lubanga Dyilo (ICC-01/04-01/06)*

34. In relation to the final appeal against the Trial Chamber's *Judgment pursuant to Article 74 of the Statute* of 14 March 2012 and the two final appeals against the *Decision on Sentence pursuant to Article 76 of the Statute* of 10 July 2012, the Appeals Chamber rendered numerous interlocutory decisions, particularly in relation to disclosure issues and the procedures for presenting additional evidence on appeal. It should be noted that, owing to translation requirements, the documents in support of these three appeals were only filed in December 2012. On 19 and 20 May 2014, the Appeals Chamber held an oral hearing at which it heard two Defence witnesses in relation to Mr Lubanga's application to present additional evidence in his appeals against conviction and sentence and received oral submissions from the parties and participants on the issues arising in the appeals. On 1 December 2014, the Appeals Chamber rendered its judgments on these three final appeals, upholding, by majority, the Trial Chamber's 2012 decisions on Mr Lubanga's conviction and sentence.

35. The Appeals Chamber continues to work on the three final appeals against the Trial Chamber's decision on reparations of 7 August 2012. Rulings on these appeals are still pending.

(b) *The Prosecutor v. Mathieu Ngudjolo Chui (ICC-01/04-02/12)*

36. The Appeals Chamber continues to work on the Prosecutor's final appeal against Trial Chamber II's decision of 18 December 2012 acquitting Mr Ngudjolo. The Appeals Chamber has ruled on numerous procedural and other issues related to this appeal, including the participation of victims in the appeal and Mr Ngudjolo's situation and status in the Netherlands following his acquittal. On 21 October 2014, the Appeals Chamber held an oral hearing at which it received submissions from the parties and participants on the issues arising in the appeal and heard the personal address of Mr Ngudjolo. Judgment in this appeal is scheduled for late February 2015.

37. On 20 January 2014, the Appeals Chamber, acting *proprio motu*, ordered the Registrar to take the necessary steps to return three detained witnesses to the Democratic Republic of the Congo, following consultations with the Netherlands. The Appeals Chamber ruled on numerous procedural and other issues during the course of the implementation of this order.

38. On 20 January 2014, the Appeals Chamber rejected as inadmissible the appeal of three detained witnesses, who had testified in the joint case of *The Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui*, against the decision of the Trial Chamber in relation to their continued detention.

(c) *The Prosecutor v. Germain Katanga (ICC-01/04-01/07)*

39. On 9 April 2014, the Appeals Chamber was seized of Mr Katanga's notice of appeal against Trial Chamber II's *Jugement rendu en application de l'article 74 du Statut* of 7

March 2014. The Appeals Chamber issued rulings on several procedural matters related to Mr Katanga's appeal and the Prosecutor's appeal against the judgment, including in relation to filing deadlines and the participation of victims. On 25 June 2014, Mr Katanga and the Prosecutor both filed notices of discontinuance of their respective appeals.

(d) *The Prosecutor v. Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidele Babala Wandu and Narcisse Arido (ICC-01/05-01/13)*

40. On 3 March 2014, pursuant to article 42(7) and (8) of the Statute, Mr Kilolo requested that the Appeals Chamber disqualify the Prosecutor, the Deputy Prosecutor and the entire staff of the OTP from the ongoing investigations against him for alleged offences under article 70 of the Statute. On 12 March 2014, Mr Mangenda requested that the Appeals Chamber grant Mr Kilolo's request and apply its ruling equally to him in those proceedings. On 19 March 2014, Mr Babala filed observations also requesting that the Appeals Chamber grant Mr Kilolo's request for disqualification. The Appeals Chamber decided upon the three requests together and, on 22 August 2014, denied the requests for disqualification.

41. On 16, 19 and 20 March 2014, Mr Kilolo, Mr Babala and Mr Kilolo, respectively, filed appeals against Pre-Trial Chamber II's decisions denying their interim release. On 11 July 2014, the Appeals Chamber, ruling by majority, confirmed the decisions on interim release in relation to Mr Mangenda, Mr Babala and Mr Kilolo and dismissed the appeals.

42. On 9 July 2014, 11 August 2014 and 12 August 2014, Mr Babala, Mr Mangenda and Mr Kilolo, respectively, filed appeals against the first review of their detention pursuant to article 60(3) of the Statute. On 1 August 2014, Mr Arido filed an appeal against the Single Judge's decision denying his interim release. On 21 October 2014, Pre-Trial Chamber II rendered the *Decision ordering the release of Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido*. On 22 October 2014, the Appeals Chamber was seized of the Prosecutor's notice of appeal against the release decision. The Prosecutor's appeal is still pending. The four other pending interim-release decisions can only be issued after the Appeals Chamber's ruling on the Prosecutor's appeal; thus, these appeals also remain pending at this time.

(e) *The Prosecutor v. Bosco Ntaganda (ICC-01/04-02/06)*

43. On 5 March 2014, the Appeals Chamber, ruling by majority, confirmed the Pre-Trial Chamber's decision on Mr Ntaganda's application for interim release and dismissed his appeal.

(f) *The Prosecutor v. Saif Al-Islam Gaddafi and Abdullah Al-Senussi (ICC-01/11-01/11)*

44. With respect to Libya's appeal of the decision on the admissibility of the case against Mr Gaddafi, the Appeals Chamber issued various procedural decisions, including on numerous requests to make further submissions, and received observations pursuant to rule 103 of the Rules. On 21 May 2014, the Appeals Chamber, ruling by majority, dismissed Libya's appeal.

45. On 17 October 2013, the Defence for Mr Al-Senussi filed an appeal against Pre-Trial Chamber I's *Decision on the admissibility of the case against Abdullah Al-Senussi*. On 24 August 2014, the Appeals Chamber issued its judgment on the appeal, rejecting the requests made by the Defence for Mr Al-Senussi to present additional evidence on appeal and confirming the impugned decision. On 11 September 2014, the Appeals Chamber dismissed as moot the appeal against the order issued for Mr Al-Senussi's surrender.

(g) *The Prosecutor v. Charles Blé Goudé (ICC-02/11-02/11)*

46. On 26 June 2014, the Registrar transmitted a request to the Appeals Chamber by Mr Mayombo Kassongo on behalf of victim applicants seeking leave to appeal the Pre-Trial Chamber's *Decision on victim's participation in the pre-trial proceedings and related issues* of 11 June 2014. On 7 August 2014, the Appeals Chamber dismissed the request as inadmissible, as leave had to be granted by the Pre-Trial Chamber.



(h) *The Prosecutor v. William Samoei Ruto and Joshua Arap Sang (ICC-01/09-01/11)*

47. On 5 June 2014, Mr Ruto and Mr Sang filed their respective documents in support of their appeals against the Trial Chamber's *Decision on Prosecutor's Application for Witness Summonses and resulting Request for State Party Cooperation*. The Appeals Chamber ruled on numerous procedural issues and received additional submissions from Kenya on the issues in the appeal. On 17 June 2014, the Appeals Chamber rejected Mr Ruto's request for suspensive effect. On 9 October 2014, the Appeals Chamber issued its judgment on the appeals.

(i) *The situation in Kenya (ICC-01/09)*

48. On 16 October 2013, 7 November 2013 and 13 February 2014, Mr Matsanga submitted filings requesting respectively the reclassification of documents, the suspension or arrest of the former and present Prosecutors, and the arrest and prosecution of the former Prosecutor. On 10 March 2014, the Appeals Chamber dismissed Mr Matsanga's three requests, finding that he had put forward no cogent legal or factual arguments in support of his claims.

49. On 18 March 2014, 24 March 2014, 3 July 2014, and 8 September 2014, Mr Matsanga submitted filings containing respectively a request for payment of legal fees and various alleged damages, a request for permission to publish certain names, a further request to publish certain names and a request for urgent rulings on his previous submissions. On 17 October 2014, the Appeals Chamber dismissed all of these requests.

**5. Liaison offices**

50. In 2014, the New York Liaison Office (NYLO) continued to represent the Court at the United Nations and provided support for all organs of the Court in their interaction with the United Nations. The Office participated in numerous meetings of relevance to the Court and maintained continuous interaction with United Nations officials, representatives of Permanent Missions especially; States Parties to the Rome Statute; and representatives of international organizations and non-governmental organizations working at the United Nations. The Office also assisted in organizing the annual United Nations-International Criminal Court round table, held in New York on 15-16 December 2014.

51. The Office represented the Court at and participated as an observer in numerous United Nations General Assembly and Security Council meetings of relevance to the work of the Court. It monitored and participated in more than 40 meetings of the General Assembly and its subsidiary bodies and more than 50 meetings of the Security Council. The Office also attended and contributed to more than ten informal meetings at the United Nations, comprising panel discussions, workshops and policy fora, at which the work of the Court or policies affecting it were discussed.

52. The Office continued its daily informal engagement with United Nations member states and United Nations Secretariat officials to foster mainstreaming of the Court and criminal justice within discussions, reports and decisions of the United Nations and provided input as appropriate. Acting in close consultation and coordination with the external relations focal points within the Court, it engaged with representatives of various States Parties and regional groups to foster support for and cooperation with the Court.

53. The Office facilitated and provided substantive and logistical support for the meetings of the Court's principals with senior United Nations and Government officials in New York. It participated in these meetings and, where required, undertook follow-up action on issues discussed. The Office supported the President's annual briefing to the United Nations General Assembly, the Prosecutor's four annual briefings to the Security Council and other briefings to States Parties and regional groups in New York. It also supported and facilitated over 50 meetings between senior Court officials and senior United Nations and Government officials, including the United Nations Secretary General.

54. The Office followed up with and reported to the relevant Court organs as appropriate on the status of various requests for assistance made to the United Nations.

55. The Office continued to create awareness within the United Nations community of the work of the Court by issuing weekly updates to the UN Secretariat, its organs and agencies as well as to Permanent Missions to the United Nations, intergovernmental organizations and non-governmental organizations. The Office monitored key developments at the United Nations, collected and analysed reports and provided periodic updates to the Court as necessary.

56. The Office maintained regular, continuous contact with key NGOs engaged in advocacy at the United Nations in support of the Court. The Office met with NGO representatives at least twice a month to exchange information and identify priority areas for advocacy.

57. The Office continued to provide technical support for monthly meetings of the Bureau and periodic meetings of the New York Working Group, upon request by the Secretariat of the Assembly, and intervene in such meetings on behalf of the Court, as appropriate. The Office represented the Court at numerous meetings of the New York Working Group in preparation for the thirteenth session of the Assembly, providing input on behalf of the Court and reporting back to the Court as necessary.

58. The Office provided the Court and the Secretariat of the Assembly with substantive, technical and logistical support during the thirteenth session of the Assembly, which was held in New York from 8 to 17 December 2014.

## **B. Major Programme II – The Office of the Prosecutor<sup>2</sup>**

### **1. Preliminary examinations**

59. During the reporting period, the Office of the Prosecutor opened preliminary examinations in the CAR, Iraq and Ukraine; continued preliminary examinations in Afghanistan, Colombia, Georgia, Guinea, Honduras and Nigeria; and concluded its preliminary examinations in the CAR and the Republic of Korea and with respect to Registered Vessels of the Union of the Comoros, the Hellenic Republic and the Kingdom of Cambodia. The OTP published its annual report on preliminary-examination activities on 2 December 2014.

60. During the reporting period, the Office received 511 communications relating to article 15 of the Rome Statute, of which 392 were manifestly outside the Court's jurisdiction; 43 warranted further analysis; 52 were linked to a situation already under analysis; and 24 were linked to an investigation or prosecution.

61. *Afghanistan.* The OTP continued to gather and verify information on alleged crimes and to refine its legal analysis of potential cases for the purposes of assessing admissibility. In particular, the OTP took steps to verify information received on incidents within the Court's jurisdiction, in order to overcome various information gaps. The OTP also gathered further information in order to enable a more thorough evaluation of the reliability of sources of information on alleged crimes. The OTP engaged further with relevant States and cooperation partners with a view to assessing alleged crimes and national proceedings. Pursuant to the OTP's policy on sexual and gender-based crimes, the OTP examined, in particular, whether there are reasonable grounds to believe that the crime against humanity of persecution on gender grounds has been or is being committed in Afghanistan.

62. *Central African Republic.* On 7 February 2014, the Prosecutor announced her decision to open a new preliminary examination of crimes potentially committed in the CAR since September 2012. On 12 June 2014, the Central African authorities submitted a referral to the Prosecutor of the situation in the CAR since 1 August 2012, in accordance with article 14 of the Rome Statute. The OTP conducted a mission to Bangui from 6 to 13 May 2014. On 24 September, the Prosecutor decided to open a second investigation in the CAR.

63. *Colombia.* The Colombian authorities took steps to prioritize investigations into and prosecutions of those most responsible for crimes within the Court's jurisdiction. The OTP noted that there had been some progress in the investigation of instances of "false positives" relevant to the preliminary examination but expressed concern at the limited progress relating to sexual and gender-based crimes. The OTP continued to analyse the relevance and

<sup>2</sup> Information on the number of missions, documents and pages filed in OTP cases in 2014 is given in Annex III.

genuineness of national proceedings in order to reach determinations on admissibility, as well as legislative developments that could have an impact on the conduct of national proceedings relating to crimes within the Court's jurisdiction. The OTP continued to consult with the Colombian authorities with a view to ensuring that genuine national proceedings are carried out against those most responsible for the most serious crimes.

64. *Georgia*. The OTP requested updated information on national proceedings in order to conduct a comprehensive and accurate assessment of the admissibility of potential cases identified. The OTP conducted a mission to Moscow from 22 to 24 January 2014 and a mission to Tbilisi from 29 April to 1 May 2014 in order to gather updated information on concrete investigative steps taken by Russia and Georgia, respectively.

65. *Guinea*. The OTP actively followed the national proceedings in relation to the events of 28 September 2009 and mobilized relevant stakeholders to support the efforts of the Guinean authorities to ensure that justice is served. The OTP visited Conakry from 18 to 20 February 2014 and held a meeting in London on 11 June 2014 with the panel of judges responsible for the investigation in Guinea in order to obtain updated information on the status of the national proceedings. On 26 September 2014, the Prosecutor issued a statement on the occasion of the fifth anniversary of the events of 28 September 2009, encouraging the Guinean authorities to continue their efforts to ensure that justice is done swiftly for the victims and to pay particular attention to sexual and gender-based crimes. A series of meetings with the United Nations judicial expert supporting the panel of judges were held in The Hague in October 2014 for the purpose of following up on the progress of the investigation and discussing issues related to sexual crimes and the protection of victims and witnesses. The Prosecutor also held a number of meetings with Guinean officials interested in the case, including the former Acting President, General Sékouba Konaté.

66. *Honduras*. The OTP continued its examination of recent alleged crimes following the presidential elections of 2010 and in the Bajo Aguán region to determine whether there is a reasonable basis to believe that crimes against humanity have been or are being committed. A mission to Tegucigalpa was conducted from 23 to 28 March 2014 in order to verify existing information and gather further information on allegations of crimes against groups within the civilian population. The OTP held consultations with relevant stakeholders in order to corroborate and verify information on the alleged crimes.

67. *Iraq*. On 13 May 2014, the Prosecutor decided to re-open the preliminary examination of the situation in Iraq, previously concluded in 2006, following the submission of further information in January 2014 in accordance with article 15 of the Rome Statute. Although Iraq is not a State Party to the Rome Statute, the Court has jurisdiction over alleged crimes committed on Iraq's territory by nationals of States Parties. The OTP took steps to verify and analyse the reliability of the information received, in accordance with article 15(2) of the Statute, and also gathered information on relevant national proceedings. The OTP visited the United Kingdom from 26 to 27 June 2014 in order to meet with the relevant investigative and prosecutorial authorities for Iraq-related allegations.

68. *Nigeria*. The OTP analysed information submitted by the Nigerian authorities which was relevant to the admissibility assessment for crimes allegedly committed by Boko Haram and has requested additional information to substantiate its assessment. The Prosecutor conducted a mission to Abuja from 23 to 25 February 2014 in order to participate in an international seminar on the application of international humanitarian law in internal security operations. On 8 May 2014, the Prosecutor issued a statement expressing concern at the alleged abduction of over 200 schoolgirls in Borno State.

69. *Registered Vessels of the Union of the Comoros, the Hellenic Republic and the Kingdom of Cambodia*. The OTP thoroughly analysed the supporting documentation accompanying the referral from the Comoros as well as the reports published by each of the four commissions that had previously examined the events of 31 May 2010 relating to the "Gaza Freedom Flotilla". On 6 November 2014, the OTP concluded that there were reasonable grounds to believe that war crimes under the jurisdiction of Court had been committed on one of the vessels, the *Mavi Marmara*. However, after carefully assessing all available relevant information, the OTP concluded that the potential case(s) likely arising from an investigation into this incident would not be of sufficient gravity to justify further action by the Court.

70. *Republic of Korea*. On 23 June 2014, the Prosecutor announced the conclusion of the examination, having determined that the statutory requirements for seeking authorization to initiate an investigation had not been satisfied. The OTP concluded that the alleged attack on the corvette *Cheonan* was directed at a lawful military target and would not otherwise meet the definition of the war crime of killing or wounding treacherously as defined in the Rome Statute. Regarding the shelling of Yeonpyeong Island, although the shelling resulted, regrettably, in civilian casualties, the information available did not provide reasonable grounds to believe that the attack was intentionally directed against civilian objects or that the civilian impact was expected to be clearly excessive in relation to the anticipated military advantage. A detailed report was published summarizing the OTP's findings on these jurisdictional matters.

71. *Ukraine*. On 17 April 2014, the Government of Ukraine lodged a declaration, under article 12(3) of the Rome Statute, accepting the Court's jurisdiction over crimes allegedly committed on its territory between 21 November 2013 and 22 February 2014. The Prosecutor opened a preliminary examination in order to establish whether the statutory criteria for commencing an investigation were met. The OTP has since engaged with representatives of Ukrainian civil society on several occasions for the purpose of gathering relevant information. In September 2014, the Office also met with a delegation of members of the Ukrainian Parliamentary Committee on the Rule of Law and Justice. The OTP visited Kyiv in November 2014 in order to pursue further discussions with the relevant Ukrainian authorities and other actors on matters relevant to the preliminary examination.

## 2. Investigative and prosecutorial activities

72. The Appeals Section experienced a significant increase in activity in 2014, litigating in five final appeals under article 81 in three cases (including arguing two oral hearings before the Appeals Chamber), 11 interlocutory appeals under article 82, and two requests for disqualification of the Prosecutor under article 42(8). The Appeals Section also submitted two applications for leave to appeal under article 82(1)(d) and responded to 42 such applications from the Defence and other participants. In total, the Appeals Section filed 125 documents relating to appeals before the Court during the year (amounting to an average of almost three filings per week).

73. In addition, the Appeals Section provided the trial teams with extensive legal advice and support on complex legal and procedural matters in ten cases currently at the pre-trial, trial or investigation stages. The Appeals Section also supported the Situation Analysis Section of the Jurisdiction, Complementarity and Cooperation Division (JCCD) in the preparation of its reports on preliminary examinations. Throughout the year, the Head of Section, as a member of the Executive Committee (ExCom), reviewed key draft filings for the Office and provided advice to the Prosecutor and ExCom on cases at all stages of proceedings. The Appeals Section also organized and ran a two-day appellate advocacy training course jointly with the International Criminal Tribunal for the former Yugoslavia for 32 lawyers from the two courts, with the assistance of a dozen internal and external trainers.

74. Summary of appeals under article 81 (final appeals):

- (a) *Lubanga*: After conducting extensive procedural litigation in the lead-up to the appeal hearing, members of the Appeals Section argued the oral hearing in May 2014 on both the Prosecution and Defence appeals against the Trial Chamber's judgment and sentencing decision (A4, A5 and A6). This included litigation relating to the additional evidence adduced by the Defence and cross-examination at the appeal hearing of two witnesses called by the Defence to provide additional evidence. In December 2014, the judgement on the appeals was issued, with the appeals being dismissed and the Accused's convictions and sentence upheld.
- (b) *Ngudjolo*: The Appeals Section conducted lengthy procedural litigation in the lead-up to the appeal hearing and then, in November 2014, argued the oral hearing on the Prosecution's appeal against the Trial Chamber's judgment (A1). A ruling on the appeal is pending.

(c) *Katanga*: After analysing the trial judgement, the Prosecution filed a notice of appeal and conducted procedural litigation in relation to the matter (A1 and A2). In June 2014, the Prosecution and the Defence both withdrew their appeals.

75. Summary of appeals under article 82 (interlocutory appeals, with or without leave):

(a) *Bemba et al.*: The Prosecution responded to a total of seven appeals filed by suspects in this case against decisions to continue their detention (OA2, OA3, OA4, OA5, OA6, OA7 and OA8). Three of the appeals were dismissed (OA2, OA3 and OA4), while the decisions on four appeals are still pending (OA5, OA6, OA7 and OA8). In addition, the Prosecution appealed against the Pre-Trial Chamber's decision to release Mr Kilolo, Mr Mangenda, Mr Babala and Mr Arido and sought suspensive effect for the decision (OA9). A decision on this appeal is pending.

(b) *Gaddafi and Al-Senussi*: Mr Al-Senussi appealed against the Pre-Trial Chamber's decision declaring the case inadmissible (OA6). The Prosecution responded and the appeal was dismissed.

(c) *Ruto and Sang*: Both Mr Ruto and Mr Sang appealed against the Trial Chamber's decision on witness summonses (OA7 and OA8). The Prosecution responded to this application and to amicus submissions filed by the Government of Kenya). The appeals were dismissed.

76. Summary of litigation on requests for disqualification of the Prosecutor under article 42(8):

(a) *Bemba et al.*: Mr Kilolo, Mr Mangenda and Mr Babala requested the disqualification of the Prosecutor, the Deputy Prosecutor and the entire OTP staff (OA1). The Prosecution responded and the request was dismissed.

(b) Situation in Kenya: An observer, Mr Matsanga, requested the disqualification of the Prosecution (OA2). The Prosecution responded and the request was denied.

(a) *Situations in the Central African Republic*

77. In the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*, Trial Chamber III closed the presentation of evidence in the case and decided that it would issue separate decisions as to the guilt or innocence of the Accused and, in the event of a conviction, on the sentence to be imposed.

78. In the case of *The Prosecutor v. Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido*, the five Suspects made their first appearances before Pre-Trial Chamber II between November 2013 and March 2014. On 21 October 2014, the Single Judge of the Pre-Trial Chamber ordered the release of Mr Kilolo, Mr Mangenda, Mr Babala and Mr Arido; all are required to appear at trial or whenever summonsed by the Court. On 11 November 2014, the Pre-Trial Chamber unanimously confirmed the majority of the charges against all five individuals and committed the case for trial.

79. In September 2014, the Prosecutor announced the commencement of a second investigation in the Central African Republic. The OTP is focusing its investigations into allegations of crimes within the Court's jurisdiction that have allegedly been committed by the opposing armed groups known as Séléka and the anti-Balakas. In particular, the OTP is currently investigating crimes against humanity and war crimes, including murder, rape, forced displacement, persecution, looting, attacks against humanitarian aid missions and using children under the age of fifteen to participate in hostilities. In late October 2014, the Prosecutor and the Central African authorities signed an addendum to the 2007 cooperation agreement.

(b) *Situation in Côte d'Ivoire*

80. The OTP focused its investigations on allegations of crimes against humanity in violation of articles 7(1)(a), 7(1)(g), 7(1)(h) and 7(1)(k) of the Rome Statute committed in Côte d'Ivoire during the post-election violence of 2010-2011 and continued its investigation in relation to other alleged crimes committed in Côte d'Ivoire, covering both sides of the conflict, irrespective of political affiliation.

81. In *Laurent Gbagbo*, on 12 June 2014 Pre-Trial Chamber I confirmed four charges of crimes against humanity against Mr Gbagbo and committed him for trial. On 11 December 2014, the same Chamber confirmed four charges of crimes against humanity against Mr Blé Goudé and committed him for trial. On 11 March 2015, Trial Chamber I decided to join the two cases pursuant to a request by the Prosecution. On the same day, Pre-Trial Chamber I rejected the Republic of Côte d'Ivoire's challenge to the admissibility of the case against Ms Gbagbo before the Court and reminded Côte d'Ivoire of its obligation to surrender Ms Gbagbo to the Court without delay.

(c) *Situation in Darfur, Sudan*

82. In accordance with Security Council resolution 1593 (2005), the Prosecutor presented her 19th and 20th reports on the situation in Darfur to the Council. In her briefings of 23 June 2014 and 15 December 2014, the Prosecutor highlighted, *inter alia*, the lack of cooperation by the Government of Sudan and the lack of national proceedings against those responsible for the crimes committed. The OTP expressed concern at allegations of manipulation of United Nations Mission in Darfur (UNAMID) reporting and of intentional covering-up of crimes committed against civilians and peacekeepers.

83. The OTP monitored travel of and contact with those against whom arrest warrants have been issued by the Court, including Mr Al Bashir. On 9 April 2014, Pre-Trial Chamber II found that the DRC had failed to cooperate with the Court by deliberately refusing to arrest and surrender Mr Al Bashir, and referred its decision to the President of the Court for transmission to the United Nations Security Council and the Assembly of States Parties.

84. In *Banda*, on 11 September 2014 Trial Chamber IV concluded that the Government of Sudan's cooperation was not forthcoming and that no guarantee existed, in the current circumstances that Mr Banda would be in an objective position to appear voluntarily. The Chamber issued an arrest warrant against Mr Banda, vacated the previously scheduled trial date of 18 November and suspended preparatory measures for the trial as well as rulings on pending filings until Mr Banda's arrest or voluntary appearance before the Court.

(d) *Situation in the Democratic Republic of the Congo*

85. In *Katanga*, on 7 March 2014 Trial Chamber II found Mr Katanga guilty of one count of a crime against humanity (murder) and four counts of war crimes (murder, attacking a civilian population, destruction of property and pillaging). On 23 May 2014, the Chamber sentenced Mr Katanga to 12 years' imprisonment. On 25 June 2014, the Defence and the Prosecutor withdrew their appeals against the judgment and stated that they did not intend to appeal against the decision on sentencing. The judgment issued by Trial Chamber II thus became final.

86. The OTP undertook efforts to explain the decisions by the OTP and the Defence to discontinue their appeals, which had resulted in the Court's first conviction with final effect.

87. In *Ntaganda*, on 9 June 2014 Pre-Trial Chamber II confirmed 13 charges of war crimes and five charges of crimes against humanity against Mr Ntaganda and committed the case for trial. The trial is scheduled to start on 2 June 2015.

88. In the case of *The Prosecutor v. Thomas Lubanga Dyilo*, on 1 December 2014 the Appeals Chamber confirmed, by majority, the judgment finding Mr Lubanga guilty and the decision sentencing him to 14 years' imprisonment.

89. Investigations are continuing into crimes allegedly committed in the Democratic Republic of the Congo, particularly in the Kivu provinces. Discussions with the competent authorities on cooperation and closing the impunity gap have taken place.

90. Continuous discussion and liaison took place in respect of the outstanding arrest warrant against *Forces Démocratiques de Libération du Rwanda* [Democratic Forces for the Liberation of Rwanda] (FDLR) military commander Sylvestre Mudacumura.

(e) *Situation in Kenya*

91. The OTP continued to gather information on the crimes against humanity of murder, deportation or forcible transfer and persecution which were allegedly committed in Turbo town, the greater Eldoret area, Kapsabet town and Nandi Hills, from on or about 30 December 2007 until the end of January 2008. Similarly, the OTP continued to gather information on the crimes against humanity of murder, deportation or forcible transfer, rape, other inhumane acts and persecution allegedly committed between 24 and 28 January 2008 against civilian residents of Nakuru and Naivasha perceived to be supporters of the Orange Democratic Movement, in particular those belonging to the Luo, Luhya and Kalenjin ethnic groups. The OTP continues to investigate alleged instances of offences against the administration of justice under article 70 of the Rome Statute in the trial in *Ruto and Sang*.

92. Trial proceedings in *Ruto and Sang* were ongoing during 2014.

93. In *Kenyatta*, on 3 December 2014 Trial Chamber V(b) declined the Prosecution's request to further adjourn the commencement of the trial until the Government of Kenya had fully executed outstanding OTP requests for records. Accordingly, given the Chamber's decision and the state of the evidence, on 5 December 2015 the OTP withdrew the charges against Mr Kenyatta. This was without prejudice to the possibility of bringing a new case, should additional evidence become available.

94. On 3 December 2014, the Chamber also issued a decision on the Prosecutor's application for a finding of non-compliance against the Government of Kenya pursuant to article 87(7) of the Rome Statute. In this decision the Chamber found that, "cumulatively, the approach of the Kenyan Government [...] falls short of the standard of good faith cooperation required under Article 93 of the Statute".<sup>3</sup> Additionally, the Chamber found that "the Kenyan Government's non-compliance has not only compromised the Prosecution's ability to thoroughly investigate the charges, but has ultimately impinged upon the Chamber's ability to fulfil its mandate under Article 64, and in particular, its truth-seeking function in accordance with Article 69(3) of the Statute".<sup>4</sup> However, notwithstanding these findings, the Chamber declined to refer this matter to the Assembly of States Parties under article 87(7) of the Statute. On 9 December 2014, the OTP requested leave to appeal this decision.

95. In the case of *The Prosecutor v. Walter Osapiri Barasa*, surrender proceedings are ongoing in Kenya in relation to the charges of offences against the administration of justice under article 70 of the Statute for corruptly influencing or attempting to corruptly influence three Court witnesses. Further investigations into this scheme of witness interference were ongoing during 2014.

(f) *Situation in Libya*

96. The Prosecutor presented her seventh and eighth reports to the Security Council on the situation in Libya on, respectively, 13 May 2014 and 11 November 2014. The OTP noted the concluding of a burden-sharing memorandum of understanding with the Government of Libya in November 2013, the purpose of which was to facilitate the collaborative efforts to ensure that individuals allegedly responsible for committing crimes in Libya since 15 February 2011 are brought to justice either at the Court or in Libya itself. The OTP also indicated its awareness of and concerns regarding reports of attacks allegedly carried out against the civilian population and civilian objects in Tripoli and Benghazi and called for an immediate end to them. The OTP continued its monitoring of the situation on the ground and its investigative activities, pursuant to Security Council resolution 1970 (2011).

97. In *Gaddafi*, on 21 May 2014 the Appeals Chamber confirmed Pre-Trial Chamber I's decision rejecting Libya's challenge to the admissibility of the case. On 11 July 2014, the Pre-Trial Chamber issued a decision which reminded Libya of its duty to proceed immediately with the surrender of Mr Gaddafi to the Court.

<sup>3</sup> Decision ICC-01/09-02/11-982, para. 78; see also paras. 62, 67 and 72.

<sup>4</sup> *Idem*, para.79.

98. In the case of *The Prosecutor v. Abdullah Al-Senussi*, on 24 July 2014 the Appeals Chamber confirmed Pre-Trial Chamber I's decision declaring the case against Mr Al-Senussi inadmissible before the Court on the grounds that the case was subject to ongoing domestic proceedings conducted by the competent Libyan authorities and Libya was willing and able genuinely to carry out such proceedings.

(g) *Situation in Mali*

99. The OTP continued to collect information and evidence about alleged crimes on the entire territory of Mali. However, on the basis of the results of the preliminary examination, initial geographical emphasis has been given to the three northern regions. The OTP is giving particular attention to allegations concerning the intentional directing of attacks against buildings dedicated to religion and historic monuments, pursuant to article 8(2)(e)(iv) of the Rome Statute, including those that have received World Heritage status. The OTP sought cooperation with a number of United Nations agencies present in Mali, including the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) and the United Nations Educational, Scientific and Cultural Organization (UNESCO).

(h) *Situation in Uganda*

100. The OTP met with the Government of Uganda and other partners in relation to the investigations concerning the Lord's Resistance Army (LRA) and interviewed members of the LRA who had defected and returned to Uganda. Execution of arrest warrants issued against the remaining LRA leadership remained pending. The OTP continued actively monitoring the possibilities for arrest and discussing such possibilities with stakeholders. The OTP also continued gathering and analysing information related to crimes allegedly committed by the Uganda People's Defence Forces. As before, the OTP encouraged the institution of national proceedings in relation to both of the parties to the conflict.

### 3. International cooperation and judicial assistance

101. In connection with its investigative and prosecutorial activities, in 2014 the OTP addressed a total of 421 requests for assistance (including notifications regarding investigative activities) to 60 different partners, comprising 33 States Parties, four non-States Parties and 23 international and regional organizations, in addition to following up on the execution of pending requests. The number of requests for assistance sent in 2014 represents an increase of 19.94 per cent on the number sent in 2013.

102. In 2014, the OTP also continued developing an active network of judicial cooperation partners and war crimes unit contacts, in order to foster support for its investigative needs and answer requests from partners to assist them with national cases of relevance to the OTP. In that regard, the OTP received five direct requests for assistance from three States Parties under article 93(10) and undertook preliminary consultations with several more States Parties on possible exchanges of information.

103. The Office conducted 134 missions for the purposes of cooperation and judicial assistance.

104. The OTP continues to emphasize to States and other partners the importance for investigations and for its trial preparations of timely, positive responses to its requests for assistance.

105. On 24 June 2014, the Prosecutor and the World Bank Vice-President for Integrity, Mr Leonard McCarthy, reaffirmed their commitment to collaborating with one another on matters of mutual interest and signed a new memorandum of understanding which enhances the exchange of information and cooperation between their respective offices.

106. On 25 June 2014, the OTP formally established a Scientific Advisory Board. The Board will provide recommendations to the Prosecutor on the most recent developments in new and emerging technologies and scientific methods and procedures which could be used to reinforce the capabilities of the Office in the collection, management and analysis of scientific evidence relating to the investigation and prosecution of the crime of genocide, crimes against humanity and war crimes.



107. Senior representatives of the Office conducted several meetings with national judicial authorities in support of its investigations, co-organized and attended a high-level round table with the United Nations and representatives of its peacekeeping missions in countries of interest to the Office, and participated in annual or bi-annual sessions of several regional or international networks of prosecutors and national central authorities involved in the prosecution of international crimes, including Interpol; Eurojust and Camden Assets Recovery Interagency Network (CARIN).

#### **4. External relations**

108. Throughout the year, the OTP participated in relevant diplomatic activities, including by actively engaging in all meetings and consultations of the Hague Working Group and the Study Group on Governance to provide information and disseminate key messages of the OTP during discussions on various issues, with a view to ensuring the success of the thirteenth session of the Assembly. The OTP also participated in three cooperation seminars, organized in the context of the Hague Working Group's cooperation facilitation. Similarly, the OTP took part in the third African Union-International Criminal Court Joint Seminar, the International Criminal Court-European Union Round Table and the International Criminal Court-United Nations Round Table. The Prosecutor, the Deputy Prosecutor, the Director of JCCD and other senior members of the OTP, supported by the OTP cooperation advisers responsible for external relations, also engaged in a number of external-relations activities, including missions abroad and meetings with senior officials in government and international organizations to provide updates to States, regional and international organizations and civil society; to explain the work of the OTP; and to discuss issues of cooperation, including galvanizing arrest efforts. In a similar vein, the OTP also organized a diplomatic briefing at the seat of the Court for Ambassadors of States Parties based in The Hague and Brussels. During the reporting period, the OTP cooperation advisers responsible for external relations produced some 50 speeches for the Prosecutor's use at external speaking engagements in The Hague and abroad. The Prosecutor also hosted an event in New York on the eve of the Assembly in the presence of high-level dignitaries, diplomats and activists to mark the official launch of the OTP's policy on sexual and gender-based crimes and to stress the need to end impunity for such egregious crimes.

### **C. Major Programme III – The Registry**

109. During the reporting period the Registrar continued the process of restructuring and streamlining the Registry's organizational structure. A decision on the Registry's new high-level structure was made in July 2014. The project team responsible for the reorganization has been conducting a functional review of the Registry's operations with a view to providing detailed recommendations to the Registrar on the implementation of the new structure and the performance of all Registry functions. The aim of the project is to eliminate duplication, increase effectiveness and efficiency, and create synergies in the operations of the Registry. In December 2014, the Assembly of States Parties authorized the Registrar to continue with this process.

110. Pursuant to the legal framework of the Court, the Registrar prepared the proposed programme budget for 2015 in consultation with the other organs of the Court. For its part and as the result of careful allocation, redeployment and reprioritization of resources, the Registry was able to present a budget that offset the potential increase in required resources. The Registrar actively engaged with States Parties to arrive at a mutually acceptable solution that took into account the need to achieve savings without jeopardizing the quality and efficiency of its services.

111. The Registry also undertook extensive preparations in 2014 to ensure that all actors involved are prepared for the move to the permanent premises in December 2015. The transition to the permanent premises will significantly increase the workload of a number of Registry sections, and careful planning was undertaken in 2014 to mitigate the disruption to the provision of services.

## 1. Court management

### (a) Judicial activities

112. A total of 9,200 court records and 605 transcripts were registered and notified in 2014. These numbers include the documents registered and/or notified across all cases and situations and those documents registered and/or notified pursuant to the Regulations of the Court and/or the Regulations of the Registry which do not necessarily relate to a particular case or situation. The breakdown by situation is given below:

113. In the situation in Uganda, 11 documents and two transcripts were registered and notified.

114. In the situation in the Democratic Republic of the Congo, 1,799 documents and 83 transcripts were registered and notified. Technical and procedural support was provided for 20 hearings.

115. In the situation in the Central African Republic, 2,670 documents and 71 transcripts were registered and notified. Technical and procedural support was provided for 10 hearings.

116. In the situation in Darfur, a total of 462 documents and 15 transcripts were registered and notified. Technical and procedural support was provided for one hearing.

117. In the situation in Kenya, 2,005 documents and 377 transcripts were registered and notified. Technical and procedural support was provided for 105 hearings.

118. In the situation in Libya, 215 documents and five transcripts were registered and notified. Technical and procedural support was provided for two hearings.

119. In the situation in Côte d'Ivoire, 1,946 documents and 48 transcripts were registered and notified. Technical and procedural support was provided for nine hearings.

120. In the situation in Mali, 88 documents and four transcripts were registered and notified. Technical and procedural support was provided for one hearing.

121. In the situation on Registered Vessels of the Union of the Comoros, the Hellenic Republic and the Kingdom of Cambodia, one document was registered and notified.

122. In the situation in the Central African Republic II, three documents were registered and notified.

123. The judicial activity throughout 2014 was quite similar to that in 2013, with a slight decrease in the number of court records (0.7 per cent) and an increase in the number of transcripts (5 per cent) registered and notified across all situations and cases.

124. The use of audio- or video-link technology to facilitate witness testimony continued throughout 2014. Ten video-link hearings were organized to facilitate the appearance of witnesses in the *Ruto and Sang*, *Lubanga* and *Katanga* hearings. The Court Management Section (CMS) organized several missions, totaling 31 working days, in order to comply with chambers' orders and make the necessary arrangements for witnesses to be heard using this technology.

125. Two Associate Legal Officers/Courtroom Officers (ALOs/COs) are required for the purpose of organizing video-link hearings: one in The Hague courtroom and the other at the witness location. The ALOs/COs also perform tasks related to in-office service activities, including registering filings and communicating with parties and participants on a range of matters relating to the operations of CMS, particularly the organization of hearings.

126. In addition to routine in-court and registration activities, CMS is continuously engaged in the following projects, and staff have been cross-trained and assigned tasks to support the activities of their sister sub-units:

- (a) Court records: the roll-out of the eFiling system took place over the course of 2014. This includes adjustments in the processes and guidelines of the court records office and continuous coaching and communication with submitters of court records. The system should be fully implemented in 2015.

- (b) Throughout 2014, the Transcript Coordinators and Court Reporters worked on the reclassification and correction of transcripts. These activities are labor intensive and require precision and accuracy, owing to the severe consequences in the event of any errors.

127. Evidence management: CMS receives and is responsible for processing material and/or evidence in electronic format, to be uploaded and registered into the eCourt system, for all cases and situations before the Court. In 2014, around 258 packages containing more than 16,349 documents and/or material were uploaded, processed and stored in the Courts' eCourt system. Simultaneously, parties submitted the originals of material disclosed, enabling mandatory storage by CMS in the Registry vault. During periods of lower judicial activity:

- (a) The organization of the Registry vault, which contains an enormous quantity of evidence, was completed in the final quarter of 2014. The contents were reorganized and validated in anticipation of the migration of all vault contents to the permanent premises in 2015, so as to ensure the move is carried out in an efficient and secure manner.
- (b) CMS performed digital media acquisition on several occasions in 2014, with the mandate of facilitating the process of searching for and removing privileged material. The CMS digital forensic laboratory was used for this purpose on each occasion.

(b) *eCourt*

128. eFiling module:

- (a) Use of the eFiling portal increased over the course of 2014. Since its release in 2013 the system has been used to file over 4,000 documents, 2,866 of which were received in 2014.
- (b) The final stages in the development of the system were completed in the fourth quarter of 2014 and comprised the automated security and notification modules of the system, which offer further efficiencies and quality assurance.
- (c) The eFiling system was designed and developed entirely in-house as a joint venture between CMS and the Information and Communication Technologies Section (ICTS).

129. Future ECOS development:

- (a) ECOS development continues to be monitored by CMS. All project planning and management is performed within the Section. Various change requests and module upgrades are planned for 2015, with in-house capability being combined with external expertise where needed.
- (b) Special focus has been placed on the Court calendar, as the core function of the ECOS system. Development began in December 2013, and the public version was released in the third quarter of 2014. The new version of the administration function of the calendar is in development and is due for release in the second quarter of 2015. This module includes a user subscription-notification model, mobile device access, real-time statistics and resource-usage reporting.

130. Access Management for the eCourt suite:

In 2014, CMS continued to maintain security within TRIM, Ringtail, Transcend and ECOS. New situations and cases, new security groups and new members were created. With the development of the ECOS situation and case tree security module, CMS plans to leverage further automation in 2015.

## 2. Detention

131. On 18 March 2014, Mr Arido, the fourth suspect in one article 70 case, arrived at the Court's detention centre.

132. On 23 March 2014, Mr Blé Goudé arrived at the detention centre, bringing the total number of detained persons to 13.

133. On 4 June 2014, the three detained Witnesses 0228, 0236 and 0350 were handed over to the Dutch authorities pending the final outcome of their asylum applications.

134. Four suspects who had been granted interim release left the detention centre: Mr Arido and Mr Kilolo on 22 October 2014; Mr Babala on 23 October; and Mr Mangenda Kabongo, who left the detention centre on 31 October 2014 and the Netherlands on 22 December 2014.

135. Mr Katanga and Mr Lubanga have been awaiting transfer to a State of enforcement to serve their sentences since, respectively, 25 June 2014 and 1 December 2014.

136. The total number of detained persons at the end of December 2014 was six.

137. The Court had budgeted for six cells during 2014. However, owing to the presence of the three detained witnesses and the four suspects in the article 70 case in addition to that of the regular detained persons, the Court was required to rent additional cells.

138. In 2014, about €34,000 was spent on organizing seven family visits for a total 18 persons. In December 2014, a donation of €10,000 was received from Switzerland for the Trust Fund for Family Visits. As a result, by the end of 2014, around €9,000 remained available in the Trust Fund for Family Visits for indigent detained persons.

### 3. Translation and interpretation

#### (a) Interpretation

139. In 2014, the Court Interpretation and Translation Section (STIC) provided the services of its Interpretation Unit for 116 events. For judicial events, such as hearings and missions with high court officials, STIC provided 1,185 interpreter days. For non-judicial events, such as seminars, round tables and visits from delegations, STIC provided 149 interpreter days. Besides English and French, the working languages of the Court, interpretation was provided from and into Kinyarwanda and Swahili. Parallel trial hearings were held in a limited number that it was possible to absorb. There were 156 interpreter days that were cancelled, at no cost because in-house interpreters were transferred to other duties.

#### (b) Translation

140. In 2014, 28,864 pages were received for translation in the working languages, official languages, situation languages and judicial-cooperation languages, out of which 26,348 pages were related to situations and cases. Of the total, 11,433 pages were sent out as finalized, revised translations. In addition, 1,109 pages were received for editing in French or English, and 1,075 pages were sent back to requesters. When documents requested for translation cannot be sent back to the requesters as finalized translations because of conflicting deadlines, lack of resources at a particular time or for other reasons, they are sent back as draft translations for the purpose of serving as working documents. These are not considered as official finalized translations and, as such, are not included in the above statistics.

141. The Arabic Translation Unit received 2,711 pages for translation and sent 605 pages back to requesters as finalized translations. These included two judgments of the Appeals Chamber, on the admissibility of the cases against Mr Gaddafi and Mr Al-Senussi; requests for judicial cooperation in both Libya and Sudan; and the reports of the Working Group on Legal Texts and the subsequent amendments.

142. The English Translation Unit received 5,973 pages for translation and sent 3,721 pages back to requesters as finalized translations. These related to cases at the pre-trial, trial and appeals stages, namely *Blé Goudé*, *Gbagbo*, *Lubanga*, *Ngudgolo* and *Katanga*, and included the *Katanga* judgment. The Unit also translated the Defence's closing brief in *Bemba* and provided editing services for several units within the Registry, including for the meetings of the Committee on Budget and Finance ("the Committee") and the Assembly.

143. The French Translation Unit received 12,047 pages for translation and sent 6,581 pages back to requesters as finalized translations. These related to cases at the pre-trial, trial and appeals stages, namely *Katanga*, *Bemba*, *Bemba et al.*, *Blé Goudé* and *Gbagbo*, and included the decisions on the confirmation of charges against Mr Blé Goudé and Mr Gbagbo and the closing brief of the Prosecutor in *Bemba*. Other services provided by the Unit included translation of the reports of the Working Group on Legal Texts and the subsequent amendments as well as translation or editing of documents such as

administrative instructions, information circulars, vacancy announcements and communications for the *ReVision* Team as a result of the restructuring activities.

(c) *Field and operational interpretation*

144. The Field and Operational Interpretation Unit (FOIU) provided interpretation for meetings in the field and at Headquarters in eight different language combinations in six situations, totalling 408 field-interpreter days. Field and operational interpretation services were provided, *inter alia*, for defence counsel meetings and telephone conversations; witness familiarization; statement reading; psychological, vulnerability and protection assessments; audio-visual transcript translation; and consultations on reparations with victim communities. Supported field missions included those conducted by the Victims Participation and Reparations Section (VPRS), counsel for the Defence, the Immediate Office of the Registrar, the Victims and Witnesses Section (VWS) and OPCV to Kenya, Tanzania, Côte d'Ivoire, the DRC and locations in Europe.

145. In total, 95 requests were received for field and operational interpretation services, of which 13 were cancelled by the requester and three were rejected by FOIU. During the year, FOIU implemented the field interpreter recruitment and accreditation programme, expanding the roster of accredited field interpreters for situation languages, mainly for the situations in the DRC and Mali, but also to support ongoing requirements in the situations in Kenya, Libya and Côte d'Ivoire. FOIU conducted one field interpreter induction and basic training course at Headquarters. In addition, FOIU conducted a survey of field interpreters and field interpretation service users, the results of which were presented at a round table held at the Court as part of the *Goldilocks* project, which aims to formulate the ethical requirements for interpretation on missions in a code of conduct and a best practice manual.

(d) *Terminology and references*

146. In 2014, the Terminology and Reference Unit (TRU) updated the terminology bulletin on post titles and names of organisational entities in Arabic, English, French, Russian, Spanish and Swahili and the terminology bulletin on names of countries in Acholi, Arabic, Chinese, English, French, Russian, Spanish and Swahili. These fully revised and updated versions are available in electronic format. It is of great value, not only for Court staff, but also for the wider public.

147. In 2014, TRU organized the second workshop on Dioula terminology. Initiated in 2013, this was an essential activity bringing together field interpreters, linguists and terminologists to build on the French-Dioula glossary of useful terms for field interpreters in relation to victims, witnesses, crimes within the Court's jurisdiction and the structure of the Court. A total of 435 new terms were validated.

#### 4. Legal aid and counsel issues

(a) *Counsel Support Section*

148. The assumptions used to establish the budget for 2014 included provision for eight indigent defendants (no assumption was included regarding the number of victims). In practice, however, in 2014, the legal aid system was employed for 12 defendants found by the Registrar to be indigent.

149. As in previous years, in accordance with the Chamber's order, the Registry advanced the necessary funds to cover the legal representation of Mr Bemba, who, though declared non-indigent by the Registrar, continues to experience problems concerning his assets, comprising a lack of access to frozen assets and a lack of progress on other assets identified. The Registrar has continued the investigation into Mr Bemba's assets and was able to recover assets worth €2,067,982.25 in the course of 2014. In another case, the Registrar continued to advance the costs of Mr Gaddafi's defence in the interests of ensuring the proper administration of justice.

150. The Counsel Support Section (CSS) provided administrative and logistical support to all legal teams representing suspects, accused persons, victims and legal representatives

of States involved in the proceedings at the Court. By the end of 2014, 112 team members paid exclusively out of the Court's legal aid system were receiving assistance from CSS. This number rises to 263 when the number of team members who assist in the representation of non-indigent clients before the Court, and who also receive services from CSS, is added.

151. CSS implemented the Bureau's decision on legal aid of 22 March 2012<sup>5</sup> and has been reporting on its consequences for the legal aid budget: three quarterly reports were submitted to the Committee in 2014, and bi-annual reports will be submitted in 2015. By the end of 2014, a saving of approximately €2,250,518.14 had been achieved. CSS also submitted the Registry report on ways to improve the legal aid procedures.<sup>6</sup>

152. Consistent with its past practice, CSS organized a seminar of counsel. This time the seminar ran for one full day in Dakar, Senegal, and had a regional focus. It was complemented by an intense, four-day training programme for lawyers on the List of Counsel before the Court and active team members serving the needs of the defence and victims.

153. In 2014, the Registry received 65 new applications for inclusion on the List of Counsel. After complete applications received in 2014 and previous years had been processed, 75 individuals were added to the list, bringing the total number of admitted counsel to 558. A further 42 applications for admission to the List of Assistants to Counsel were submitted in 2014. With these and the processed applications received in the preceding years, admissions to the List of Assistants to Counsel by the end of 2014 totalled 199. The List of Professional Investigators saw little activity in 2014, with only six applications received and no new admissions recorded. This list thus still comprises the same 29 members as last year.

(b) *Office of Public Counsel for the Defence*

154. The work of the Office of Public Counsel for the Defence (OPCD) significantly increased in 2014, as a result of the rising number of suspects and accused persons before the Court. Requests for assistance grew in number and complexity, especially owing to the surrender of and the confirmation of charges hearing for Mr Blé Goudé and the confirmation of charges hearings for Mr Ntaganda and for the five suspects in the case brought under article 70, the first case at the Court with such a large number of accused persons.

155. During 2014, the OPCD primarily:

- (a) Created and distributed specialized legal memoranda to 19 defence teams (Lubanga, Ngudjolo, Katanga, Simone Gbagbo, Laurent Gbagbo, Ntaganda, Blé Goudé, Gaddafi, Al-Senussi, Kenyatta, Ruto, Sang, Banda, Bemba and, in the CAR article 70 case, Bemba, Mangenda, Kilolo, Babala, and Arido) upon team requests.
- (b) Maintained and distributed updated versions of existing OPCD manuals for counsel; developed a new system for updating jurisprudence; and initiated the creation of a "Counsel Welcome Kit", a "Trial Manual" and a "How-To" series.
- (c) Assisted the *Bemba* team in the main case during court hearings by providing real-time access to transcripts.
- (d) Served as or for counsel on various occasions: Principal Counsel was appointed as duty counsel for Mr Arido at his first appearance in the case brought under article 70 in the situation in the Central African Republic and over 10 days while he selected his permanent counsel; Principal Counsel was also assigned on an ad hoc basis by the Registry to assist a witness; and counsel from the OPCD was appointed by a chamber on an ad hoc basis as assigned counsel for one occasion of the forensic acquisition of evidentiary materials.
- (e) Supported all teams, but especially the five defence teams in the case brought under article 70 in the situation in the CAR as well as Mr Gbagbo's team and Mr Blé Goudé's team, all of which it assisted with uploading and downloading evidence, accessing filings and handling case-management issues; and provided ongoing

<sup>5</sup> Bureau of the Assembly of States Parties, 22 March 2012, Agenda and Decisions.

<sup>6</sup> ICC-ASP/13/6.

training for Defence teams, upon request, in specific software, including Ringtail Legal, LegalCraft iTranscend and Casemap.

- (f) Organized and co-hosted a training event for defence teams entitled “Expert Training Professional Ethics and Disciplinary Proceedings for Defence at International Criminal Tribunals”.
- (g) Participated in the Working Group on Intermediaries, the Working Group on Victims’ Issues, the eCourt Working Group, the Hague Working Group (for certain issues), and the Steering Committee for the Case Law Database.
- (h) Participated in focus groups on and, where requested, consulted in the development of the permanent premises space; and engaged in preparations for the 2015 move.
- (i) Participated actively in the *ReVision* project.

(c) *Office of Public Counsel for Victims*

156. For the Office of Public Counsel for Victims (OPCV), 2014 was the busiest year since its inception in terms of the fulfilment of its substantive mandate. The trend already observed in 2013, when the OPCV’s counsel were more frequently appointed by chambers as legal representatives/common legal representatives of victims in the proceedings, continued. As a consequence, while the workload in the provision of support and assistance to external counsel decreased throughout the year, the provision of legal representation to victims currently makes up the bulk of the work of the Office’s staff.

157. In 2014, the OPCV assisted the appointed external legal representative in *Ruto and Sang* on a daily basis, appearing in court, drafting submissions and providing legal advice, and the appointed external legal representative in *Kenyatta*, appearing in court, drafting submissions and providing legal advice. Moreover, the Office supported the external legal representatives appointed in *Banda, Katanga, Ngudjolo, Bemba and Lubanga* by providing advice on a variety of legal issues, including in preparation for and during hearings. The OPCV provided a total of 400 items of legal advice and/or research to counsel

158. Counsel from the OPCV provided legal representation for 5,277 victims participating in proceedings in situations and cases in 2014. In providing legal representation for victims, the Office filed written submissions and undertook 30 field missions in order to meet with its clients and be able to represent their interests effectively in proceedings. In this regard, it is worth noting that victims represented by the OPCV are located not only in the situation countries, but also in other African as well as European countries.

159. An important aspect of the provision of legal representation to victims was the appointment of counsel in the field, whose main responsibility is to maintain regular contact with victims and to inform them regularly about the progress of proceedings. The Office’s experience in the three cases in which this system has been implemented so far (*Gbagbo, Blé Goudé and Ntaganda*) shows that it strengthens the effectiveness of victims’ participation and addresses their needs efficiently. Victims have indicated that they are satisfied with the system in place and have expressed appreciation for the efforts made to meet with them close to where they reside.

160. Apart from the three cases mentioned above, the OPCV remains appointed to protect the rights and interests of victims having communicated with the Court within the framework of the proceedings under article 19 of the Rome Statute in *Gaddafi* and in *Simone Gbagbo* and to provide legal representation in *Kony et al.*, with two counsel (one representing the victims authorized to participate in the situation and one representing the victims authorized to participate in the case).

161. The OPCV also continued to defend the interests of victims by working to raise general awareness on victims’ issues by, among other activities, participating in conferences and seminars together with other Court staff and contributing to available documentation, including with regular updates to the OPCV Manual.

## 5. Victim participation and reparations

162. A total of 1,520 new applications for participation in proceedings were received in 2014 by the VPRS, which acts as the entry point for victim applications. The largest number of applications received during the year related to participation in the two Kenya cases (724 application forms for participation). During the year, the VPRS also received 935 applications for reparations, mainly in relation to the DRC (296), Côte d'Ivoire (250) and Mali proceedings. Despite the lack of procedural activities in relation to the situations in Mali and on Registered Vessels of the Union of the Comoros, the Hellenic Republic and the Kingdom of Cambodia, the VPRS received 119 requests for participation and 212 requests for reparations from victims in relation to the former, and 92 requests for participation and 99 requests for reparations in relation to the latter. Due to the volatile security situation in the CAR, the VPRS received only 11 requests for participation and 12 requests for reparations.

163. A total of 2,745 victims were authorized to participate in the various proceedings: 1,120 in *Nataganda*, 470 in *Blé Goudé*, 581 in *Ruto and Sang* and 574 in *Kenyatta*.

164. In addition to processing applications received from victims and filing them, together with reports, with the relevant chambers in accordance with chambers' instructions, the Section's staff in The Hague carried out numerous other activities. These included managing documentation received and filing documents in the record when so ordered, providing support to victims' legal representatives, assessing new situations and cases opened and providing information and recommendations to chambers in response to judicial developments and orders.

165. During 2014, the VPRS filed 66 reports on victims' applications and other reports and documents with chambers and prepared 214 other important communications relating to proceedings which were sent to chambers, legal representatives of victims and others. During the year, the VPRS also organized field activities in the DRC, Kenya, Uganda and Côte d'Ivoire. A total of 19 missions took place this year. The Section's field activities focused on identifying potential victims in situations and cases, providing accurate information on victim participation and reparations before the Court, making available copies of the standard application forms, collecting completed applications and following up on incomplete applications, providing training and support to intermediaries assisting victims who have engaged with the Court and providing support to legal representatives of victims. Staff based in the field and in The Hague participated in preparing key messages to be disseminated in the field in response to judicial developments and took part in a number of field missions.

166. However, a number of missions and activities planned for 2013 could not be conducted for security reasons and had to be cancelled, particularly in the Central African Republic. It was not possible to carry out all planned field activities, owing to staff shortages and competing priorities. Available staff resources were therefore focused on implementing Court orders relating to specific judicial proceedings within time limits set by chambers.

167. Two major exercises were carried out by the VPRS during the year:

- (a) facilitating victim participation in the pre-trial proceedings relating to *Blé Goudé* (Côte d'Ivoire) (collection and transmission of applications and reports on those applications in June and July for the confirmation of charges hearing);
- (b) meeting, together with the common legal representative, more than 300 victims in *Katanga* (DRC) in order to consult them and submit a report to the Chamber in December with updated information regarding their requests for reparations, on the basis of a questionnaire developed so as to allow the recording of the victims' views on reparations measures of various types.

168. Kenya was again a major focus of VPRS activities during 2014. The Registry worked in cooperation with the common legal representatives to organize several missions in the field to meet victims already registered or newly registered in both cases and to prepare reports to the Chamber on the general situations of victims, on security issues and on the activities of the Registry and of the legal representatives in the field. During the year, 724 new victim application forms were received.



169. In the situation in the Central African Republic, the VPRS notified 195 applications for reparations to the Defence in the trial proceedings in *Bemba* during the first quarter of the year. The VPRS also worked on redacted versions of annexes to several decisions granting victim status issued by Trial Chamber III, thus allowing redacted versions of these to be made public.

170. The VPRS continued to carry out its routine activities. In the situation in Mali, the VPRS continued preparatory work to map the victims in the situation and develop a network of reliable intermediaries. The Section continued developing its database, particularly in preparation for the *Katanga* report on reparations, thereby improving the overall efficiency and reliability of the work of the Section.

## 6. Victims and witnesses

171. In 2014, the review of the structure and working practices of the VWS continued under the *ReVision* project. In July 2014, a new Chief and a new Deputy Chief/Head of Protection joined the Court. With their arrival, temporary changes were implemented and experimental teams were put in place to foster effective and efficient workflows.

172. Meanwhile, work continued on devising a new structure for the Section, which was unveiled by the Registrar in early December 2014. In addition, it was decided that the hitherto-named Victims and Witnesses *Unit* should be referred to as a *Section* from then onwards. The restructuring process has now entered its final phase and should be completed by mid-2015.

173. In the meantime, the VWS continued performing its usual activities. The Section facilitated the appearance of a total of 26 witnesses before the Court in 2014. Of the 20 prosecution witnesses who testified in the *Ruto and Sang* trial, 15 came to testify at the seat of the Court in 2014, while the other five testified via video-link after being summonsed to appear by Trial Chamber V(a). The VWS also facilitated the appearance of a Prosecution witness who was re-called by Trial Chamber III in *Bemba*, as well as two defence witnesses in the appeal phase of the Lubanga case (both testified via video-link). Finally, one prosecution witness and two defence witnesses testified in *Katanga*, via video-link.

174. The maximum duration of stay per visit per witness or victim at the seat of the Court in 2014 was 25 days, in *Ruto and Sang*.

175. The VWS provided psychosocial and other support services to the 26 witnesses who appeared before the Court. This included preparation for travelling to the seat of the Court to testify, preparation for testimony and familiarization with courtroom procedures as well as vulnerability assessment for the purpose of advising the chamber on the need for special measures pursuant to rule 88 of the Rules.

176. In total the VWS provided protection measures for almost 650 individuals (including more than 100 protected individuals and their dependants) in 2014. For all protection referrals a protection assessment of the applicants and, in some cases, their dependants was conducted in the field. The VWS conducted 45 psychosocial assessments of witnesses and victims, and their dependants when applicable, to decide on their inclusion in the protection programme or to develop exit strategies with them to allow them to leave the programme and become self-sustaining.

177. In its interactions with chambers in 2014, the VWS submitted or provided expert input for 65 Registry filings: one filing in *Ngudjolo*, one filing in *Katanga*, 28 filings in *Bemba*, 22 filings in *Ruto and Sang*, one filing in *Gbagbo*, five filings in the *Ntaganda*, four filings in *Bemba et al.*, one filing in *Blé Goudé*, one filing in the situation in Kenya, and one filing in *Banda*. Additionally, the VWS submitted a further 70 reports to chambers by email. The VWS appeared upon request at hearings before the Court on seven occasions.

178. The VWS participated in the negotiation and conclusion of two relocation agreements between the Court and States Parties for the relocation of participants in the Court's protection programme and is currently negotiating with 45 States with a view to concluding additional relocation agreements.

## 7. Public information and outreach

179. In 2014, the Public Information and Documentation Section (PIDS) continued to raise awareness and promote understanding of the Court's mandate and work, primarily among communities affected by cases heard before it. It also engaged with key stakeholders, such as legal communities, academics, non-governmental organizations, journalists and global audiences, through specific programmes, with the ultimate objective of increasing international support for the Court.

180. The Court kept affected communities informed about the relevant judicial developments in cases in situations in the CAR, Cote d'Ivoire, the DRC, Kenya and Uganda. Outreach meetings were regularly conducted in almost all of the above-mentioned countries, with the exception of the CAR, where, despite security challenges, Court radio programmes on judicial developments in the *Bemba* trial and the new OTP investigation were broadcast locally, although intermittently. In that country, security conditions did not permit the Court to hold meetings and workshops directly with the affected communities. In Côte d'Ivoire, the Court's outreach activities focussed on holding meetings and training sessions with NGO representatives and journalists. In the DRC, outreach activities were carried out with a view to managing affected populations' expectations of the proceedings in *Lubanga* and *Katanga* at the stages they had then reached, including with regard to potential reparations. In Kenya, radio and television broadcasts played a prominent role in keeping national audiences abreast of judicial developments in the two cases. In northern Uganda, the Court held meetings with affected communities, resolving misunderstandings on possible reparations to victims. Also, the Court announced to its partners that regular outreach activities would cease in 2015, owing to a lack of judicial developments in the Uganda situation for a number of years because the arrest warrants remained outstanding and to the Court's need to prioritize its limited resources. However, in January 2015 the Court reversed its decision following the surrender of Dominic Ongwen, the alleged brigade commander of the LRA's Sinia Brigade, who was the subject of an outstanding warrant of arrest issued by the Court on 8 July 2005.

181. The Court has continued monitoring the level of understanding of regular sample groups. This is done by maintaining records of questions asked by participants during face-to-face meetings. A question log is kept by outreach officers in an internal database. Using this system, information needs are identified, and communication content and strategies are developed accordingly. The database is currently under review and therefore unavailable, so it has not been possible to obtain data from it for the present report.

182. The Court continued to publicize judicial proceedings in order to make accurate information accessible to global audiences and enhance understanding of the Court, its mandate and its activities among the general public and key target groups, with the ultimate objective of eliciting broader support. Through efficient use of digital tools and audio-visual products, the Court responded in a timely and cost-effective manner to the needs of the media and the general public.

183. The Court's official website remained one of the key tools in providing timely information to global audiences. With 1,795,000 visitors in 2014, the Court's website serves not only as a means of distributing publications – including official documents, press statements and other materials – but also as the platform for streaming all public hearings. A total of 23,755 visitors accessed the Court's streaming services in 2014, representing an increase of 19 per cent on 2013.

184. In 2014, the Court started overhauling its current website with a view to launching a new website in both French and English in 2015. With the assistance of an external consultant, the Court conducted an extensive review of the use of its website and in-depth consultations on its users' needs. On the basis of this in-depth feedback, it has started designing a new platform which will take a user-centred approach, offering simplified navigation, design and content and working across all devices.

185. In addition, the Court strengthened its public presence on Twitter, which has proved to be an efficient way of distributing information in a timely and cost-effective manner and reaching a wider global audience. The Court's Twitter audience increased by 48.5 per cent, to approximately 119,000 followers worldwide.

186. The Court also continued to use traditional media (radio, television and print). A total of 127 press releases and other items of information material were distributed in 2014 to a mailing list of more than 3,500 journalists and other stakeholders around the world. Some 1,671 interviews were conducted with officials of the Court at Headquarters and in the field. As a result, information produced by the Court, particularly relating to judicial developments in the situations in Kenya, Côte d'Ivoire and the DRC, was widely reprinted in leading newspapers and magazines and often broadcast on television and radio, both at the national level in the countries concerned and by international media organizations.

187. The Court expanded its audio-visual production output. Images and sound from the courtroom, press conferences, statements by and interviews with Court officials, and recordings of other Court events as well as tailored audio-visual programmes reached audiences on all continents and, especially, in situation countries. A total of 380 audio-visual programmes were disseminated to international, regional and local media for further distribution and broadcast, and 330,976 download requests were received. Most audio-visual products were uploaded to the Court's YouTube channel and were viewed 913,586 times in 2014, nearly three times the 309,248 views recorded in 2013.

188. The number of requests for visits to the Court's headquarters remained at a similar high level as in 2013, which was a result of the Court's greater international prominence. This greater prominence can be discerned in the significant increase in the number of VIP visits, made by figures who were interacting with the Court's officials in support of efforts to achieve universal application of the Rome Statute system, increase cooperation and strengthen national capacities in different areas; and in the increase in the number of stakeholder visits. The purpose of stakeholder visits is to brief key groups which come to the Court as part of training programmes organized and funded by national governments, embassies, NGOs and other relevant third parties.

189. It was possible to accommodate the high number of general information visits and visitors mainly because of the return of full-time of staff members from sick leave and the recruitment of a Protocol and Events Assistant using GTA.

190. The number of visitors to hearings increased slightly, mainly because of the Kenya hearings. It should, however, be noted that the PIDS is dependent on the judicial calendar and has no active influence on the number of visitors attending hearings.

191. The significant increase in the number of events can mainly be attributed to the centralization of the organization of seminars and round tables, held both at Headquarters and in other locations, with the aim of engaging with key stakeholders to increase cooperation on many different matters. Through the organization of the final rounds in four moot courts (in Chinese, English, Russian and Spanish), the Court furthermore reached out to a large community of international criminal law students around the globe, allowing them to use simulated cases before the Court to practice what they had learnt.

## **8. External relations and cooperation**

192. In 2014, the Registry drafted or reviewed 161 primary requests for cooperation including 22 requests to facilitate the work of defence teams, and drafted or reviewed 110 reports to the relevant chambers. The Registry facilitated the signature of the first agreement on interim release, with Belgium, and continued its efforts to secure a higher number of relocation agreements, including by entering into an agreement with the United Nations Office on Drugs and Crime (UNODC), and to promote other defence-related agreements. Upon request, it provided various sections with input on cooperation and supported the work of the Registry during specific operations.

193. In addition to constant interaction with States' representatives and relevant stakeholders, the Registry participated, together with the other organs, in organizing and actively attended and co-hosted various cooperation-related events, such as the European Union-International Criminal Court round table, United Nations-International Criminal Court round tables, African Union-International Criminal Court seminars, seminars for focal points, NGO round tables and three regional seminars on cooperation in Africa and Latin America aiming at developing new partnerships and strengthening cooperation and the exchange of information with existing partners. The Registry organized two side events during the

Assembly of States Parties, on the freezing of assets and on the protection of witnesses, with a view to eliciting support among States on these critical issues, which fall under the Registry's mandate. It also contributed to the report to the United Nations and the Assembly of States Parties on cooperation and represented the Registry in the Hague Working Group discussions on cooperation. The Registry continued to coordinate its efforts with the other organs to ensure consistency in the various actions and messages of the Court wherever possible, sharing knowledge and optimizing the visits of the heads of organs.

## 9. Field operations

194. In 2014, the Field Operations Section (FOS) was faced with a number of unforeseen events which, naturally, were not included in the assumptions for the year; namely, a further deterioration in the political and security situation in the CAR, the opening of a new situation in the CAR, the surrender of Mr Blé Goudé by Côte d'Ivoire and the return to Kinshasa of the three Congolese detained witnesses. In the CAR, emergency measures were taken in cooperation with United Nations Integrated Peacebuilding Office in the Central African Republic (BINUCA) to ensure the safety of local personnel and secure assets. Further to the decision by the OTP to open a new investigation, cost-effective feasibility studies were conducted in view of the re-establishment by the Court of a field presence in Bangui. While the Abidjan office was still in the process of being set up, it nevertheless played a key role in obtaining the cooperation of the relevant stakeholders for the surrender of Mr Blé Goudé.

195. Overall, as anticipated in paragraph 320 of the 2014 programme budget,<sup>7</sup> a field presence was maintained in six locations. The highlights of their key activities are detailed below.

196. The Kampala office continued to support residual activities related to outreach, victims and the Trust Fund for Victims (TFV) as well as the Court's operations in the eastern DRC and Kenya.

197. The Kinshasa and Bunia offices faced increased workload, in particular as a result of the OTP's forensic operations, which required the assistance of local authorities and MONUSCO. Both offices continued to engage with the government, ensuring timely responses to judicial cooperation and assistance requests in the pending cases, including for consultation on possible *in situ* proceedings in *Ntaganda*.

198. In line with the judicial developments in the Kenyan cases, the number of field activities increased, having a substantial impact on the workload of the Nairobi field office. The office communicated regularly with the authorities to secure responses to the Court's requests, in particular for the purposes of facilitating the appearance of witnesses via video-link. Relevant stakeholders were also kept abreast of judicial developments, as a means to foster their support for in-country operations.

199. In Côte d'Ivoire, the Abidjan office provided support for activities in the three Ivorian cases. Given the limited personnel, its Field Office Manager continued managing the office remotely while deployed in Bamako, primarily in support of the OTP's investigative activities.

200. In the area of external relations, FOS led the conclusion of memoranda of understanding with MINUSMA and the Malian authorities. The Section also led preparations and support for field missions by the Committee, the *ReVison* team and the Registrar. A seminar was held for focal points for judicial cooperation and assistance in situation countries to reinforce cooperation with these key partners.

201. The total number of notifications and decisions and requests for judicial cooperation and assistance for which the Section secured the cooperation of national authorities (136) breaks down as follows: DRC (36), Kenya (87) and Côte d'Ivoire (13). This represents an overall increase of 31 per cent on the previous year.

<sup>7</sup> *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Twelfth session, The Hague, 20-28 November 2013 (ICC-ASP/12/20), vol. II, part A.*

## 10. Human resources

202. In 2014, the Court continued to focus on a number of strategic and operational areas of human resources. Information on human resource-related activities is provided separately in the report of the Court on human-resource management for 2014.

### (a) *Security and safety*

203. In 2014, the Security and Safety Section (SSS) continued to manage and ensure the security and safety of Court personnel, assets and information, both at Headquarters and in the field. The Section provided security for Court proceedings in accordance with the hearing schedule and chambers' decisions. The Personnel Security and Investigations Office (PSIO) processed 1,197 files relating to the issuance of Personnel Security Clearances (PSCs), which corresponds to an increase of 3.3 per cent on the previous year. This procedure was applied to all new personnel joining the Court on established posts and all temporary position categories in full compliance with the Administrative Instruction on Personnel Security Clearance. The PSIO also assisted in several internal investigations (preliminary investigations and fact-finding enquiries) directly related to 15 staff members. In the field, the Section ensured that all relevant security and safety risks to Court personnel, assets, information and premises were managed appropriately in accordance with the Court's protocols and relevant security and safety guidelines. Security support was provided for 780 missions in the eight situation countries, and the Court's elected officials were provided with close protection and security liaison services for seven missions. The SSS also supported one transport mission involving an accused person. The Section continued to develop its information-gathering and -analysis capability by training relevant personnel and reorganizing its analysts' areas of responsibility. Following the positive input received from previous participants in the "Safe and Secure Approaches in Field Environments" (SSAFE) courses, the two courses delivered in collaboration with the host State military in the Netherlands in 2014 contributed to reinforcing staff awareness in the area of safety and security.

204. In fulfilment of its responsibility for information security, the Section expanded the portfolio of services it offers the OTP and VWS for systems with a heightened need for security. Forensic services are now provided for more internal clients and are tailored to their specific needs. As part of its normal operations, the Section assessed a number of technologies, processes and practices in order to identify and mitigate potential risks of breaches of the confidentiality of sensitive information and ensure their correct application at the Court. In its incident-management role, the Section investigated a range of security incidents, involving data leaks and the abuse of systems and/or privileges. The Section updated its bi-annual report on the Court's risk appetite, including measures taken to enhance control over the reproduction and dissemination of sensitive information. However, owing to the forthcoming changes in the structure of the Registry as a result of the *ReVision* project, the Section postponed its submission, which will instead be made as part of a larger threat analysis in the first quarter of 2015.

### (b) *Information and communication technologies*

205. The ICTS completed the migration of the e-mail infrastructure and the implementation of a secure communication system (provided by BlackBerry). It also maintained its level of service despite an increase in activities in the field, with the provision of extended support for the use of video-conferencing services for the remote testimony of witnesses. ICTS also improved Internet connectivity and continued with the replacement of ICT infrastructure in the field offices.

206. In support of the business needs of the organization, ICTS assisted the OTP in putting in place its early case assessment solution for the Information and Evidence Unit (IEU) and in the completion of a major upgrade to the evidence analysis platform, Ringtail. The Section also actively participated in the selection of the witness case-management system for the VWS and the investigation management system for the OTP's Investigation Division.

207. In other areas of the Court, ICTS was involved in setting up an automated interface of staff master data for the United Nations Joint Staff Pension Fund (UNJSPF) and a

digital-signature solution to automate signature-dependent processes. This solution is now integrated into the Court's eFiling solution to enable digital signing of court records submitted through this tool and published on the Court's website.

208. Another key area of activity for the Section was the extensive work on the detailed design of the ICT infrastructure for the permanent premises and the planning review of activities related to the move.

## 11. Procurement

209. The Court has signed a contract with a commercial contractor ensuring the best discounted rates for Microsoft maintenance services. The agreement ensures the application of the Microsoft/United Nations Custom Business Agreement, which allows the Court to purchase licenses and maintenance services under a special volume-licensing programme that has more generous discounts than Microsoft's standard licensing programme. The price the Court pays for Microsoft licences falls into the highest discount category and includes additional discounts available to organizations in the United Nations system.

210. In support of field operations, the Court conducted tenders for the provision of aircraft for transporting detainees and Court officials. However, significant savings (25 per cent) were realized through cooperation with the Belgian Air Force, which provided flights to meet the Court's needs.

211. Maintenance of the Court's premises has been provided for under the agreements between the owner of the interim premises and the maintenance contractor, which were the result of a tendering process conducted by the *Rijkgebouwendienst* (RGD) [Dutch Government Housing and Construction Agency].

212. The following additional information on procurement-related activities at the Court is provided in Annex IX to this report: an overview of the Court's procurement activities in 2014, an overview of the Court's total expenditure in 2014 by country, a list of main goods and services purchased in 2014 by country of origin and a list of the twenty largest expenditures in 2014 by country of origin.

## 12. Liquid funds

213. The Court reports on the investment of its liquid funds, compliance with the investment policy and the performance of investments in 2014.

### (a) *Compliance with the current investment policy*

214. In 2014, the Court fully met the criteria for the banking selection and investment limits in compliance with Administrative Instruction ICC/AI/2012/002 on the Investment of Surplus Funds (section 9.3: Banking Selection and Investment Limits), which states that no more than a third of the cash assets should normally be invested in one institution. The Court continued to prioritize the security of its funds while ensuring that liquid funds were invested with a view to receiving a high rate of return wherever possible.

215. The Court watches the markets closely and obtains recent credit-risk evaluations from credit-rating agencies to ensure the high credit-worthiness of all the Court's banking relationships. The Court keeps its funds with banks that have the highest short-term credit ratings and places them geographically in countries that have high (AAA or AA) credit ratings, in accordance with the ratings given by Standard & Poor's, Moody's and Fitch credit rating agencies.

### (b) *Return on investments*

216. Between 1 January and 31 December 2014, the Court held an average monthly cash balance, including the General Fund, Working Capital Fund, Contingency Fund, Permanent Premises Project, trust funds and the Trust Fund for Victims, of approximately €80.8 million. Of this sum, on average, €26 million was held with respect to the approved

programme budget, excluding the Working Capital Fund, the Contingency Fund, funds held for long-term employee benefit liabilities and funds seized from accused persons.

217. In 2014, the European Central Bank (ECB) base interest rate fell to a record low of 0.05 per cent (see Annex 1). The Court's average interest rate yield was 0.55 per cent in 2013 and 0.38 per cent in 2014. The decrease of 0.17 percentage points on the average interest rate yield is in line with the 0.20 percentage-point reduction in the ECB base rate during 2014. In the existing financial environment, considering the impact of central bank policies on returns, a total return on all funds of €269.0 thousand (excluding the Trust Fund for Victims) and of 0.38 per cent can be considered satisfactory.

(c) *Future trend and investment strategy*

218. The Investment Review Committee will continue to meet quarterly to discuss performance, analyse current market conditions and provide guidance to the Treasurer. The Court is risk averse and will continue to have preservation of its funds as the first priority. Considering recent ECB monetary policy decisions, it is unlikely that the Court will be in a position to achieve better returns in 2015. The Court will continue striving to generate and optimize returns in a difficult market while safeguarding funds by adhering to its strict policies on the investment of surplus funds.

**13. Annual inventories**

219. A full physical check of assets was performed by members of the General Services Section ("GSS") at Headquarters in the last two months of 2014. In order to ensure a full inventory of the field offices is carried out at least every two years, two GSS staff members visited and inventoried the Nairobi (Kenya) and Bunia (DRC) offices. In addition, a follow up visit to Kampala (Uganda) was performed. Asset inventories at all other field offices have been performed by field office managers in coordination with Headquarters. The results have been processed and the database updated. Follow-up procedures are ongoing. Those field offices not visited by GSS staff in 2014 will be inventoried by the Section in 2015, where possible.

220. In accordance with usual practice and bearing in mind the pending move to the Court's new premises in 2015, the asset-management activities carried out in 2014 were aimed at maximizing the useful life of existing assets. As at 31 December 2014, a total of 8,531 asset items were in use, with an acquisition value of €6.3 million, including assets acquired in 2014 at a cost of €1.18 million. Assets with a value of €1.24 million were written off in 2014 owing to obsolescence, damage, loss or theft. These also included assets reclassified as disposable in implementation of the Court-wide consolidated central database of assets.

221. Administrative Instruction ICC/AI/2014/001 on Property and Assets Management was published in October 2014 in support of IPSAS and the implementation of audit recommendations.

**D. Major Programme IV – The Secretariat of the Assembly of States Parties**

222. The Secretariat continued to provide substantive and conference services for the Assembly and its subsidiary bodies in 2014.

**Assembly of States Parties and its subsidiary bodies**

223. Significant achievements of the Secretariat in 2014 included the following:

- (a) Organized and provided services for the thirteenth session of the Assembly, held in New York, for a period of eight working days.
- (b) Provided the Assembly and its subsidiary bodies with legal and substantive secretariat services, such as the provision of documentation, reports and analytical summaries, , including the preparation of documentation relating to the election of six judges, the election of six members of the Committee on Budget and Finance

and the election to fill a vacancy on the Committee, which had not been foreseen, and substantive and technical services for the third meeting of the Advisory Committee on Nomination of Judges;

- (c) Provided services for the subsidiary bodies of the Assembly, primarily the Bureau and its working groups, the Committee on Budget and Finance, the Study Group on Governance, the Working Group on Amendments, the Oversight Committee on the permanent premises and the Advisory Committee on Nominations of Judges;
- (d) Organized and provided services for two sessions of the Committee on Budget and Finance in The Hague, for a period of 15 working days;
- (e) Provided advice to the Assembly, the Bureau and their subsidiary bodies on legal and substantive issues relating to the work of the Assembly;
- (f) Discharged its mandate relating to the Plan of Action of the Assembly of States Parties for achieving universality and full implementation of the Rome Statute of the International Criminal Court pursuant to relevant resolutions, resulting in improved accessibility of information provided on the Assembly's website;
- (g) Discharged its mandate relating to complementarity, as set out in the relevant resolutions, including RC/Res.1,<sup>8</sup> ICC-ASP/9/Res.3,<sup>9</sup> ICC-ASP/10/Res.5,<sup>10</sup> ICC-ASP/11/Res.6<sup>11</sup> and ICC-ASP/12/Res.4.<sup>12</sup> This involved acting as liaison among States, the Court, international organizations and civil society; gathering information on complementarity activities and requirements and posting them on the Assembly's website; and maintaining the database of complementarity actors, which is available on the website;
- (h) Secured contributions to and managed the Trust Fund for the participation of the least developed countries and other developing States in the work of the Assembly, thus facilitating the participation of a total of 23 representatives in the thirteenth session of the Assembly;
- (i) Corresponded with governments, the Court, intergovernmental organizations, other relevant bodies, individuals and non-governmental organizations on matters relating to the work of the Assembly;
- (j) Managed the accreditation of non-governmental organizations for the thirteenth session of the Assembly and facilitating the participation of approximately 500 representatives of civil society in the thirteenth session; and
- (k) Assisted the President of the Assembly, including by providing legal advice on substantive issues relating to the work of the Assembly and its subsidiary bodies, making travel arrangements and facilitating attendance at various meetings and seminars.

224. In addition to the plenary meetings of the Assembly and the related informal consultations, the Secretariat provided services for 144 meetings as follows:

(a) Bureau.....	25
(b) Hague Working Group.....	48
(c) New York Working Group .....	15
(d) Working Group on Amendments .....	10
(e) Study Group on Governance.....	6
(f) Oversight Committee .....	20
(g) Committee on Budget and Finance .....	15
(h) Advisory Committee on Nominations ...	5

<sup>8</sup> *Official Records of the Review Conference of the Rome Statute of the International Criminal Court, Kampala, 31 May to 11 June 2010* (RC/11), part II.A.

<sup>9</sup> *Official Records ... Ninth session ... 2010* (ICC-ASP/9/20), vol. I, part III, ICC-ASP/9/Res.3, section II, para. 47.

<sup>10</sup> *Official Records ... Tenth session ... 2011* (ICC-ASP/10/20), vol. I, part III, ICC-ASP/10/Res.5, section II, para. 62.

<sup>11</sup> *Official Records ... Eleventh session ... 2012* (ICC-ASP/11/20), vol. I, part III, ICC-ASP/11/Res.6, para 10.

<sup>12</sup> *Official Records ... Twelfth session ... 2013* (ICC-ASP/12/20), vol. I, part III, ICC-ASP/12/Res.4, para 6.



225. The Secretariat processed a total of 401 documents and 8,514 pages (in the six official languages of the Assembly) for the thirteenth session, as follows:

- (a) Pre-session: 268 documents and 6,340 pages
- (b) In-session: 158 documents and 701 pages
- (c) Post-session: 13 documents and 2,320 pages

226. For the two sessions of the Committee, the Secretariat also processed a total of 727 documents and 5,595 pages, in the two working languages.

#### **E. Major Programme VII-1 – Project Director’s Office (permanent premises)**

227. Work continued to progress on the construction project in accordance with the programme. The Project Director’s Office coordinated the work of the project manager and the general contractor and regularly reported on the status of the project to the Oversight Committee.

228. The Project Director’s Office also led the work on the sub-projects of the Transition Project, in coordination with the relevant units and sections of the Court. The transition activities are on track to enable the Court’s move to the permanent premises in December 2015.

#### **F. Major Programme VI – Secretariat of the Trust Fund for Victims**

229. Performance indicators for Major Programme VI, Secretariat of the Trust Fund for Victims are provided in Annexe VII.

### **III. Cross-cutting issues**

230. Information on the realization of Court assumptions for 2005-2014 is provided in Annex XI.

#### **A. Transfers of funds**

231. In 2014, there were four transfers of over €200,000.

232. An amount of €350,000 was transferred from staff costs for the Deputy Prosecutor for Prosecutions to cover the shortage in staff costs in the Services Section for the period from October to December 2014.

233. An amount of €200,000 was transferred from staff costs in the Security and Safety Section to general temporary assistance in the Immediate Office of the Registrar for the costs of the *ReVision* project team.

234. An amount of €290,000 was transferred within STIC from general temporary assistance to staff costs to cover payroll costs for the period from November to December 2014 resulting from a lower vacancy rate.

235. In order to cover the missions/trips and legal fees for defence teams, a transfer of €300,000 was made from counsel for victims to counsel for defence within the Counsel Support Section.

#### **B. Strategic plan and risk management**

236. During the year, the Court focused on the further implementation of the tools previously created for the strategic planning and risk management of the Court. The Court continued to implement its Strategic Plan 2013-2017 as presented at the eleventh session of the Assembly. In particular, the strategic plan was used during the drafting process of the Court’s 2015 programme budget and references to it can be found consistently throughout that document with clear connections between the strategic objectives and the yearly targets. The new format of the strategic plan introduced in 2012 includes performance measures which enabled the Court to monitor its implementation at the same time as reviewing implementation of the budget. In parallel with these activities the Court continued to review

its strategic plan, in order to give more accurate and precise strategic direction to the 2016 proposed programme budget drafting activities. These interrelated activities of planning, acting, monitoring and reviewing the strategic plan and the operations of the Court will continue pending the development of the successor strategic plan.

237. With regard to the risk management activities performed at the Court, the absence of dedicated funding continued to be a major constraint for the continuity and exhaustiveness of the exercise. As explained in previous performance reports, the Court is not able to implement the formal risk management process that was established by senior management in 2011. However, aware of the crucial importance of risk management activities, the Court has developed an interim plan by means of which a more limited approach to risk management can still be implemented. This approach has led to the completion of a high level Court-wide approved risk register, which was used in 2014 as a basis for the identification of risk-control and -mitigation strategies. The Court will continue its risk management efforts on this basis and seek to further strengthen the process in the near future.

### C. Efficiency measures

238. The Court sought further efficiencies during 2014, which resulted in significant savings. Given the scale and importance of the work done, the following separate ad hoc reports are being submitted for the Committee's consideration at its twenty-fourth session:

- (a) Report on the measures implemented by the Office of the Prosecutor to achieve savings of 2.0 per cent on the funds allocated to its Investigation Division in the 2014 budget; and
- (b) Final report of the Registry on its achievement of savings in the approved programme budget for 2014.

239. These reports provide an insight into the efforts made by the OTP and the Registry during 2014 to achieve efficiencies. In addition, in 2014 the Court continued undertaking important projects that will further enhance its efficiency gains. The Registry continued the *ReVision* project, the results of which are also being submitted for the Committee's consideration. Likewise, the OTP continued to assess the activities and resources required to allow it to discharge its mandate in a manner that is effective and consistent with its strategic plan and the Rome Statute. These combined efforts by the organs of the Court are contributing to further efficiencies and are being documented and reported on to the Committee separately.

## IV. Budgetary performance 2014

### A. Overview of the budgetary performance of the Court

240. The actual implementation rate for the Court in the programme budget is 96.5 per cent, or €17.41 million, against the approved budget of €21.66 million. The Court's implementation rate has increased by 0.7 percentage points compared to last year's 95.8 per cent.

241. The Court submitted a total of six notifications to the Committee for potential access to the Contingency Fund pending full utilization of the Court's programme budget, in a total amount of €5.12 million. On 10 October, however, the Court notified the Committee of the revised estimates of total resource requirements, at €3.82 million, a decrease of €1.30 million due to the revision of two Contingency Fund notifications. This was a result of unforeseen investigative and prosecutorial activities related to offences against the administration of justice under article 70 of the Rome Statute in the situations in Kenya and the Central African Republic. At year-end, the Contingency Fund notifications were implemented at 61.7 per cent, or a total of €2.35 million, against the total revised Contingency Fund notification of €3.82 million. The Contingency Fund notifications are detailed at paragraph 269.

242. On a consolidated basis, the Court implemented the budget at a rate of 95.4 per cent, or €19.76 million, against the consolidated budget amount of €25.47 million, including the total revised Contingency Fund notification of €3.82 million. Of the approved budget of €21.66 million, the expenditure of €19.76 million equates to 98.4 per cent

implementation. Therefore, the Court expects to absorb all additional expenditure included in the Contingency Fund notifications within its programme budget, subject to completion of the external audit certification.

## B. Budget performance for the programme budget

243. At year-end 2014, the Court had implemented its budget at a rate of 96.5 per cent, or a total of €17.41 million, against the approved budget of €21.66 million, an increase of 0.7 percentage points on last year's implementation rate of 95.8 per cent. Table 1 below provides a summary of the implementation of the programme budget by major programme and programme.

**Table 1: Budget Performance 2014 by Major Programme and Programme (amounts in thousands of euros)**

<i>Major programme / programme</i>	<i>Approved budget 2014</i>	<i>Actual expenditure* 2014</i>	<i>Variance</i>	<i>Implementation rate (%)</i>
	[1]	[2]	[3]=[1]-[2]	[4]=[2]/[1]
<b>Major Programme I</b>				
<b>Judiciary</b>	<b>10,045.8</b>	<b>10,021.6</b>	<b>24.2</b>	<b>99.8</b>
The Presidency	1,400.7	1,240.2	160.5	88.5
Chambers	8,326.9	8,513.2	-186.3	102.2
Liaison Offices	318.2	268.1	50.1	84.3
<b>Major Programme II</b>				
<b>Office of the Prosecutor</b>	<b>33,220.0</b>	<b>32,167.8</b>	<b>1,052.2</b>	<b>96.8</b>
The Prosecutor	7,542.8	7,845.8	-303.0	104.0
Jurisdiction, Complementarity & Cooperation Division	3,220.1	2,893.3	326.8	89.9
Investigation Division	14,334.1	14,027.9	306.2	97.9
Prosecution Division	8,123.0	7,400.7	722.3	91.1
<b>Major Programme III</b>				
<b>Registry</b>	<b>66,293.0</b>	<b>64,186.9</b>	<b>2,106.1</b>	<b>96.8</b>
Office of the Registrar	18,968.4	18,039.8	928.6	95.1
Common Administrative Services Division	20,363.6	20,582.4	-218.8	101.1
Division of Court Services	20,788.2	19,868.7	919.5	95.6
Public Information and Documentation Section	3,776.6	3,456.0	320.6	91.5
Independent Offices and Special Projects	2,396.2	2,240.0	156.2	93.5
<b>Major Programme IV</b>				
<b>Secretariat of the Assembly of States Parties</b>	<b>2,843.6</b>	<b>2,229.2</b>	<b>614.4</b>	<b>78.4</b>
<b>Major Programme V</b>				
<b>Interim Premises</b>	<b>5,900.7</b>	<b>5,900.7</b>		<b>100.0</b>
<b>Major Programme VI</b>				
<b>Secretariat of the Trust Fund for Victims</b>	<b>1,585.8</b>	<b>1,425.7</b>	<b>160.1</b>	<b>89.9</b>
<b>Major Programme VII-1</b>				
<b>Project Director's Office</b>	<b>1,283.2</b>	<b>1,235.2</b>	<b>48.0</b>	<b>96.3</b>
<b>Major Programme VII-2</b>				
<b>Permanent Premises Project – Interest</b>	<b>110.8</b>	<b>111.9</b>	<b>-1.1</b>	<b>101.0</b>
<b>Major Programme VII-5</b>				
<b>Independent Oversight Mechanism</b>	<b>373.3</b>	<b>127.4</b>	<b>245.9</b>	<b>34.1</b>
<b>TOTAL</b>	<b>121,656.2</b>	<b>117,406.3</b>	<b>4,249.9</b>	<b>96.5</b>

\* Expenditure in 2014 is based on preliminary, unaudited figures which are subject to change.

244. The Judiciary almost fully implemented its approved budget of €10.05 million, with an implementation rate of 99.8 per cent. This is an increase of 11.7 percentage points compared to that of 88.1 per cent in 2013. The overspend in Chambers is due to the increased costs of the pension scheme for judges, which resulted in an implementation rate for judges' costs of 115.2 per cent. The shortfall was covered by savings made in Chambers' own staff costs for established posts and GTA and the redeployment of the funds from two other programmes from staff costs for established posts and GTA and from non-staff resources such as travel and general operating expenses.

245. The OTP's implementation rate rose to 96.8 per cent, an increase of 0.9 percentage points compared to that of 95.9 per cent in 2013. The corresponding actual expenditure was €32.17 million, against the approved budget of €33.22 million. The savings were generated in staff costs for established posts and GTA, implemented at 92.8 per cent and 88.4 per cent, respectively, and partially redeployed to cover various non-staff costs needed, in particular, in two programmes, the Prosecutor and the Investigation Division (ID). Funds were redeployed to the Prosecutor to cover outsourcing of translations in contractual services and the purchases of investigation-related ICT equipment licenses in equipment including furniture, resulting in an overspend of its budget at an implementation rate of 104.0 per cent. Funds were also redeployed to the ID to cover the costs of travel in relation to investigation efforts and to support increased activities in relation to missions and witness interviews, in addition to the movement and relocation of witnesses under protective measures in line with the new strategy of the OTP for field-related operations.

246. The Registry implemented its budget at a rate of 96.8 per cent, or €64.19 million, against the approved budget of €66.29 million. This is slightly lower than last year's implementation rate of 97.2 per cent. Accordingly, the Registry achieved final savings of €2.11 million, or 3.2 per cent, exceeding the savings requested by the Assembly.<sup>13</sup> These savings take into account all unforeseen activities carried out by the Registry in 2014 which were notified for potential access to the Contingency Fund, as well as the 2014 costs related to implementation of the *ReVision* project, and are detailed in the report of the Registry on its achievement of final savings in the approved programme budget for 2014, which is being submitted to the Committee for consideration at its twenty-fourth session. They were achieved as a result of a continuous review and scrutiny of expenditure plans and reprioritization of activities. Major savings were found in the following three programmes: the Office of the Registrar (OTR), the Division of Court Services (DCS) and the PIDS. In the OTR, savings of €1.16 million were realized in legal aid in the Counsel Support Section, in particular for counsel for victims in the situations in the DRC, Sudan and the CAR, and from various budget lines in the SSS, owing in large part to prioritization of funds, which were partially redeployed to cover the field-related activities and staff costs incurred to support the *ReVision* project. The DCS achieved the saving in STIC and VPRS. STIC generated savings in GTA relating mainly to language needs linked to various developments in cases before the Court. VPRS generated savings in GTA, resulting from two vacant GTA positions in Kenya due to security issues and the appointment of some positions at lower levels, and in contractual services, resulting from the prioritization of resources. PIDS generated savings resulting, in part, from the prioritization of funds in contractual services. The Common Administrative Services Division (CASD) shows an overspend of approximately €200 thousand, which is mainly due to *ReVision*-related costs.

247. The Secretariat of the Assembly's low implementation rate of 78.4 per cent, a decrease of 19.5 per cent compared to the 97.9 per cent implementation rate in 2013, was due to the following: (i) in addition to the high annual average vacancy rate (44.4%), two professional staff were on special leave without pay and covered by staff at a lower level in staff costs for established posts; (ii) one GTA position at professional level remained vacant; (iii) there was a gradual shift to hiring translators with off-site contracts, which has resulted in considerable savings in temporary assistance for meeting; and (iv) an enhanced paper-light approach was pursued, through reduced printing of documentations for the Assembly session, resulting in savings in contractual services.

248. Interim premises, which accounts for payments for the rent and maintenance of the Court's interim premises, has completely exhausted its approved budget of €5.90 million.

<sup>13</sup> *Official Records ... Twelfth session ... 2013* (ICC ASP/12/20), vol. I, part 3, ICC-ASP/12/Res. 1, section H, para 3.

In addition, there was a need for €0.12 million for the maintenance costs related to the interim premises towards the end of the year, which was absorbed into the programme budget under general operating expenses in the General Services Section (GSS), which is in charge of the interim premises.

249. The implementation rate of the Secretariat of the TFV was 89.9 per cent, a decrease of 0.7 percentage points compared to the implementation rate of 90.6 per cent in 2013. The low implementation rate was mainly the result of the following two areas: (i) less utilization of consultancy, due to delays in reparation proceedings and in situation assessments; and (ii) fewer missions, due to the absence of one professional staff member, who was on special leave without pay, and the arrival of another professional staff member in mid-2014, resulting in underspending in travel.

250. The Project Director's Office (PDO) implemented its budget at a rate of 96.3 per cent. The implementation rate 67.7 per cent in 2013. Figure 1 below provides an overview of costs incurred by the Permanent Premises Project by section, namely the SSS, the GSS, the ICTS and the PIDS. The budget for Staff Resources and Management Support costs was implemented at a rate of 90.6 per cent.

**Figure 1: Project costs incurred for Staff Resources and Management Support in the Project Director's Office (amounts in thousands of euros)**

<i>Section/item</i>	<i>Approved budget 2014</i>	<i>Actual expenditure 2014 *</i>	<i>Justification</i>
Security and Safety Section (equiv. of 2 GTA positions)	91.8	111.6	One GTA staff member covering the work of section staff working on the construction and transition projects plus optimizing staffing capacity planning project and specialized e-learning training activities to reduce transition staff costs
General Services Section (equiv. of 2 GTA positions)	183.6	93.1	One GTA staff member covering the work of section staff working on the construction and transition projects
Information and Communication Technologies Section including Audio Visual services (equiv. of 2 GTA positions)	183.6	195.0	Two GTA staff member covering the work of the section staff working on the construction and transition projects plus the digitization project to reduce paper documentation prior to move to new premises, exploring efficient ICT connectivity solutions for new building and new courtroom AV- and ICT-installation solutions
Public Information and Documentation Services	55.5	59.5	Consultancy related to compilation and review of communication, Court publication policies in relation to new premises and providing part-time cover for staff working on the construction and transition projects.
Services from other sections (e.g. audit, procurement)	81.0	80.3	Three-week, full-time audit of construction and transition projects by external auditor Cour de Comptes, Assistance in transition project activities, including procurement and legal matters
<b>Total</b>	<b>595.5</b>	<b>539.5</b>	

\* Actual expenditure in 2014 is based on preliminary, unaudited figures, which are subject to change.

251. The new major programme Permanent Premises Project – Interest has been established to pay the interest owed to the host State for withdrawals of funds during the previous year. It was implemented at a rate of 101.0 per cent. The small overspend of €1,100 was covered through the redeployment of funds from the PDO, which is responsible for the interest calculations and guaranteeing the payment.

252. The Independent Oversight Mechanism (IOM) began the process of setting up its office in the middle of 2010. In 2013, the Assembly approved the full operationalization of the IOM for 2014.<sup>14</sup> At the end of September 2014, once the process of setting up the office was complete, the official on reimbursable loan from the United Nations Office of Internal Oversight Services in New York left the office. During 2014, all of the established posts approved remained unfilled, and the recruitment of the permanent Head of the IOM, who is

<sup>14</sup> Official Records ... Twelfth session ... 2013 (ICC-ASP12/20), vol I, part 3, ASP-ICC/12/Res. 6.

expected to be hired in the middle of 2015, was still pending. Accordingly, at year-end, the funds had been implemented at 34.1 per cent.

253. Table 2 below provides a summary of the Court's budget performance by item of expenditure.

**Table 2: Budget performance in 2014 by item by expenditure (amounts in thousands of euros)**

<i>Item</i>	<i>Approved budget 2014</i> [1]	<i>Actual expenditure* 2014</i> [2]	<i>Variance</i> [3]=[1]-[2]	<i>Implementation rate (%)</i> [4]=[2]/[1]
Judges	3,835.6	4,418.6	-583.0	115.2
Judges' travel		54.6	-54.6	
<i>Subtotal judges' costs</i>	<i>3,835.6</i>	<i>4,473.2</i>	<i>-637.6</i>	<i>116.6</i>
Staff costs	63,876.4	62,056.8	1,819.6	97.2
General temporary assistance	17,024.1	16,082.7	941.4	94.5
Temporary assistance for meetings	543.5	499.6	43.9	91.9
Overtime	358.5	334.6	23.9	93.3
Consultants	273.7	312.6	-38.9	114.2
<i>Subtotal staff costs</i>	<i>82,076.2</i>	<i>79,286.2</i>	<i>2,790.0</i>	<i>96.6</i>
Travel	5,184.6	5,424.2	-239.6	104.6
Hospitality	31.0	26.9	4.1	86.7
Contractual services	4,405.2	3,627.6	777.6	82.3
Training	703.8	717.7	-13.9	102.0
Counsel for defence	2,866.4	2,959.7	-93.3	103.3
Counsel for victims	3,000.7	1,745.7	1,255.0	58.2
General operating expenses	17,524.3	16,555.0	969.3	94.5
Supplies and materials	1,015.4	813.5	201.9	80.1
Equipment including furniture	1,013.0	1,776.5	-763.5	175.4
<i>Subtotal non-staff costs</i>	<i>35,744.4</i>	<i>33,646.9</i>	<i>2,097.5</i>	<i>94.1</i>
<b>Total</b>	<b>121,656.2</b>	<b>117,406.3</b>	<b>4,249.9</b>	<b>96.5</b>

\* Expenditure in 2014 is based on preliminary, unaudited figures which are subject to change.

254. As already forecast in the programme performance report for the Committee's summer 2014 session<sup>15</sup>, the judges' budget exceeded its approved budget at an implementation rate of 115.2 per cent, in large part because of the increased costs of the pension scheme and the changes in the assumptions on which the approved budget was based, as the expected premium refund was not received in 2014.

255. The Court's staff costs for established posts were implemented at a rate of 97.2 per cent, an increase of 1.2 percentage points on the implementation rate of 96.0 per cent in 2013. The Court's annual average vacancy rate was 11.1 per cent, an increase of 1.6 percentage points on the 9.5 per cent in 2013. The Registry incurred additional costs for the termination indemnities of staff who were impacted by the *ReVision* project. The Registry's annual average vacancy rate was 11.8 per cent, an increase of 1.5 percentage points on the vacancy rate of 10.3 per cent in 2013; however, its staff costs implementation rate has increased to 101.0 per cent, an increase of 3.3 percentage points on the 97.7 per cent in 2013. The Judiciary's annual average vacancy rate of 6.3 per cent remained at the same level as in 2013, while its staff costs implementation rate was 92.1 per cent, compared to 89.5 per cent in 2013. The annual average vacancy rate for the OTP was 7.9 per cent,

<sup>15</sup> ICC-ASP/13/8, para 15.

compared to 7.0 per cent in 2013, and the staff costs implementation rate was 92.8 per cent, a decrease of 1.8 percentage points on the 94.6 per cent in 2013.

256. The GTA budget was implemented at a rate of 94.5 per cent, which has decreased by 0.9 percentage points from that of 95.4 per cent in 2013. As in 2013, The OTP's lower implementation rate of 88.4 per cent (89.2 per cent in 2013) has impacted the overall implementation rate for GTA, which has created more than €1 million in savings in its budget. The Judiciary and the Secretariat of the Assembly also contributed to creating further savings, with implementation rates of 91.3 per cent (84.5 per cent in 2013) and 77.5 per cent, respectively. The Registry, on the contrary, exceeded its GTA budget at 101.5 per cent (104.5 per cent in 2013), as did the PDO, with the funds being redeployed from contractual services.

257. The consultancy budget was implemented at 114.2 per cent of the approved budget. This was due to an overspend in the Registry at 338.8 per cent, or €0.21 million, against the approved budget of €0.06 million, owing to the need to engage in the following activities: (i) in the Detention Section, assisting the Custody Officer in implementing chambers' orders, decisions and instructions ; (ii) in the VPRS, completing the new victim application management system; and (iii) in the Human Resources Section, hiring job classification experts and health insurance consultants to perform a technical review of the Court's health insurance framework.

258. The overspend in travel, at a rate of 104.6 per cent, primarily stems from the OTP's Investigation Division, as mentioned in paragraph 6, and was a result of its conducting intensive investigation missions to situation countries, continued from 2013, resulting in an implementation rate of 186.1 per cent, or €1.77 million, against its approved budget of €0.95 million. The overspend was mitigated, in particular, by the Registry's underspend, which resulted from a reduction in the number of missions and trips in accordance with a prioritization of funds. Two other major programmes also underspent: Judiciary, as a result of some planned trips' not taking place, and the Secretariat of the TFV, as a result of fewer missions' being conducted, as mentioned in paragraph 10.

259. There was an underspend in contractual services at a rate of 82.3 per cent, leaving €0.78 million unused at year-end. Two major programmes, the Secretariat of the Assembly and the PDO, primarily accounted for this. The Secretariat underspent for the reasons already mentioned at paragraph 8. The project costs for the permanent premises budgeted under contractual services by the PDO were redeployed to hire for GTA positions in some sections with services agreements, as mentioned at paragraph 17 and shown in Figure 1. In addition to these major programmes, the PIDS in the Registry also contributed to the savings.

260. The total underspend of €1.16 million was realized in legal aid. However, the budget for counsel for defence teams was overspent, with an implementation rate of 103.3 per cent, while that for counsel for victims' teams was underspent, with an implementation rate of 58.2 per cent. The shift towards the utilization of the funds came as a result of absorbing the cost for the defence team for Mr Ntaganda, resulting in the overspend in legal aid for defence, while activities requiring legal aid for victims' teams were below the assumptions for: (i) the cases involving Mr Lubanga, Mr Katanga and Mr Ngudjolo, in the situation in the DRC, as they were at the procedural phase; (ii) the cases involving Mr Banda and Mr Jerbo, in the situation in Sudan, owing to the lack of trial preparations; and (iii) the case for Mr Bemba, in the situation in the CAR, owing to the death of a common legal representative who was not replaced.

261. General operating expenses showed budget performance at an implementation rate of 94.5 per cent, with a residual balance of €0.97 million. In 2013, the residual balance was €0.25 million. Major savings stemmed from the Registry, with an implementation rate of 89.2 per cent and a residual amount of €1.19 million. The SSS made lower payments under the United Nations cost-sharing arrangement in situation countries and incurred lower maintenance costs for security equipment. The GSS and ICTS prioritized funds, which were partially redeployed to the purchase of a vehicle. The VWS underspent because the assumptions on which the approved budget was based did not materialize in the areas of victim- and witness-protection activities, in particular in relation to trials in the situations in Kenya and Sudan, the initial response system in Mali and the number of anticipated protections referrals. The available funds were partially redeployed to other areas, such as GTA. In contrast, the OTP overspent in this line, at a rate of 190.4 per cent, or €0.60

million, against the approved budget of €0.32 million, to support increased witnesses-related field activities, as mentioned at paragraph 6.

262. The implementation rate in supplies and materials was 80.1 per cent and was mainly due to the prioritization of funds to cover the outsourcing of English and French Court reporting services and a reduction in the number of purchases made, resulting from a reprioritization of requirements in the Registry.

263. In equipment including furniture, the high implementation rate of 175.4 per cent was due in large part to the purchase of investigation-related equipment licenses in the OTP and in the Registry and the purchase of assets for the field offices in Abidjan, Côte d'Ivoire, and Kinshasa, DRC, in the Registry.

264. Table 3 provides a summary of budget performance by item of expenditure for the four-year IPSAS project, which commenced in July 2011. The project fully implemented its adjusted approved budget of €0.35 million, which includes the residual budget amount of €0.29 million from the 2013 IPSAS project budget carried over to 2014. For the purposes of like-for-like comparison, the expenditure of €0.29 million per budget line against the carried-over project budget of €0.29 million from 2013 is excluded from the Court's overall expenditure.

**Table 3: Budget Performance for the IPSAS Project 2014 by item of expenditure (amounts in thousands of euros)**

<i>Item</i>	<i>Approved budget 2014</i>	<i>IPSAS project budget carried over from 2013</i>	<i>Total adjusted approved budget 2014</i>	<i>Actual expenditure* 2014</i>	<i>Variance</i>	<i>Implementation rate (%)</i>
	[1]	[2]	[3]=[1]+[2]	[4]	[5]=[3]-[4]	[6]=[4]/[3]
Staff costs						
General temporary assistance		241.1	241.1	215.7	25.4	89.5
Consultants						
<i>Subtotal staff costs</i>		<i>241.1</i>	<i>241.1</i>	<i>215.7</i>	<i>25.4</i>	<i>89.5</i>
Travel	10.0		10.0	1.4	8.6	13.7
Hospitality						
Contractual services	15.3	48.9	64.2	101.1	-36.9	157.5
Training	30.0		30.0	27.1	2.9	90.2
General operating expenses						
Supplies and materials						
Equipment incl. furniture						
<i>Subtotal non-staff costs</i>	<i>55.3</i>	<i>48.9</i>	<i>104.2</i>	<i>129.6</i>	<i>-25.4</i>	<i>124.3</i>
<b>Total</b>	<b>55.3</b>	<b>290.0</b>	<b>345.3</b>	<b>345.3</b>	<b>0.0</b>	<b>100.0</b>

\* Expenditure in 2014 is based on preliminary, unaudited figures which are subject to change.

265. Table 4 provides an overview for the programme budget broken down by basic and situation-related expenditure. The basic component shows a 99.5 per cent implementation rate, whereas the situation-related component shows a 93.8 per cent implementation rate.



**Table 4: Budget performance in 2014 by Basic and Situation-related expenditure (amounts in thousands of euros)**

Major programme/ programme	Basic			Situation-related (SRF)		
	Approved basic budget 2014	Actual basic expenditure* 2014	Implementation rate (%)	Approved SRF budget 2014	Actual SRF expenditure* 2014	Implementation rate (%)
	[1]	[2]	[3]=[2]/[1]	[4]	[5]	[6]=[5]/[4]
<b>Major Programme I</b>						
<b>Judiciary</b>	<b>8,223.8</b>	<b>8,499.2</b>	<b>103.3</b>	<b>1,822.0</b>	<b>1,522.3</b>	<b>83.6</b>
The Presidency	1,400.7	1,240.2	88.5			
Chambers	6,504.9	6,990.9	107.5	1,822.0	1,522.3	83.6
Liaison Offices	318.2	268.1	84.3			
<b>Major Programme II</b>						
<b>Office of the Prosecutor</b>	<b>5,623.2</b>	<b>5,208.6</b>	<b>92.6</b>	<b>27,596.8</b>	<b>26,959.1</b>	<b>97.7</b>
The Prosecutor	3,185.4	3,036.3	95.3	4,357.4	4,809.5	110.4
Jurisdiction, Complementarity and Cooperation Division	1,035.3	925.4	89.4	2,184.8	1,967.9	90.1
Investigation Division	433.2	413.0	95.3	13,900.9	13,614.9	97.9
Prosecution Division	969.3	834.0	86.0	7,153.7	6,566.7	91.8
<b>Major Programme III</b>						
<b>Registry</b>	<b>32,442.3</b>	<b>33,204.0</b>	<b>102.3</b>	<b>33,850.7</b>	<b>30,982.9</b>	<b>91.5</b>
Office of the Registrar	6,894.9	6,929.6	100.5	12,073.5	11,110.1	92.0
Common Administrative Services Division	15,651.2	16,368.9	104.6	4,712.4	4,213.5	89.4
Division of Court Services	6,508.4	6,451.1	99.1	14,279.8	13,417.5	94.0
Public Information and Documentation Section	2,274.4	2,299.7	101.1	1,502.2	1,156.3	77.0
Independent Offices and Special Projects	1,113.4	1,154.6	103.7	1,282.8	1,085.4	84.6
<b>Major Programme IV</b>						
<b>Secretariat of the Assembly of States Parties</b>	<b>2,843.6</b>	<b>2,229.2</b>	<b>78.4</b>			
<b>Major Programme V</b>						
<b>Interim Premises</b>	<b>5,900.7</b>	<b>5,900.7</b>	<b>100.0</b>			
<b>Major Programme VI</b>						
<b>Secretariat of the Trust Fund for Victims</b>	<b>673.0</b>	<b>667.9</b>	<b>99.2</b>	<b>912.8</b>	<b>757.8</b>	<b>83.0</b>
<b>Major Programme VII-1</b>						
<b>Project Director's Office</b>	<b>1,283.2</b>	<b>1,235.2</b>	<b>96.3</b>			
<b>Major Programme VII-2</b>						
<b>Permanent Premises Project – Interest</b>	<b>110.8</b>	<b>111.9</b>	<b>101.0</b>			
<b>Major Programme VII-5</b>						
<b>Independent Oversight Mechanism</b>	<b>373.3</b>	<b>127.4</b>	<b>34.1</b>			
<b>Total</b>	<b>57,473.9</b>	<b>57,184.2</b>	<b>99.5</b>	<b>64,182.3</b>	<b>60,222.1</b>	<b>93.8</b>

\* Expenditure in 2014 is based on preliminary, unaudited figures which are subject to change.

### C. Field activity

266. Table 5 provides a summary of actual expenditure for field operations by situation. In 2014, the Court was investigating eight situations, in Uganda, the Democratic Republic of the Congo (DRC), Sudan, the Central African Republic (CAR), Kenya, Libya, Côte

d'Ivoire (CIV) and Mali. Operational support is for all situations taken together, rather than for specific situations. The total actual expenditure for all the situations was €60.22 million, which is 93.8 per cent of the approved situation-related budget of €64.18 million. Of the total actual expenditure of €60.22 million, €26.96 million was spent by the OTP and €30.98 million by the Registry, leaving a balance of €2.28 million spent by other programmes: €1.52 million by the Judiciary and €0.76 million by the Secretariat of the TFV.

**Table 5: Actual expenditure for field operations by situation 2014 (amounts in thousands of euros)\***

	<i>Uganda situation</i>	<i>DRC situation</i>	<i>Sudan situation</i>	<i>CAR situation</i>	<i>Kenya situation</i>	<i>Libya situation</i>	<i>CIV situation</i>	<i>Mali situation</i>	<i>Operational Support</i>	<i>Total</i>
Chambers		24.6					0.2		1,497.6	1,522.3
<b>Judiciary</b>		<b>24.6</b>					<b>0.2</b>		<b>1,497.6</b>	<b>1,522.3</b>
Immediate Office of the Prosecutor		1.1		4.4		5.2	6.4	1.5	301.9	320.5
Services Section	0.8	459.2	151.5	71.4	399.2	7.9	42.9	94.5	3,261.7	4,489.0
The Prosecutor	0.8	460.3	151.5	75.8	399.2	13.1	49.3	96.0	3,563.6	4,809.5
JCCD	8.5	123.3	95.4	18.1	200.9	21.8	207.8	124.5	1,167.6	1,967.9
Planning and Operation	38.2	637.3	65.0	311.5	617.3	181.4	333.0	559.4	3,187.2	5,930.3
Investigation Teams	82.4	1,812.6	574.5	191.7	2,275.6	527.1	660.4	1,092.1	468.3	7,684.6
Investigation Division	120.6	2,449.9	639.5	503.2	2,892.9	708.5	993.4	1,651.4	3,655.5	13,614.9
Prosecution Division		1,672.9	964.6	703.0	1,103.8	4.0	224.0	1,021.0	873.4	6,566.7
<b>Office of the Prosecutor</b>	<b>129.9</b>	<b>4,706.5</b>	<b>1,850.9</b>	<b>1,300.1</b>	<b>4,596.8</b>	<b>747.4</b>	<b>1,474.5</b>	<b>2,892.9</b>	<b>9,260.2</b>	<b>26,959.1</b>
Immediate Office of the Registrar		8.3								8.3
Security and Safety Section	165.1	676.3		384.2	296.0		207.6	202.3	705.0	2,636.5
Field Operations Section	280.5	1,203.8	49.4	173.7	275.4		471.6	127.7	752.4	3,334.5
Counsel Support Section		1,606.2	518.9	949.8	945.7	137.8	537.7	23.4	411.4	5,130.9
Office of Registrar	445.5	3,494.6	568.3	1,507.7	1,517.1	137.8	1,216.8	353.5	1,868.8	11,110.1
Human Resources Section									206.8	206.8
Budget and Finance Section									324.8	324.8
General Services Section									16.7	16.7
ICTS	77.3	319.9		11.7	52.5		79.1		3,124.8	3,665.3
Common Administrative Services Division	77.3	319.9		11.7	52.5		79.1		3,673.0	4,213.5
Office of the Head		10.9			22.0		3.5		318.8	355.1
CMS		70.0			73.4				1,980.1	2,123.5
Detention Section				2.2					244.8	247.0
STIC		854.5	94.4	146.2	98.9	3.9	9.0	0.9	2,116.5	3,324.4
Victims and Witnesses Section	58.0	892.6	160.9	272.5	2,125.9	28.7	35.7	2.4	2,779.4	6,356.1
VPRS	24.3	256.6		110.2	165.6		37.7		417.0	1,011.4
Division of Court Services	82.3	2,084.5	255.3	531.2	2,485.8	32.7	85.9	3.3	7,856.6	13,417.5
Office of the Head									2.6	2.6

	<i>Uganda situation</i>	<i>DRC situation</i>	<i>Sudan situation</i>	<i>CAR situation</i>	<i>Kenya situation</i>	<i>Libya situation</i>	<i>CIV situation</i>	<i>Mali situation</i>	<i>Operational Support</i>	<i>Total</i>
Public Affairs Unit								3.9	89.5	93.4
Outreach Unit	86.4	308.7	50.2	39.6	295.8		49.5	15.0	215.0	1,060.3
Public Information and Documentation Section	86.4	308.7	50.2	39.6	295.8		49.5	19.0	307.1	1,156.3
Counsel for Defence					9.6					9.6
Counsel for Victims	2.6	340.8			2.9		25.2		177.4	548.8
Internal Audit					4.9				522.1	527.0
Independent Offices and Special Projects	2.6	340.8			17.4		25.2		699.5	1,085.4
<b>Registry</b>	<b>694.1</b>	<b>6,548.5</b>	<b>873.8</b>	<b>2,090.2</b>	<b>4,368.7</b>	<b>170.5</b>	<b>1,456.5</b>	<b>375.7</b>	<b>14,405.0</b>	<b>30,982.8</b>
<b>Secretariat of the TFV</b>	<b>126.2</b>	<b>67.5</b>							<b>564.0</b>	<b>757.8</b>
<b>Total</b>	<b>950.2</b>	<b>11,347.0</b>	<b>2,724.7</b>	<b>3,390.2</b>	<b>8,965.5</b>	<b>917.8</b>	<b>2,931.2</b>	<b>3,268.6</b>	<b>25,726.8</b>	<b>60,222.1</b>

\* Expenditure in 2014 is based on preliminary, unaudited figures which are subject to change.

#### D. Unliquidated obligations

267. As requested by the Committee,<sup>16</sup> Annex XII provides the total number of outstanding unliquidated obligations (ULOs) and the total amount due as at 31 December of the 2014 financial year, as well as the updated figures for the same period as at 31 December 2013.

#### E. Recruitment

268. Table 6 provides a summary of staffing by major programme. As at 31 December 2014, a total of 682 posts (89.3 per cent) were filled, against the approved total of 764, excluding five elected officials.

**Table 6: Staffing – Approved versus filled posts by post type (P and G staff)\***

	<i>Approved</i>	<i>Filled</i>	<i>Recruitment completed **</i>	<i>Under recruitment</i>	<i>Advertised not under recruitment</i>	<i>Vacant not advertised</i>
	[1]	[2]	[3]	[4]	[5]	[6]
Judiciary						
Major Programme I	48	47		1		
Office of the Prosecutor						
Major Programme II	215	199	1	9		6
Registry						
Major Programme III ***	476	420		12		44
Secretariat of the ASP						
Major Programme IV	9	5		3		1
Secretariat of the TFV						
Major Programme VI	7	7				
Project Director's Office						
Major Programme VII-1	5	4				1
Independent Oversight Mechanism						
Major Programme VII-5	4			1		3
<b>Total</b>	<b>764</b>	<b>682</b>	<b>1</b>	<b>26</b>		<b>55</b>

<sup>16</sup> *Official Records ... Twelfth session ... 2013* (ICC-ASP/12/20), vol. II, part B.2, para. 111.

\* The above table excludes five elected-official posts (three in Major Programme II and two in Major Programme III).

\*\* Indicates that the selected candidate has accepted an offer. The recruitment process has been finalized and the post is blocked in anticipation of the incumbent's arrival.

\*\*\* In Major Programme III, one post is not vacant as such but is funding a Staff Council representative.

## F. Budget performance for Contingency Fund notifications

269. In 2014, the Court originally submitted the following six notifications to the Committee, in the total amount of €5,115,100. On 10 October, the Court notified the Committee of revisions to the estimates of the resources required in two notifications (at points (iv) and (v) below), which resulted in a revised total notification amount of €3,815,100, a decrease of €1.3 million. During the course of the year, the Court had been making substantial efforts to optimize the utilization of existing resources to reduce its financial requirements. The notifications are as follows:

- (a) Notification of 1 April 2014 for €245,900 for the further extension of the mandate of one judge and the contracts of the relevant support staff in *Bemba* in the situation in the Central African Republic;
- (b) Notification of 1 May 2014 for €284,300 for the further extension of the mandates of two judges and the contracts of the relevant support staff in *Katanga* in the situation in the Democratic Republic of the Congo;
- (c) Notification of 12 June 2014 for €261,400 for the purposes of re-opening the field office in Bangui in the situation in the Central African Republic;
- (d) Notification of 26 June 2014 for €1,369,900 and further notification of 10 October 2014 of the revised estimate of resources required of €782,900 for the purposes of funding prosecutorial activities related to offences against the administration of justice under article 70 of the Rome Statute and for witness relocation and assisted moves in the situation in Kenya;
- (e) Notification of 28 July 2014 for €2,593,400 and further notification of 10 October 2014 of the revised estimate of resources required of €1,880,400 for the purposes of funding investigative and prosecutorial activities related to offences against the administration of justice under article 70 of the Rome Statute and to the provision of services in connection with the unforeseen developments in the situation in the Central African Republic; and
- (f) Notification of 30 September 2014 for €360,200 in *Blé Goudé* in the situation in Côte d'Ivoire.

## G. Budget performance for the total Contingency Fund notifications

270. Table 7 below provides a summary of overall budget performance for the six Contingency Fund notifications submitted to the Committee. Overall actual implementation at year's end in 2014 is €2.35 million (61.7 per cent), against the total revised Contingency Fund notification amount of €3.82 million.

**Table 7: Overall budget performance for the six Contingency Fund notifications in 2014 by item of expenditure (amounts in thousands of euros)**

<i>Expenditure item</i>	<i>Total revised Contingency Fund notification</i>	<i>Total actual expenditure*</i>	<i>Total implementation rate (%)</i>
	[1]	[2]	[3]=[2]/[1]
Judges' costs	298.9	275.8	92.3
<i>Subtotal judges' costs</i>	298.9	275.8	92.3
Staff costs	20.6		
<i>Subtotal staff costs</i>	20.6		

<i>Expenditure item</i>	<i>Total revised Contingency Fund notification</i> [1]	<i>Total actual expenditure*</i> [2]	<i>Total implementation rate (%)</i> [3]=[2]/[1]
General temporary assistance	762.7	435.6	57.1
Temporary assistance for meeting	13.2	3.8	28.8
<i>Subtotal other staff costs</i>	<i>775.9</i>	<i>439.4</i>	<i>56.6</i>
Travel	375.3	125.0	33.3
Contractual services	336.1	309.5	92.1
Counsel for defence	675.5	618.4	91.5
Counsel for victims	26.7		
General operating expenses	1,171.8	513.7	43.8
Supplies and materials	15.0	23.8	158.9
Equipment including furniture	119.3	48.0	40.3
<i>Subtotal non-staff costs</i>	<i>2,719.7</i>	<i>1,638.4</i>	<i>60.2</i>
<b>Total</b>	<b>3,815.1</b>	<b>2,353.6</b>	<b>61.7</b>

\* Expenditure in 2014 is based on preliminary, unaudited figures which are subject to change.

271. The budget performance for each Contingency Fund notification is detailed below in the order of the notifications to the Committee.

272. Table 8 below shows budget performance in respect of the Contingency Fund notification to further extend the mandate of one judge as well as the contracts of a limited number of support staff for eight months until the end of the year for *Bemba*, in the situation in the Central African Republic. The first four months of the extension of the judge's mandate were included in the 2014 programme budget. The funds were utilized as notified, with actual implementation of €0.21 million (84.9 per cent), against the notification amount of €0.25 million.

**Table 8: Budget performance in respect of the Contingency Fund notification for the further extension of the mandate of one judge and the contracts of the relevant support staff in *Bemba*, in the situation in the Central African Republic, in 2014 by item of expenditure (amounts in thousands of euros)**

<i>Expenditure item</i>	<i>Contingency Fund notification</i> [1]	<i>Actual expenditure*</i> [2]	<i>Implementation rate (%)</i> [3]=[2]/[1]
Judges' costs	122.6	122.5	100.0
<i>Subtotal judges' costs</i>	<i>122.6</i>	<i>122.5</i>	<i>100.0</i>
General temporary assistance	123.3	86.3	70.0
<i>Subtotal other staff costs</i>	<i>123.3</i>	<i>86.3</i>	<i>70.0</i>
<b>Total</b>	<b>245.9</b>	<b>208.8</b>	<b>84.9</b>

\* Expenditure in 2014 is based on preliminary, unaudited figures which are subject to change.

273. Table 9 below shows budget performance in respect of the Contingency Fund notification to further extend the mandates of two judges and the contracts of a limited number of staff for five months, pending acceptance of the two judges' requests to leave the Court, for *Katanga*, in the situation in the Democratic Republic of the Congo. At year-end, the fund had been implemented in the amount of €0.25 million (88.4 per cent), against the notification amount of €0.28 million. The slight underspend is due to lower judges' costs because the pension for one judge requested was not required.

**Table 9: Budget performance in respect of the Contingency Fund notification for the further extension of the mandates of two judges and the contracts of the relevant support staff in Katanga, in the situation in the Democratic Republic of the Congo, in 2014 by item of expenditure (amounts in thousands of euros)**

<i>Expenditure item</i>	<i>Contingency Fund notification</i>	<i>Actual expenditure*</i>	<i>Implementation rate (%)</i>
	[1]	[2]	[3]=[2]/[1]
Judges' costs	176.3	153.3	86.9
<i>Subtotal judges' costs</i>	<i>176.3</i>	<i>153.3</i>	<i>86.9</i>
General temporary assistance	108.0	97.9	90.7
<i>Subtotal other staff costs</i>	<i>108.0</i>	<i>97.9</i>	<i>90.7</i>
<b>Total</b>	<b>284.3</b>	<b>251.2</b>	<b>88.4</b>

\* Expenditure in 2014 is based on preliminary, unaudited figures which are subject to change.

274. Table 10 below shows budget performance in respect of the Contingency Fund notification for the purposes of re-opening a small field office presence in Bangui, in the situation in the CAR, in support of ongoing trial proceedings and maintenance of the initial response system (IRS). The fund was under-implemented at €0.10 million (36.5 per cent), against the notification amount of €0.26 million. Despite the efforts made by the sections involved in the renovation of the office, it was not possible to complete the work during the year. Consequently, most of the budget requested under contractual services and general operating expenses was underspent. Moreover, the armored vehicle recommended in the security and safety assessment was not purchased as planned, which resulted in underspending in the equipment including furniture category. As the office was not yet operational, the requested amount for staff costs for the relocation of one internationally recruited staff member was not utilized.

**Table 10: Budget performance in respect of the Contingency Fund notification for the purposes of re-opening the field office in Bangui, in the situation in the Central African Republic, in 2014 by item of expenditure (amounts in thousands of euros)**

<i>Expenditure item</i>	<i>Contingency Fund notification</i>	<i>Actual expenditure*</i>	<i>Implementation rate (%)</i>
	[1]	[2]	[3]=[2]/[1]
Staff costs	20.6		
<i>Subtotal staff costs</i>	<i>20.6</i>		
Travel		12.6	
Contractual services	19.6		
General operating expenses	86.9	44.4	51.1
Supplies and materials	15.0	13.2	88.2
Equipment including furniture	119.3	25.3	21.2
<i>Subtotal non-staff costs</i>	<i>240.8</i>	<i>95.5</i>	<i>39.7</i>
<b>Total</b>	<b>261.4</b>	<b>95.5</b>	<b>36.5</b>

\* Expenditure in 2014 is based on preliminary, unaudited figures which are subject to change.

275. Table 11 below provides budget performance in respect of the Contingency Fund notification for prosecutorial activities related to offences against the administration of justice under article 70 of the Rome Statute and for witness relocation and assisted moves, in the situation in Kenya. The actual implementation rate at year-end was €0.25 million (31.4 per cent), against the revised notification amount of €0.78 million.

276. Because it was not yet known at the time when the Court re-evaluated the resource requirements for Contingency Fund notifications whether the 2015 proposed budget would be adopted as presented, the OTP decided to freeze recruitment for most of the positions created with a view to meeting the need generated by these activities, which it had originally sought to cover through the Contingency Fund, and instead absorbed most of the

staff costs within the programme budget by using its existing resources. Consequently, the GTA category was under-implemented.

277. The aforementioned decisions have impacted the Registry's ability to implement the requested resources for witness relocation and assisted moves as well as related travel, which resulted in underspending in travel and general operating expenses.

**Table 11: Budget performance of the Contingency Fund notification for the purposes of funding prosecutorial activities related to offences against the administration of justice under article 70 of the Rome Statute and for witness relocation and assisted moves in the situation in Kenya in 2014 by item of expenditure (amounts in thousands of euros)**

<i>Expenditure item</i>	<i>Revised Contingency Fund notification</i>	<i>Actual expenditure*</i>	<i>Implementation rate (%)</i>
	[1]	[2]	[3]=[2]/[1]
General temporary assistance	272.0	49.1	18.1
<i>Subtotal other staff costs</i>	<i>272.0</i>	<i>49.1</i>	<i>18.1</i>
Travel	158.6	34.0	21.4
Contractual services	132.9	127.1	95.6
General operating expenses	219.4	35.4	16.1
<i>Subtotal non-staff costs</i>	<i>510.9</i>	<i>196.5</i>	<i>38.5</i>
<b>Total</b>	<b>782.9</b>	<b>245.6</b>	<b>31.4</b>

\* Expenditure in 2014 is based on preliminary, unaudited figures which are subject to change.

278. Table 12 below shows budget performance in respect of the Contingency Fund notification for the purposes of funding prosecutorial activities related to offences against the administration of justice under article 70 of the Rome Statute and to the provision of services in connection with the unforeseen developments in the situation in the CAR. Actual implementation at year-end was €1.30 million (68.9 per cent), against the revised notification amount of €1.88 million.

279. For the same reason of budgetary uncertainty as for the notification at point (iv), the OTP decided to freeze recruitment for most of the positions created with a view to meeting the need generated by these activities and instead absorbed most of the staff costs within the programme budget by using its existing resources. Consequently, the original budget for GTA was significantly reduced.

280. The aforementioned revisions to the OTP's resources have impacted the Registry's ability to implement the requested resources for witness relocation and assisted moves as well as related travel, which resulted in underspending in travel and general operating expenses.

**Table 12: Budget performance in respect of the Contingency Fund notification for the purposes of funding prosecutorial activities related to offences against the administration of justice under article 70 of the Rome Statute and to the provision of services in connection with the unforeseen developments in the situation in the Central African Republic in 2014 by item of expenditure (amounts in thousands of euros)**

<i>Expenditure item</i>	<i>Revised Contingency Fund notification</i>	<i>Actual expenditure*</i>	<i>Implementation rate (%)</i>
	[1]	[2]	[3]=[2]/[1]
General temporary assistance	210.6	168.3	79.9
<i>Subtotal other staff costs</i>	<i>210.6</i>	<i>168.3</i>	<i>79.9</i>
Travel	191.2	74.1	38.7
Contractual services	109.2	118.0	108.0
Counsel for the defence	508.6	468.6	92.1
General operating expenses	860.8	433.9	50.4
Supplies and materials		10.6	
Equipment including furniture		22.7	
<i>Subtotal non-staff costs</i>	<i>1,669.8</i>	<i>1,127.9</i>	<i>67.5</i>
<b>Total</b>	<b>1,880.4</b>	<b>1,296.2</b>	<b>68.9</b>

\* Expenditure on 2014 is based on preliminary, unaudited figures which are subject to change.

281. Table 13 below shows budget performance in respect of the Contingency Fund notification for *Blé Goudé*, in the situation in Côte d'Ivoire. At year-end, the requested funds had been implemented at €0.26 million (71.2 per cent), against the notification amount of €0.36 million.

282. The funding requested for travel and general operating expenses was underspent owing to the absorption of some trips and activities into its programme budget and changes to the planned activities as a result of rulings by chambers. Unlike defence counsel, no counsel for victims were required because the Chamber decided to appoint the OPCV as legal representative of victims instead of ordering legal aid. The under-utilization of temporary assistance for meetings was due to greater utilization of in-house interpreters to cover simultaneous trial hearings, while the under-utilization of external translation in contractual services was due to the absorption into the programme budget of the translation of documents as requested by the Appeals Chamber.

**Table 13: Budget performance of the Contingency Fund notification on *Blé Goudé*, in the situation in Côte d'Ivoire, in 2014 by item of expenditure (amounts in thousands of euros)**

<i>Expenditure item</i>	<i>Contingency Fund notification</i>	<i>Actual expenditure*</i>	<i>Implementation rate (%)</i>
	[1]	[2]	[3]=[2]/[1]
General temporary assistance	48.8	34.0	69.7
Temporary assistance for meeting	13.2	3.8	28.8
<i>Subtotal Other Staff Costs</i>	<i>62.0</i>	<i>37.8</i>	<i>60.9</i>
Travel	25.5	4.3	16.9
Contractual services	74.4	64.4	86.5
Counsel for defence	166.9	149.8	89.8
Counsel for victims	26.7		
General operating expenses	4.7		
<i>Subtotal non-staff costs</i>	<i>298.2</i>	<i>218.5</i>	<i>73.3</i>
<b>Total</b>	<b>360.2</b>	<b>256.3</b>	<b>71.2</b>

\* Expenditure in 2014 is based on preliminary, unaudited figures which are subject to change.

## H. Consolidated Budget Performance of the Court – Programme budget and contingency fund notifications

283. Table 14 below shows the Court's consolidated budget performance, taking together the programme budget and the total revised Contingency Fund notifications as referred to at paragraph 270. The Court's actual expenditure, including Contingency Fund expenditure, is €19.76 million, against the consolidated budget of €25.47 million, including the revised Contingency Fund notification of €3.82 million. This represents a 95.4 per cent implementation rate and 98.4 per cent of the approved budget of €21.66 million.



**Table 14: Court consolidated budget performance 2014 by item of expenditure (amounts in thousands of euros)**

Item	Total consolidated budget and revised Contingency Fund			Actual expenditure* 2014	Actual expenditure* for Contingency Fund 2014	Total actual expenditure including Contingency Fund 2014	Total actual including Contingency Fund implementation rate 2014 against approved budget (%)	Total actual including CF implementation rate 2014 against total consolidated budget and revised CF notification (%)
	Approved budget 2014	Fund (CF) notification 2014	Fund notification 2014				[7]=[6]/[1]	[8]=[6]/[3]
	[1]	[2]	[3]=[1]+[2]	[4]	[5]	[6]=[4]+[5]	[7]=[6]/[1]	[8]=[6]/[3]
Judges	3,835.6	298.9	4,134.5	4,418.6	275.8	4,694.4	122.4	113.5
Judges' travel				54.6		54.6		
<i>Subtotal judges' costs</i>	<i>3,835.6</i>	<i>298.9</i>	<i>4,134.5</i>	<i>4,473.2</i>	<i>275.8</i>	<i>4,749.0</i>	<i>123.8</i>	<i>114.9</i>
Staff costs	63,876.4	20.6	63,897.0	62,056.8		62,056.8	97.2	97.1
General temporary assistance	17,024.1	762.7	17,786.8	16,082.7	435.6	16,518.3	97.0	92.9
Temporary assistance for meetings	543.5	13.2	556.7	499.6	3.8	503.4	92.6	90.4
Overtime	358.5		358.5	334.6		334.6	93.3	93.3
Consultants	273.7		273.7	312.6		312.6	114.2	114.2
<i>Subtotal staff costs</i>	<i>82,076.2</i>	<i>796.5</i>	<i>82,872.7</i>	<i>79,286.2</i>	<i>439.4</i>	<i>79,725.7</i>	<i>97.1</i>	<i>96.2</i>
Travel	5,184.6	375.3	5,559.9	5,424.2	125.0	5,549.2	107.0	99.8
Hospitality	31.0		31.0	26.9		26.9	86.7	86.7
Contractual services	4,405.2	336.1	4,741.3	3,627.6	309.5	3,937.0	89.4	83.0
Training	703.8		703.8	717.7		717.7	102.0	102.0
Counsel for defence	2,866.4	675.5	3,541.9	2,959.7	618.4	3,578.2	124.8	101.0
Counsel for victims	3,000.7	26.7	3,027.4	1,745.7		1,745.7	58.2	57.7
General operating expenses	17,524.3	1,171.8	18,696.1	16,555.0	513.7	17,068.7	97.4	91.3
Supplies and materials	1,015.4	15.0	1,030.4	813.5	23.8	837.3	82.5	81.3
Equipment incl. Furniture	1,013.0	119.3	1,132.3	1,776.5	48.0	1,824.6	180.1	161.1
<i>Subtotal non-staff costs</i>	<i>35,744.4</i>	<i>2,719.7</i>	<i>38,464.1</i>	<i>33,646.9</i>	<i>1,638.4</i>	<i>35,285.2</i>	<i>98.7</i>	<i>91.7</i>
<b>Total</b>	<b>121,656.2</b>	<b>3,815.1</b>	<b>125,471.3</b>	<b>117,406.3</b>	<b>2,353.6</b>	<b>119,759.9</b>	<b>98.4</b>	<b>95.4</b>

\* Actual Expenditure in 2014 is based on preliminary, unaudited figures, which are subject to change.

284. Table 15 provides a summary of the status of trust funds at year-end in 2014. It is followed by a brief description of each trust fund.

**Table 15: Status of trust funds 2014 \***

2014	Trust fund	Allotment	Actual expenditure*
T000	General Trust Fund	49,204	49,204
T003	Building Legal Expertise and Fostering Cooperation	667,120	659,849
T307	Special Fund for Relocations	51,488	51,488
T308	Focal Point Seminar	32,241	21,321
T309	Family Visits of Detainees	53,579	34,382
T400	Least Developed Countries	134,154	132,484
	<b>Total</b>	<b>987,786</b>	<b>948,728</b>

\* Expenditure in 2014 is based on preliminary, unaudited figures which are subject to change.

285. T000: The General Trust Fund relates to the communications project funded by the United Kingdom. Implementation of this project is currently on hold.

286. T003: The Building Legal Expertise and Fostering Cooperation Fund supports the Legal Tools website, the counsel seminar and training as well as seminars for fostering cooperation.

287. T307: The Special Fund for Relocations assists certain States which are willing to enter into relocation agreements with the Court, especially by building local capacity to protect witnesses.

288. T308: The Focal Point Seminar Fund supports the organization at the Court's headquarters of a seminar of the focal points for judicial cooperation with the Court in the situation countries.

289. T309: Pursuant to a decision of the Assembly, this special fund was established to finance family visits for indigent detainees.

290. T400: Resolution ICC-ASP/2/Res.6<sup>17</sup> established the trust fund for the participation of the least developed countries in the activities of the Assembly (in order to cover the costs of a return ticket as well as to provide daily subsistence allowance (DSA) for representatives of the least developed countries).

## **I. Judicial decisions with significant financial implications**

291. Annex XIII provides a detailed breakdown of judicial decisions with significant financial implications in 2014.

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<sup>17</sup> *Official Records ... Second session ... 2003* (ICC-ASP/2/10), vol. I, part IV.

## Annex I

### Major Programme I – Judiciary

#### Programme 1100: Presidency

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>	<i>Achievements</i>
<b>Objective 1 (SO 1.1.1)</b>			
- Implementation of conclusions of 2013 Assembly and identification and implementation of further changes according to road map	- Number of topical areas being covered in a comprehensive manner	Two	Two (absence of a judge, language issues)
	- Number of proposed new rule changes	Two	Four proposed to the Assembly
<b>Objective 2 (SO 2.1.1)</b>			
- Intra-organ structural review of the main organs completed and structural changes effectuated where indicated	- Revision of areas indicated in intra-organ structural review	One	No immediate structural implications of review for Presidency/Chambers
- Cross-cutting review of implications for overall Court structure; and consultation with States Parties, Committee, etc., with a view to any necessary Assembly decisions	- Number of structural change needs identified	One	Continuing discussion of possible changes in Chambers staffing to reflect increasing workload
<b>Objective 3 (SO 2.1.2)</b>			
- Efficient administrative and legal support for the President, the Presidency and the plenary of the judges/informal meetings; and implementation of improved efficiency strategy	- Quality of preparation and support of Presidency and judges' meetings in plenary/informal judges' meetings	Fully satisfactory	The Presidency team provided full support for the decision-making and other activities of the Presidency and provided logistical and legal support for three plenary sessions and four other meetings of judges
	- Level of efficiency in the management of all applications to the Presidency	All decisions issued within agreed timeline	The Presidency issued 40 decisions, some of which were confidential
	- Timeliness and quality of advice to the President and Vice-Presidents on administrative/managerial issues	Fully satisfactory	The Presidency took all relevant decisions on assignments to divisions and (re)constitution of chambers in a timely manner
	- Level of flexibility and efficiency in the management of staffing of Judiciary within budgetary constraints	100%	Productivity gains achieved through flexible working by staff across multiple cases and increased mobility between divisions
	- Number of areas identified where further efficiencies can be achieved	One	Some updating of senior staffing structure in Chambers now essential to deal with increased workload and will be discussed with Committee in 2015
<b>Objective 4 (SO 2.6.1)</b>			
- Enhanced transparency and predictability of the budgetary process; and refined budget assumptions for 2015 budget, including scenarios outlining probable future expenses.	- Comparison and analysis of past budgetary processes	One	Improved
	- Number of technology improvements	One	Improved in-year forecasting of staff costs in cooperation with Payroll
	- Quality of assumptions and of scenarios where appropriate	Fully satisfactory	Judicial assumptions and scenarios as drafted proved helpful in clarifying needs during the budget discussions with States

<b>Objective 5 (SO 2.6.3, 2.6.4)</b>			
- Implementation of high-level risk-management system charting the most relevant strategic risks	- Number of Presidency- and Chambers-specific risks identified	Three	Five, including Court-wide risks for which Presidency has lead responsibility
- Finalized review of the Court's crisis readiness	- Presidency crisis readiness assessed	Full review	Not finalized – for completion in 2015
- Improved link between strategy – budget – performance indicators	- Review of objectives table in budget document	Full review	Objectives tables were simplified on a Court-wide basis for 2015 but will be revised again for the 2016 budget in the light of feedback from the Committee
<b>Objective 6 (SO 3.1.1)</b>			
- Transparent and effective communication and information exchange between Judiciary and Working Groups of the Assembly	- Number of HWG/SGG meetings with attendance of a Presidency representative	Representation at every meeting.	Representation at a dozen formal and informal meetings with the SGG Cluster I and the WGA
	- Number of informal judges' meetings with Assembly President/Vice-President	Two	Two
- Intense and transparent dialogue between the Presidency of the Court and the Assembly Presidency	- Number of bilateral meetings	Two	Three face-to-face meetings in The Hague, plus frequent discussions of specific issues between the two Presidencies by email, etc.
<b>Objective 7 (PO 3.2.1, 3.5.3)</b>			
Maintain and increase support for the Court by States, international and regional organizations, NGOs and other key partners and stakeholders in the Court through information-sharing during seminars, conferences, and at any other occasion; and Use all opportunities such as bilateral meetings and public addresses to highlight benefits of joining to non-States Parties.	- Number of high-level meetings with States, international organizations and civil society	100 meetings	114
	- Number of speeches at major conferences	Fifteen	18
	- Participation in diplomatic and NGO briefings	Two + one	Two + five
	- Communication in interviews and press conferences	Fifteen + two	25 + five
<b>Objective 8 (SO 3.4.1)</b>			
Negotiation of Agreements on the Enforcement of Sentences	- Number of concrete negotiations with States on cooperation or enforcement of sentence agreements	Two	Two concluded

### Programme 1200: Chambers

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>	<i>Achievements</i>
<b>Objective Pre-Trial Division:</b> Ensure fair, transparent and expeditious pre-trial proceedings, while further refining legal standards through well-developed jurisprudence and encouraging the development of standardized processes (SG	> Shorten time lines between the first appearance of a suspect and the confirmation of charges hearing through: - close monitoring of the disclosure process and imposing strict deadlines especially on the Office of the Prosecutor; - ensuring that requests for redactions are presented in a timely and orderly manner by the Office of the Prosecutor to ensure expeditious treatment by the Chamber; - streamlining the handling of victim applications for participation including through the implementation of an appropriate collective application process. > Prepare cases for trial in the most efficient way and, to this end, - define precisely the scope of the cases to be sent to trial so that charges not supported by sufficient evidence are not confirmed;	Full implementation	- Pre-trial chambers have further refined the system for dealing expeditiously with requests for redactions presented by the Office of the Prosecutor and the system for dealing more expeditiously with victims' applications. - The Pre-Trial Division has, in consultation with the Trial Division, further improved the approach for defining the exact scope of the charges confirmed, in order to avoid delays at trial. In this regard, pre-trial chambers have confirmed several modes of liability cumulatively in order to avoid the

<p>1.1). Guarantee the rights of the defence to a fair and impartial trial and ensure adequate and meaningful participation and representation of victims (SG 1.4 and 1.5).</p>	<ul style="list-style-type: none"> <li>- ensure the case file is assembled in the best form to meet the needs of Trial Chambers;</li> <li>- shorten timelines between confirmation of charges decision and transfer of case file to the Trial Chamber.</li> <li>&gt; Enhance the sharing of information among Pre-Trial Chambers in order to develop more efficient practices and common standards;</li> <li>&gt; Positively affect proceedings at the trial stage by, where possible, resolving issues at the pre-trial stage;</li> <li>&gt; Ensure that cases not supported by sufficient evidence are not sent to trial in order to achieve judicial economy and preserve the accused's rights;</li> <li>&gt; Standardize, to the extent possible, Pre-Trial Chambers' approach on victim participation in pre-trial proceedings;</li> <li>&gt; Support Court Lessons Learnt exercise based on pre-trial experience.</li> </ul>	<p>use of regulation 55 at trial.</p> <ul style="list-style-type: none"> <li>- The Pre-Trial and Trial Divisions have conducted further consultations through numerous meetings and memoranda in the context of the lessons learnt exercise.</li> </ul>
<p><b>Objective Trial Division:</b> Ensure fair, transparent and expeditious trial proceedings, while further refining legal standards through well-developed jurisprudence and encouraging the development of standardized processes (SG 1.1). Guarantee the rights of the defence to a fair and impartial trial and ensure adequate and meaningful participation and representation of victims (SG 1.4 and 1.5).</p>	<ul style="list-style-type: none"> <li>&gt; Related to the proceedings: <ul style="list-style-type: none"> <li>- Issue decisions within agreed time-frame;</li> <li>- Streamline handling of victim applications for participation in cooperation with the Registry;</li> <li>- Support Lessons Learnt exercise based on trial experience (particularly those trials that have concluded) with a view to establishing what practices or procedures of the Trial Division may be amended in order to promote more efficient proceedings.</li> </ul> </li> <li>&gt; Related to the internal structure: <ul style="list-style-type: none"> <li>- Maintain, as far as possible, flexible work patterns through multiple assignment of legal officers and other legal staff to different cases;</li> <li>- In consultation with the Registry, ensure that the Trial Chambers have full access to the procedures, practices and decisions that are adopted in each of the individual cases;</li> <li>- Enhance sharing of practices among Trial Chambers;</li> <li>- Ensure that the lines of communication with the relevant sections of the Registry are maintained;</li> </ul> </li> <li>&gt; Further enhance cooperation and communication with Pre-Trial Division in matters of mutual concern, in particular regarding the transfer of case files from the Pre-Trial Chambers.</li> </ul>	<p>Full implementation</p> <ul style="list-style-type: none"> <li>- All decisions are issued within the agreed timeframe.</li> <li>- The handling of victims' applications for participation has been streamlined.</li> <li>- The Lessons Learnt exercise was conducted successfully, and Trial Division procedures are being amended in accordance with the findings.</li> <li>- Legal officers have been assigned flexibly.</li> <li>- Measures are continuously being taken to increase the sharing of relevant practices within the Division.</li> <li>- Measures have been taken to enhance cooperation and communication with the Pre-Trial Division.</li> </ul>
<p><b>Objective Appeals Division:</b> Conduct fair, effective, and expeditious interlocutory and final appeals in accordance with the Rome Statute in accordance with high legal standards, ensuring full exercise of the rights of all participants (SG 1.1, 1.4, 1.5)</p>	<ul style="list-style-type: none"> <li>- Issue decisions and judgments on interlocutory appeals within agreed time frame</li> <li>- Progress on work on final appeals within agreed time frame</li> <li>- Adoption, and where necessary review, of working methods for the disposal of the first final appeals;</li> <li>- Preparation and anticipation of procedural and administrative issues in order to guarantee time-efficiency while respecting the rights of the parties</li> <li>- Monitor working methods for interlocutory appeals and revise, if necessary, in particular in light of experience with hearing interlocutory appeals at the same time as final appeals;</li> <li>- Use of internal standard operating guidelines to ensure (time-)efficient disposal of interlocutory and final appeals</li> </ul>	<ul style="list-style-type: none"> <li>- Decisions and judgments issued on time</li> <li>- Work progressed on time</li> <li>- Working methods for appeals monitored throughout the year</li> <li>- Decisions and judgments have generally been issued within the timeframe set by the Appeals Chamber.</li> <li>- Work has generally progressed on time.</li> <li>- Working methods have been monitored and, where necessary, adjusted throughout the year in respect of both final and interlocutory appeals.</li> <li>- Working methods have been monitored and, where necessary, adjusted to ensure coherent Appeals Chamber jurisprudence through the use of internal</li> </ul>

- Use of internal databases to establish coherent Appeals Chamber jurisprudence on recurrent issues

databases.  
- Working methods have been developed with respect to final appeals to ensure transparency and accessibility for the public through the integration of Legal Tools into final appeal judgments.

### Programme 1300: Liaison Offices

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>	<i>Achievements</i>
<b>Objectives 1 and 2</b>			
- Encourage recognition and strengthened support of the Court	- Pursue all requests of the Court for cooperation with relevant interlocutors at United Nations Headquarters until completion of requests.	100% implementation rate	90%
	- Organize briefings or other relevant events for States in New York.	4 briefings/events	100%
	- Provide support to visiting Court officials.	8-12 visits	100%
	- Monitor and participate in relevant United Nations meetings, follow up on items bilaterally and provide regular reports to the Court.	Weekly/daily reports as necessary	80%
	- Provide input for United Nations reports and resolutions on Court-related subjects.	Provide input for 5-10 resolutions/reports	100%
	- Disseminate information about the Court to States, the United Nations and other organizations affiliated with the United Nations		
	- Participate and intervene in seminars and discussions on Court-related subjects	5 seminars / workshops	Participated in over 10 seminars/panel discussions
	- Provide logistical support to the Assembly, its Bureau and the New York Working Group.	15-20 meetings 100%	90% 100%
	- Provide logistical and administrative support to the Organs of the Court during the thirteenth Assembly Session		

## Annex II

### Major Programme II – Office of the Prosecutor

#### Programme 2100 – The Prosecutor

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>	<i>Achievements</i>
<b>Objective 1.1.1</b>			
<b>Objective 2.2.2</b>			
<b>OTP Strategic Goal 6</b>			
Ensure good governance and transparency			
- Provision of legal advice, including, with regard to disciplinary matters, development of the OTP's internal regulatory framework	Level of satisfaction of OTP clients with legal advice;	100% accuracy and satisfaction	Achieved
- Develop strategic policies	Number of policies created	100% accuracy and satisfaction	Policy on sex and gender-based crimes developed and launched. Working Group for the Children's Policy has been set up and will start the project in 2015

- Update Operational Manual	Percentage of annual updates	>70%	The Manual is being updated on the basis of the Office's new strategic plan. Advice is being provided by the OIA on how to link the Strategic Plan 2016-2018 and the Operations Manual.
- Lessons learnt concept institutionalized and percentage of lessons implemented Finalize the OTP Code of Conduct for Staff and ensure its alignment with the Court's Code of Conduct	Percentage of annual action points implemented	At least 90%	The Lessons Learnt project is ongoing. The process has been institutionalized, and training courses for the selected facilitators will be held in 2015. The Code of Conduct has been finalized and all staff members have received training on it.
	Actual proportion of improvements/developments implemented	>90%	n/a
- Ensure Staff are informed about and are compliant with the Code of Conduct	Percentage of staff informed about the Code	100%	Achieved. Training on the Code of Conduct was administered to all staff
	Number of non – compliance issues	Zero OTP Compliance Framework defined and put into practice	Achieved Ongoing

**Objective 2.1.1****OTP Strategic Goal 5.3**

Maintain a professional office with specific attention to performance management and measurement:

- Enhance coordination with other Court's organs and streamline inter-organ processes			Several areas are being considered, and concrete steps have already been taken. For example, a formal phase-by-phase recruitment plan has been developed by OTP HR to ensure timely filling of vacancies. The Plan was shared with HRS to coordinate the recruitment process.
- Review internal processes to streamline work-flow and increase efficiency	Resource savings	2% of previous cost of the process involved	Increased staff numbers led to higher volumes of transactions, which were managed with the same number of staff in supporting functions (e.g. Operational Support Unit and Field Operations, Mission Planning Centre, General Administration Unit). Reconciliation time for travel claims reduced from 90 days to 60 days (a 33.3% improvement). At the same time, the number of travel claims rose from 850 in 2013 to 1,270 in 2014 (+49.4%).
- OTP internal structure reviewed in order to increase its effectiveness and efficiency	Percentage of errors and time lag	Error rate <5%	Achieved
- Outcome measurements reviewed			Each section/division is currently reviewing the indicators
- Overall performance measurement framework reviewed			See point above
- Link OTP strategy-budget-indicators established			Ongoing
- Workload and resource measurement reviewed			Ongoing
- Risk management system formalized			The project is being performed in coordination with the other organs. Specific OTP risks are being identified and addressed.

**Objective 2.2.1****OTP Strategic Goal 5.2**

Maintain a professional office with a specific attention to staff quality and motivation:

- Implement training programme for competency based interviews	Number of staff trained	At least 50%	Achieved
- Create and update a roster of qualified candidates for roles in the OTP	Percentage of roles for which a list of candidates is available	>50% (to be increased year on year)	Ongoing
- In liaison with HR, delivery of the annual OTP training plan for staff	Proportion of annual training plan implemented	At least 70%	100% achieved
- Recruitment and selection standards reviewed			Achieved
- Career and development policy defined			A formal policy has not yet been drafted. The aim is to work in coordination with the other organs of the Court to achieve a consistent approach to staff career and development policies.
- Key working climate issues within OTP's control addressed			Report prepared by the OTP Working Group on Working Climate presented to the Executive Committee. Issues identified and draft plan of action proposed.

**Programme 2200: Jurisdiction, Complementarity and Cooperation Division**

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>	<i>Achievements</i>
<b>Objective 1.2.1</b>			
<b>Objective 1.3.2</b>			
<b>OTP Strategic Goal 2.1</b>			
Further improve the quality and efficiency of preliminary examinations	- Number of situations that are affected by a decision	Policy on preliminary examinations issues	Reports on Korea, CAR, and Registered Vessels decisions published and widely disseminated
	- Proportion of analytical reports delivered on time and substantiated to the Executive Committee	Yearly report on status of preliminary examinations	Report on preliminary examination activities in 2014 issued in December 2014
		Reports outlining the basis of decisions taken by the Prosecutor on a situation under preliminary examination	All analytical reports delivered on time to Executive Committee
<b>Objective 1.2.2</b>			
<b>Objective 1.2.3</b>			
<b>OTP Strategic Goal 4</b>			
- Enhance cooperation and strengthen the Rome System in supporting the Court as well as national systems' efforts in situations under preliminary examination or investigation.	- Developments of national judiciaries and legal frameworks to address crimes	Cooperation plans for critical support to investigations successfully implemented	All plans successfully implemented
		Cooperation models allowing for a faster response to cooperation needs developed with key partners	Target met
		Law Enforcement Network (LEN) with investigative, prosecutorial and other entities to increase exchange of information, coordination of activities and development of common standards further established	In progress/ ongoing



		Genuine national proceedings started in States object of preliminary examinations	Ongoing assessment of relevant proceedings in five situations
<b>Objective 3.6.1</b>			
Enhance positive complementarity initiatives of States Parties to assist other States Parties.	- Number of meetings / conferences / seminars / visits dedicated to drawing attention to the need to strengthen national jurisdictions.	Six	More than six
<b>OTP Strategic Goal 4</b>			
- Enhance cooperation and strengthen the Rome System in supporting the Court as well as national systems' efforts in situations under preliminary examination or investigation.			

### Programme 2300: Investigation Division

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>	<i>Achievements</i>
<b>Objective 1.3.1</b>			
- Conduct five full investigations, at least one Art 70 investigation, investigative support to three trials and four appeals and maintain seven investigations in hibernation until arrest	- Number of investigations	five plus six plus seven	Achievements during 2014 exceeded plans: Investigations were conducted in five situations (Mali, DRC, Côte d'Ivoire, CAR and Kenya) in addition to two article 70 investigations (Kenya, CAR). The Division maintained support for three trials (Kenya 1, CAR and Darfur 3 (date vacated). Eight cases remain in hibernation (Uganda, Mali 1; DRC 3/4; Darfur 1 and 2/4 Libya 1; Libya 2; DRC 5). The above was achieved despite the fact that 2014 was not as foreseen: budgetary limitations, unforeseen events (DRC 6, CAR) and unprecedented activity with regard to Kenya article 70.
	- Planned investigative steps versus executed	80% or more of the investigative steps within the ID control on track	As planned. All investigative steps within ID control were completed.
<b>Objective 1.3.2</b>			
- First phase of the review and validation of the investigative standards achieved	- Planned versus actual	80% or more of the steps within ID control on track	As planned. A number of advisory boards have been constituted, including the Scientific Advisory Board, which has already met and validated a number of Office SOPs.
- Cyber investigative capacity developed	- Planned versus actual	“ “	As planned. Full capacity achieved during 2014. Recruitment completed, equipment procured, SOPs drafted and support provided for investigations.
- New field presence model defined and tested	- Planned versus actual	“ “	As planned – A number of Field-presence models were established and tested in 2014 on the basis of the unique requirements of each situation. The results of the tests are currently being evaluated.
- First phase of an improved quality control model implemented	- Planned versus actual	“ “	As planned. Several reviews took place, with regard to interviewing methodologies and recording of evidence-related forensic activities. Each of the reviews was carried out by independent experts, and, where applicable, standardized training was provided.
- Efficiency gain through process review identified and achieved	- Identified efficiency gains	2% of total budget	Target exceeded. Efficiency gains amounting to 2.2% of total investigation budget were identified and documented.

**Programme 2400: Prosecution Division**

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>	<i>Achievements</i>	
<b>Objective 1.1.1</b>				
<b>OTP Strategic Goal 2.3</b> Further improve the quality and efficiency of: - Prosecutions by reviewing its prosecutorial strategies, enhancing the quality of litigation both in filings and in court, and identifying and applying good practices learnt.	- Rate of acceptance of submissions and granting of requests by the Chambers.	80%	Achieved	
	- Time in which Prosecution case is presented (actual court days) for each case.	6 months	The performance indicator should be amended, as it does not properly reflect the effectiveness and efficiency of the activity. In addition, the actual length is affected by factors outside the control of the Prosecution. For instance, a better indicator for Appeals would be “rate of submissions filed in time” with no significant extensions sought: over 80%.	
	- Number of witnesses per case maintained at lowest levels to minimize exposure.	Minimum possible – at least comparable to current trial average (30-35). Prosecutorial strategies and standards reviewed	Achieved	Each case is now reviewed by an internal panel made up of peer prosecutors working on a different situation. Soundness of strategy and consistency of prosecutorial standards and approach are checked.
		Witness-proofing guidelines to focus evidence fairly and effectively developed, applied and included in the Operations Manual		Guidelines adopted
		Code of Conduct promulgated (in conjunction with LAS).		Achieved
		Improved case review process established		Achieved (see previous point on prosecutorial strategies and standards)
		Revised training programme for prosecutors defined in annual Training Plan and implemented.		Achieved
		Evidence disclosure practice revised, implemented and Operations Manual updated (with LAS).		Ongoing. The Information Management Officer being recruited will also assist in the review.
		Legal research database available to the whole OTP.		Partially achieved (Appeals Digest complete and up to date; pre-trial and trial jurisprudence digest upcoming)
		Lessons learnt regarding prosecutorial performance in Court translated into good practices.		Ongoing. Facilitators for the Lessons Learnt review are being selected and will be trained in 2015
<b>Objective 1.1.2</b>				
<b>OTP Strategic Goal 3</b> Continue to prioritize sexual and gender-based crimes, and crimes against children.	- Finalization of Sexual and Gender-based Crimes Policy, as well as Children Policy.	Sexual and Gender-based Crimes Policy finalized.	The policy was finalized and published	
	- Development of guidelines on novel ways of proving sexual and gender-based violence on large scale.	Guidelines drafted Children Policy finalized.	Guidelines are being drafted, and specific tools to ensure implementation of the policy are being developed. Working Group for the Children’s Policy has been set up and will start the project in 2015	

**Objective 1.3.1**

**OTP Strategic Goal 1**  
Conduct impartial, high quality, efficient and secure preliminary examinations, investigations and prosecutions.

- Number of investigations

Five active, plus six trial-related.

Senior Trial Lawyers' supervision and guidance was provided within the integrated team for investigations conducted in Mali, DRC6, Côte d'Ivoire, Kenya (article 70), and CAR (article 70). trial and pre-trial teams worked on Kenya 1, CAR, Côte d'Ivoire, Darfur and DRC

**Annex III**

## Office of the Prosecutor: Information with regard to the number of missions and of documents and pages filed in 2014

**A. Number of missions**

A total of 1,071 missions by all OTP staff and non-staff were covered by the 2014 regular budget and by contingency funds for Kenya article 70 and CAR article 70.

- (a) Situation-related missions: 947 (for staff and non-staff)
- (b) Basic (non-situation-related) missions: 124 (for staff and non-staff)
- (c) IOP: 77 (66 for staff and 11 for non-staff)
- (d) Services section: 121 (35 for staff and 86 for non-staff)
- (e) Investigation Division: 654 (589 for staff and 65 for non-staff)
- (f) Prosecution Division: 85 (for staff only)
- (g) JCCD: 134 (for staff only)
- (h) JCCD preliminary examination-related missions: 14

**B. Number of documents/pages filed**

<i>Situation/case code</i>	<i>Situation/case</i>	<i>Filings</i>	<i>Pages</i>
ICC-01/04-01/06	<i>The Prosecutor v. Thomas Lubanga Dyilo</i>	27	200
ICC-01/04-01/07	<i>The Prosecutor v. Germain Katanga</i>	14	91
ICC-01/04-02/06	<i>The Prosecutor v. Bosco Ntaganda</i>	98	1161
ICC-01/04-02/12	<i>The Prosecutor v. Mathieu Ngudjolo Chui</i>	13	329
ICC-01/05-00/00	CAR situation records only	10	92
ICC-01/05-01/08	<i>The Prosecutor v. Jean-Pierre Bemba Gombo</i>	99	1388
ICC-01/05-01/13	<i>The Prosecutor v. Jean Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean Jacques Magenda Kabongo, Fidèle Babala Wandu and Narcisse Arido</i>	169	1248
ICC-01/09-00/00	Kenya situation records only	2	15
ICC-01/09-01/11	<i>The Prosecutor v. William Samoei Ruto and Joshua Arap Sang</i>	200	1696
ICC-01/09-02/11	<i>The Prosecutor v. Uhuru Muigai Kenyatta</i>	29	174
ICC-01/11-01/11	<i>The Prosecutor v. Saif Al-Islam Gaddafi</i>	7	50
ICC-01/12-00/00	Mali situation records only	9	80
ICC-02/05-00/00	Darfur situation records only	1	5
ICC-02/05-01/09	<i>The Prosecutor v. Omar Hassan Ahmad Al Bashir</i>	15	93
ICC-02/05-01/12	<i>The Prosecutor v. Abdel Raheem Muhammad Hussein</i>	1	5
ICC-02/05-03/09	<i>The Prosecutor v. Abdallah Banda Abakaer Nourain</i>	45	419

ICC-02/11-01/11	<i>The Prosecutor v. Laurent Gbagbo</i>	42	433
ICC-02/11-01/12	<i>The Prosecutor v. Simone Gbagbo</i>	5	64
ICC-02/11-02/11	<i>The Prosecutor v. Charles Blé Goudé</i>	51	297
<b>Total</b>		<b>837</b>	<b>7840</b>

### C. Submissions by Situation

<i>Situation Code</i>	<i>Situation</i>	<i>Filings</i>	<i>Pages</i>
ICC-01/04-00/00	Situation in the DRC	152	1781
ICC-01/05-00/00	Situation in the CAR	278	2728
ICC-01/09-00/00	Situation in Kenya	231	1885
ICC-01/11-00/00	Situation in Libya	7	50
ICC-01/12-00/00	Situation in Mali	9	80
ICC-02/05-00/00	Situation in Darfur	62	522
ICC-02/11-00/00	Situation in Côte d'Ivoire	98	794

### D. Additional activities performed by the Office

In 2014, the IEU registered 54,822 documents in all situations, representing 180,266 individual pages of evidence. This was an increase of 69.0 per cent on the previous year's 32,425 documents and 136,289 individual pages of evidence.

These figures represent the highest volume of evidence registered by the OTP since the creation of the Court.

The statistical data also demonstrates that the number of media files (audio and video) is rising each year, and in 2014 a total of 6,942 such files were processed by the IEU on behalf of the various investigation teams. This was an increase of 130 per cent on the previous year, when 3,006 files were processed.

The IEU work closely with the JCCD in processing "communications" received by the OTP under article 15 of the Statute, and the data for this work is presented above, in the JCCD narrative.

The following table shows the number of hard-copy packages transferred to CMS by the IEU for the purposes of disclosure in 2013 and 2014.

<i>Year</i>	<i>Total no. of packages</i>	<i>Total no. of documents</i>	<i>Total no. of packages delivered</i>	<i>Total no. of documents delivered</i>
<b>2013</b>	53	3,985	45	3,058
<b>2014</b>	136	8,373	110	7,392
<b>Increase</b>	156%	110%	144%	141%

## Annex IV

### Major Programme III – Registry

#### Programme 3100: Office of the Registrar

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>	<i>Achievements</i>
<b>Objective 1.1.1</b>			
Efficient management of trial	Number of findings by Chambers in respect of non-provision of adequate services by Registry	0%	0%. The Registry endeavours to keep chambers informed at all stages regarding the provision of services so that

				the necessary measures can be taken, if needed, in order to avoid any gaps in services.
<b>Objective 1.4.1</b>				
Implementation of most effective legal aid system	Adherence to legal aid policy	100%	100%	
<b>Objective 1.5.1</b>				
Achievement of more sustainable, effective and efficient victim application system	Review of victim application system completed	100%		VPRS completed internal review to support the judges' work on "Lessons learnt"
	Guidelines on Intermediaries implemented	100%		Implemented to the extent possible with existing resources
<b>Objective 2.1.1</b>				
Cross-cutting review of implications for overall Court structure	Conclude Registry's evaluation regarding structure, staffing and resources	100%	60%	Overall organisational structure decided. Evaluation of the staffing and resources of individual sections and offices continuing.
<b>Objective 2.1.3</b>				
Better coordination and higher impact of the Court's work in situation country	Vision for operations in the field defined	100%	100%	Future Registry structure, including the role of field offices, decided.
<b>Objective 2.6.5</b>				
Finalized review of the Court's crisis readiness	Implement Crisis Cell	100%		Draft procedure written: 100%. Cell in place: 0%.
<b>Objective 2.8.1</b>				
No security incidents caused by a lack of prevention or management of foreseeable risks by the Court, while allowing operations to continue	Number of incidents involving serious injuries due to negligence of management	0%	0%	
	Screening of all persons and items entering the Court's premises	100%	100%	
	Compliance with Minimum Operating Security Standards (MOSS)	90%	90%	
<b>Objective 3.1.1</b>				
Cooperation and efficient dialogue between the Court, the Assembly and States Parties enhanced;	Registry participation and input to all meetings, seminars, events etc. organized by states upon request;	100%	100%	Full participation by Registry
<b>Objective 3.4.1</b>				
Conclusion of new agreements	Number of framework agreements concluded in support of the Court's operations.	Four	Six	

### Programme 3200: Common Administrative Services Division

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>	<i>Achievements</i>
<b>Strategic Objective 2.1</b>			
1. Cross-cutting review of implications for overall Court structure	1. Level of implementation of PricewaterhouseCoopers (PwC) recommendations or of Court-based changes	1. All PWC recommendations are addressed in Court agreed plan	14 out of 18 Registry-specific recommendations implemented. The other four are ongoing

2. Implementation of improved efficiency strategy	2. Number of major areas of efficiency strategy monitored structurally within the Court 2. Level of IPSAS implementation	2. All three major areas of efficiency tracked systematically 2. Operations IPSAS 100% compliant	Activities ongoing in two of the three areas 100% achieved
3. Development of analytical accountability function	3. Level of institutionalization of Activity Based Costing (ABC) framework	3. 50% of ABC 'activities' tracked through court-wide system	Not achieved
<b>Strategic Objective 2.2</b>			
1. Ensure high standards in recruitment.	1. Recruitment process review progress 1. Competency based interview guide usage	1. Recruitment process review fully implemented 1. Competency based interview guide used for 90% of Court interviews	The recruitment process was reviewed in 2014 in the context of the new eRecruitment system which is pending implementation in 2015 All vacancy announcements for all Organs incorporate the Court's Core Competencies. Since HRS is not participating in interviews (OTP has HR representatives in all OTP interviews) all managers are guided to use CBI techniques.
<b>Strategic Objective 2.3</b>			
1. Comprehensive and efficient eCourt and filing system, leading to further transparency	1. Level of Courtroom systems update	1. Courtroom system update finalized	eFiling system deployed, including digital signatures. (eCourt system replacement on hold)
2. Improved balance between user needs, security, technological possibilities and financial feasibility, in line with new IT strategy.	2. Main Equipment Room (MER) consolidation progress 2. Level of implementation of monitoring and auditing functionality on file server 2. Level of completion of Exchange 2010 migration 2. Level of implementation of long term digital archiving 2. Level of integration of management interface 2. Level of implementation of field offices workstation encryption 2. Number of other technology improvements researched through	2. MER consolidation finalized 2. 100% implemented 2. 100% completed 2. 100% implemented 2. 100% integrated 2. 75% implemented 2. 5 pilot project on-going	100% finalized 100% implemented 100% completed 75% completed Records (retention policy pending) 100% Integrated 75% implemented 3 pilot projects completed
<b>Strategic Objective 2.4</b>			
1. Increased participation of women in recruitment through gender-neutral vacancy announcement and through increased inclusion in selection rounds	1. Development of a competency based interview guide	1. Participation increased to 45%	Achieved. The number of applications from female candidates increased from 31.97% in 2013 to 46.76% in 2014
2. Improved recruitment and advertising in countries less represented	2. Inclusion of special provisions in the recruitment guidelines drawing the attention of the panel members to the short-listing of qualified candidates from non-represented and under-represented countries	2. Increase in the number of applications and short-listed candidates from non-represented and under-represented candidates by 2%	The number of applications from under and non-represented countries increased from 18.36% in 2013 to 19.11% in 2014. Applications from over represented countries decreased from 59.67% in 2013 to 43.13% in

			2014, whereas there was a similar increase from in-balance and non-ratified countries.
	2. Initiation of targeted advertising, recruitment briefings and awareness recruitment campaigns for countries less represented through the relevant embassies in co-ordination with national authorities, universities and media	2. Targeted advertising, recruitment briefings and awareness recruitment campaigns increased by 5%	This objective has been included in the 2015 work plan.
3. List of Counsel reflects geographic and gender diversity	3. Increase in geographic and gender diversity of list of Counsel	3. List of Counsel geographic diversity improved by 5%	Achieved. List improved by 6.3%
		3. Female representation in list of Counsel increased by 5%	Achieved. Representation increased by 12.8%
<b>Strategic Objective 2.5</b>			
1. Structured follow-up on staff surveys	1. Level of assessment of the working climate project and/or level of implementation	1. At least 50% of assessment approved and implemented	The report of the Court-wide Working Group on Working Climate was presented to the Coordination Council in 2014
2. Career and development plan approved	2. Progress level in development of the plan	2. Career and development plan 100% finished and approved by the Court	Due to change in priorities, this target was not included in the work plan for 2014
<b>Strategic Objective 2.6</b>			
1. Enhanced transparency and predictability of the budgetary process	1. Progress level in strategic planning review and in discussions with Hague Working Group (HWG)	1. Strategic planning fully reviewed and discussions within HWG finalized	Discussions and review ongoing
	1. Progress level in implementation of budget planning and consolidation (BPC)	1. BPC business case finalized, recommendations approved and implementation started	Not achieved
2. Refined budget assumptions for 2014 budget, including scenarios outlining probable future expenses	2. Level of satisfaction, internal and external, on the detailed level of the 2014 assumptions	2. Court officials fully satisfied with assumptions.	100%
		2. No Assembly recommendation on the need to further refine budget assumptions.	Fully achieved
3. Implementation of internal Court agreement on a high-level risk management system charting the most relevant strategic risks	3. Level of implementation of high-level risk management system	3. 5 of the high-risks tracked appropriately within the system	Not achieved
4. Further improvement of the Court's efficiency	4. Progress level in developed of a Court-wide strategy and approach	4. Efficiency strategy and implementation plan completed. Implementation 50% finalized	Implementation ongoing
<b>Strategic Objective 2.7</b>			
1. Prepare and implement an effective transition programme 2013-2016	1. Level of preparation of the transition programme and level of implementation	1. Transition Project documented and implementation started.	100%

**Programme 3300: Division of Court Services**

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>	<i>Achievements</i>
<b>Priority Objective 2.1.2</b>			
Effective resource management and identification and implementation of possible further efficiency measures	- Court hearings are properly conducted	- Avoid delay and cancellation of Court hearings incidents and if incidents occur, 100 % professional handling	100%
<b>Priority Objective 2.3.1</b>			
Comprehensive and efficient eCourt and filing system, leading to further transparency	- Well-functioning eCourt filing system - Filing systems updated	- All systems are updated and performing.	100%. Use of the system should increase to 100% in the course of 2015
<b>Priority Objective 2.8.1</b>			
A yearly review of the state of readiness of the staff and of witness protection.	- In-depth review of witness protection is undertaken.	- Review executed.	Implementation of the review ongoing
Implementation of systematic security risk management process to all Court's activities at Headquarters and in the field.	- Number of incidents, if any.	- Avoid incidents; and if incidents occur, 100 % professional handling.	100%
No security incidents caused by a lack of prevention or management of foreseeable risks by the Court, while allowing operations to continue where justified.			
Security risk assessment updated and measures reviewed yearly or when required.			
<b>Priority Objective 3.4.1</b>			
Conclude relocation agreements (including cost-neutral agreements) and agreements for interim release/acquittal, as a priority with States in relative geographical proximity to the States of origin of witnesses and the accused.	- Increased negotiations and consultation with States Parties and other partners.	- Additional relocation agreements are concluded.	Achieved. Two additional relocation agreements and 45 consultations with States Parties ongoing.

**Programme 3400: Public Information and Documentation Section**

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>	<i>Achievements</i>
<b>Objective 1.7.1</b>			
Increased understanding of Court's proceedings amongst victims and affected communities	<u>In countries concerned:</u> - Percentage of questions showing that the level of understanding has become more sophisticated	20% more than in 2013	Data for the two indicators related to this objective is unavailable at present. The internal database containing the relevant information is under revision in order to be adjusted to meet emerging needs in qualitative impact assessment. However, the available information shows that in 2014 more outreach sessions were organized than in 2013. In the DRC, for instance, the number of outreach sessions held increased from 183 to 192. In Kenya, 47 outreach sessions were conducted, compared to 31 in 2013. Also, 203 Court radio and television programmes were broadcast and distributed, compared to 158 in 2013. Local security conditions prevented the Court from conducting regular outreach activities in the CAR; and in the absence of judicial developments in cases in the situation in Darfur, the Court did not organize outreach sessions there.
Increased capacity amongst the local population to follow judicial developments.	- Percentage of participants stating that they have learnt something new in their responses to surveys carried out at the end of each outreach session.		



**Objective 3.2.1**

Strengthened trust and commitment of the Court's external stakeholders "through increasing access to the Court's judicial developments"	- Increased level of visitors to the Court's website	10% more than in 2013.	-8% visitors to the website. However, + 19% users accessed the Court streaming services on the website.
	- Increased level of subscribers to the Court's mailing list	10% more than in 2013.	- 30%. Justification: 317 new subscribers were added to the list, but the total number of subscribers decreased because outdated addresses were removed from the list.
	- Number of visitors attending hearings.	50% more visitors than in 2013	7.244 in 2014, compared to 6.500 in 2013

**Objective 3.2.1**

Strengthened trust and commitment of the Court's external stakeholders "through increasing access to the Court's judicial developments"	- Number of VIP/high-level visits to Court officials;	55, same number as in 2013	68 (24% higher than target)
	- Number of stakeholder visits	120, increase of 60% compared to assumption for 2013.	141 (17.5% higher than target)
	- Number of events.	18 events, including welcoming ceremonies for new States Parties, symbolic event to commemorate 17 July, International Criminal Justice Day, final rounds of ICC Trial Competitions, as well as regular Court meetings such as diplomatic briefings, NGO round tables, and other relevant seminars.	34 events (89% higher than target)
	- Number of general information visits to be received.	400 general information visits, with 7,000 visitors in total	472 visits, with 8,021 visitors in total

**Objective 3.2.1**

Strengthened trust and commitment of the Court's external stakeholders "through increasing access to the Court's judicial developments"	- Increased number of op-eds published in different countries	20% more than in 2013	Not achieved. There was no need for Court-sponsored op-eds in 2014, as the Court was present in print and online news as a result of other general media activities.
	- Increased number of interviews given by Court officials;	10% more than in 2013	25% more
	- Increased number of twitter followers	10% more than in 2013.	48.5% more
	- Increased number of informational interactive sessions with journalists	Five sessions and study visits expected for 20 journalists each.	Seven media training sessions and study visits, with 10-20 journalists each
- Increased visitors and photos shared on Flickr (covering Court activities at HQ and in the field, as well as VIP visits).	10% more than in 2013	121% more subscribers to Flickr account	

## Annex V

## Registry: Consolidation of the number of defendants, victims' applications, duration of stay of witnesses and stay per witness at Headquarters

### Number of indigent defendants

2014		2013		2012		2011		2010		2009		2008	
Actual	Budget Assumption	Actual	Budget Assumption	Actual	Budget Assumption	Actual	Budget Assumption	Actual	Budget Assumption	Actual	Budget Assumption	Actual	Budget Assumption
12	8	8	7	0 <sup>1</sup>	7	6	3	6	3	4	3	3	1

### New victim participation applications

	2014	2013	2012	2011	2010	2009	2008
Uganda	60	90	24	27	311	272	216
DRC	259	1,682	0	1,160	47	331	270
Darfur, Sudan	0	1	2	5	63	118	0
CAR	11	64	170	3,065	1,761	34	133
Kenya	724	416	882	2,513	57	2	0
Libya	6	0	6	1	-	-	-
Côte d'Ivoire	249	112	203	-	-	-	-
Registered Vessels	92	137	-	-	-	-	-
Mali	119	-	-	-	-	-	-
<b>Total</b>	<b>1,520</b>	<b>2,502</b>	<b>1,287</b>	<b>6,771</b>	<b>2,239</b>	<b>757</b>	<b>619</b>

### New victim reparation applications

	2014	2013	2012	2011	2010	2009	2008
Uganda	60	9	24	25	381	24	0
DRC	296	1,593	0	1,160	36	107	4
Darfur, Sudan	0	1	2	54	76	7	0
CAR	12	188	206	2,936	321	23	1
Kenya	0	0	698	2,857	421	116	0
Libya	6	0	6	0	-	-	-
Côte d'Ivoire	250	113	210	-	-	-	-
Registered Vessels	99	141	-	-	-	-	-
Mali	212	-	-	-	-	-	-
<b>Total</b>	<b>935</b>	<b>2,045</b>	<b>1,146</b>	<b>7,032</b>	<b>1,235</b>	<b>277</b>	<b>5</b>

### Stay per witness at Headquarters (maximum duration)

	2014		2013		2012		2011		2010		2009		2008	
	Actual	Budget Assumption	Actual	Budget Assumption	Actual	Budget Assumption	Actual	Budget Assumption	Actual	Budget Assumption	Actual	Budget Assumption	Actual	Budget Assumption
DRC I	n/a	n/a	n/a	n/a	n/a	n/a	13	15	22	10	39	10	0	7
DRC II	n/a	n/a	n/a	n/a	n/a	n/a	25	15	41	10	21	10	0	7
CAR	6	n/a	14	15	37	15	33	15	19	10	0	10	0	7
Ruto and Sang	25	15	18	15	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a

<sup>1</sup> In 2012, no defendants were found to be indigent. However, the Court provided services for a total of nine indigent defendants during that year, as they had been found to be indigent in previous years.

## Annex VI

## Major programme IV – Secretariat of the Assembly of States Parties

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>	<i>Achievements</i>
<b>Objective 1</b> - Conference held as planned	<ul style="list-style-type: none"> <li>- Meetings run smoothly, end on time and adopt reports</li> <li>- All agenda items are considered</li> <li>- Participants are supported substantively and logistically at meetings, including with registration, provision of documentation and language services</li> <li>- Session participants are satisfied with the arrangements and information provided</li> </ul>	n/a	<p>High-quality conference and meeting services were provided to the Assembly and its subsidiary bodies. All pre-session, in-session and post-session documents were edited, translated and made available to States in a timely manner.</p> <p>Positive feedback was received from participants.</p>
<b>Objective 2</b> - Quality edited and translated documents released for processing, production and distribution in a timely manner	<ul style="list-style-type: none"> <li>- States are provided and satisfied with quality conference services and with the editing, translation and timely issuance of documents, in four official languages,<sup>1</sup> which fully support them in their functions</li> <li>- States are assisted as required, in particular with the provision of information and documentation regarding the Assembly and the Court</li> </ul>	n/a	<p>For the twenty-second and twenty-third sessions of the Committee, the Secretariat processed the pre-session, in-session and post-session documents<sup>2</sup> set out in the table below (5,595 pages). For the thirteenth session of the Assembly, the Secretariat processed the pre-session, in-session and post-session documents<sup>3</sup> set out in the table below (9,361 pages).</p>
<b>Objective 3</b> - Quality legal advice provided to the Assembly and its subsidiary bodies	<ul style="list-style-type: none"> <li>- States are provided with substantive legal services, especially in the form of documentation, which facilitate and support their work</li> <li>- Members of the Assembly and relevant bodies are satisfied with the sessions</li> </ul>	n/a	<p>All available information and documentation sought regarding the work of the Assembly and the Court was provided upon request. States and Committee members were thus facilitated in fulfilling their roles.</p> <p>Positive feedback was received from participants.</p>
<b>Objective 4</b> - Effective dissemination of documentation and information to States Parties via, <i>inter alia</i> , the Internet	<ul style="list-style-type: none"> <li>- Website and Assembly, Committee on Budget and Finance and Oversight Committee Extranets are used frequently</li> <li>- Information and documentation can be accessed without delay</li> </ul>	n/a	<p>All official documentation and useful information was uploaded to the website. In addition, extranet is available for use at all times by Assembly, Bureau and Committee members</p> <p>The Secretariat distributed USB flash drives containing the majority of available pre-session documents to the delegations at the thirteenth session of the Assembly, reducing the 6,340 pages of printed documents normally distributed. This resulted in savings of approximately €70,000. The Secretariat will continue to adopt all means and measures to achieve efficiency in documentation.</p> <p>In connection with its recent mandate regarding complementarity, the Secretariat's activities included participating in relevant meetings, securing the engagement of stakeholders with each other, continuing to develop the Extranet and posting relevant information</p> <p>Positive feedback was received from participants</p>

<sup>1</sup> As of 2009, official documents for the Assembly are issued in four official languages only: Arabic, English, French and Spanish.

<sup>2</sup> In the two working languages.

<sup>3</sup> In all six official languages: All documents are available in English, French, Spanish and Arabic, and the resolutions are also available in Chinese and Russian.

**Number of documents and pages, produced in 2014**

	<i>English</i>		<i>French</i>		<i>Spanish</i>		<i>Arabic</i>		<i>Chinese</i>		<i>Russian</i>		<i>Total</i>	
	<i>Docs</i>	<i>Pages</i>	<i>Docs</i>	<i>Pages</i>	<i>Docs</i>	<i>Pages</i>	<i>Docs</i>	<i>Pages</i>	<i>Docs</i>	<i>Pages</i>	<i>Docs</i>	<i>Pages</i>	<i>Docs</i>	<i>Pages</i>
Committee 22nd session	178	1,327	152	1,111	0	0	0	0	0	0	0	0	330	2,438
Committee 23rd session	225	1,661	172	1,496	0	0	0	0	0	0	0	0	397	3,157
<i>Committee total</i>	<i>403</i>	<i>2,988</i>	<i>324</i>	<i>2,607</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>727</i>	<i>5,595</i>
Assembly 13th session:														
Pre-session documentation	67	1,585	67	1,585	67	1,585	67	1,585	0	0	0	0	268	6,340
In-session documentation	56	224	36	163	33	157	33	157	0	0	0	0	158	701
Post-session documentation	3	572	3	572	3	572	2	520	1	42	1	42	13	2,320
<i>Assembly 13th session: total</i>	<i>126</i>	<i>2,381</i>	<i>106</i>	<i>2,320</i>	<i>103</i>	<i>2,314</i>	<i>103</i>	<i>2,262</i>	<i>1</i>	<i>42</i>	<i>1</i>	<i>42</i>	<i>440</i>	<i>9,361</i>
<b>2014 total</b>	<b>529</b>	<b>5,369</b>	<b>430</b>	<b>4,927</b>	<b>103</b>	<b>2,314</b>	<b>103</b>	<b>2,262</b>	<b>1</b>	<b>42</b>	<b>1</b>	<b>42</b>	<b>1,167</b>	<b>14,956</b>

**Annex VII****Major programme VII-1 – Project Director’s Office (permanent premises)****Sub-programme 7110: Project Director’s Office**

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>	<i>Achievements</i>
<b>Objective 1</b> - To provide the Court with the necessary permanent premises to meet the Organization’s strategic goals and objectives	- Project performs in line with the agreed budget and outperforming where possible - Project in line with agreed timeline - Construction of the permanent premises continued and on schedule	100% 100% 100%	98% 100% 100%
<b>Objective 2</b> - To ensure the smooth, efficient and timely transition of the Court from the interim premises to the permanent premises.	- Project incorporates all of the necessary activities to ensure the achievement of the objectives. - Project in line with agreed timeline. - Ensure new operating policies and procedures are all identified and all necessary preparation work is in progress	100% 100% 100%	100% 97% 99%
<b>Objective 3</b> - To ensure the most cost-effective, efficient and timely return of the interim premises to the host State.	- Ensure the transfer from the interim premises to the permanent premises is aligned as cost-effectively as possible, with minimum overlap.	100%	100%

**Sub-programme 7120: Court Staff Resources**

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>	<i>Achievements</i>
<b>Objective 1</b> - To provide the Permanent Premises Project with the necessary crucial support functions to meet its strategic goals and objectives.	- Permanent Premises Project receives from the Court good quality input in a timely manner. - Permanent Premises Project benefits to the greatest extent possible from expertise and experience existing within the Court.	100% 100%	100% 100%

<b>Objective 2</b>	- Permanent Premises Project receives from the Court good quality input for transition activities in a timely manner	100%	100%
- To provide the necessary crucial support functions to the transition activities required to successfully move the Court to the new premises and make them fully operational	- The transition activities benefit to the greatest extent possible from expertise and experience existing within the Court.	100%	100%

## Annex VIII

### Major programme VI – Secretariat of the Trust Fund for Victims

<i>TFV Goal</i>	<i>Expected results</i>	<i>Performance indicators/targets</i>	<i>Observations</i>	<i>Achievements</i>
Mandate-driven impact and results (assistance and reparations)	Assistance mandate: replicating, scaling-up and strengthening of TFV interventions	TFV effectively implements assistance programmes in 3-4 ICC situation countries, supporting approx. 100,000 direct victim beneficiaries	Expansion dependent on strengthening of TFV Secretariat and on revenue from voluntary contributions.	Project transitions have been initiated in northern Uganda and the DRC to allow for open tenders and new partners, resulting in reduced numbers of beneficiaries for this reporting period. Desk studies conducted to prepare for assessments and the (re)launch of programmes in the CAR and Côte d'Ivoire.
	Reparations mandate: initiation and effective design and implementation of reparations awards	TFV develops and implements reparations plans related to 1-2 ICC cases	Dependent on outcome of judicial proceedings, including reparations phase and any appeals.	Activities under the TFV reparations mandate are pending final Court decisions on reparations in <i>Lubanga</i> and <i>Katanga</i> .
Improved institutional visibility and recognition	TFV stands out and is recognized as an effective instrument of reparative justice in the context of international criminal law	TFV is referenced in public domain (media, conferences) in a positive and constructive manner [qualitative target]	TFV outreach capability is limited, and the TFV is not formally integrated into the Court's outreach strategy.	Positive coverage and exposure related to UK contributions of over £1 million earmarked for survivors of sexual and gender-based violence and linked to the UK's Global Conference on Ending Sexual Violence in June 2014
		Impact survey results (assistance and reparations mandates) demonstrate positive appreciation by victims and communities [qualitative target]	Dependent on availability of resources to carry out impact surveys.	Impact survey not carried out for lack of capacity and resources; there are plans to obtain support toward this effort from a university in 2015/16. However, programme modifications are being made in response to recommendations resulting from the external evaluation completed in 2013.
		TFV benefits from matching resources and partnerships (public, civil society, private sector) to support visibility and fundraising		Matching funds from implementing partners continued to be provided and recorded as part of project impact and sustainability strategy
Effective governance and well-balanced organizational development	TFV Board is fully and transparently accountable to the Assembly, donors and victim beneficiaries for the management of the Fund and its resources; as well	TFV Strategic Plan 2014-2017 is in place; SOP(s) with the Court on implementation of reparations awards		TFV Strategic Plan 2014-2017 adopted by Board in August 2014. In the absence of specific, final reparations decisions, SOPs on implementation have not been developed.

	as to the Court for the management and use of reparations awards, fines and forfeitures			
	TFV Secretariat is adequately financed through assessed contributions, and its structure and composition reflect organizational needs	TFV is responsive to requirements of both the assistance and reparations mandates.  Positions adequately reflect responsibilities. GTA conversions to established posts and review of staff levels as needed. Performance management system in place at organizational and staff levels	Non-attainment will risk overloading TFV Secretariat– or failure to core functionality of STFV in view of demands of both assistance and reparations mandates  Review of job descriptions, work surveys and conversion of GTA positions staffed beyond three years requires consultation with Court and approval by ASP	Assessed contributions continue to cover the TFV Secretariat’s core needs.  Structure and composition of TFV Secretariat is out of date and will undergo review in 2015 as part of the <i>ReVision</i> process, including the development of measurement indicators reflecting organizational performance, as part of the TFV Performance Measurement Plan attached to the strategic plan.
Financial sustainability	Voluntary contributions: revenue from States is consolidated; diversification to private donors	States (Parties) and other donors will contribute €3million or more, in voluntary contributions  TFV receives private donations from both institutional and individual donors  TFV benefits from matching contributions and partnerships (public, civil society, private sector) to support marketing and fund-raising	Dependent on economic and financial outlook of key donors  Dependent on capacity of TFV Secretariat to develop marketing and fundraising capacity outside of existing core capacity, vetting procedure for donations over US\$5,000 is in place, including due diligence policy approved by the Board	Voluntary contributions in 2014 amounted to €4.98 million euro.  Private donations remained modest; fundraising strategy developed as part of TFV strategic plan for implementation from 2015 onwards, including recruitment of fundraising officer and development of support systems.  Not pursued pending finalization of fundraising strategy and building of required internal capacity.
	Maximized results from awards, fines and forfeitures for use in the implementation of Court-ordered reparations	This type of revenue is established as a core element of financing Court-ordered reparations and the TFV is included in the Court protocol regarding seizure and freezing of assets	Dependent on ability of Court – in cooperation with States Parties – to seize and freeze assets for the purpose of reparations and to collect fines imposed on convicted persons	No revenue from these sources received in 2014.

## Annex IX

### Procurement

#### Overview of procurement activities in 2014

	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>	<i>May</i>	<i>Jun</i>	<i>Jul</i>	<i>Aug</i>	<i>Sep</i>	<i>Oct</i>	<i>Nov</i>	<i>Dec</i>	<i>Total (year)<sup>1</sup></i>
Number of Procurement Staff	7	7	7	7	7	7	7	7	7	7	7	7	
<b>Purchase Orders (POs)</b>													
No. of POs	356	260	200	147	147	147	130	113	151	176	206	146	2,179
No. of POs previous year	244	142	134	109	112	103	101	74	114	162	197	139	1,631
Value of POs	5,111,927	103,636,284	1,447,824	1,675,611	1,280,431	1,901,048	1,762,093	2,689,314	1,305,111	1,838,703	1,739,892	30,080,516	154,468,754
Value of POs previous year	47,525,307	1,795,962	2,415,781	2,950,898	1,303,056	1,937,376	1,103,984	508,109	1,237,013	4,347,900	1,949,827	4,577,189	71,652,402
<b>Requisitions</b>													
No. of requisitions	357	172	146	134	131	128	113	110	132	181	203	188	1,995
Previous year	298	161	141	126	122	112	123	100	153	218	244	167	1,965
<b>Procurement Review Committee (PRC)</b>													
No. of meetings	3	1	0	3	1	1	7	1	2	5	2	4	30
No. of meetings previous year	1	2	4	2	10	6	2	1	3	5	7	6	49
Value of PRC	1,208,717	1,540,000	0	599,742	65,000	1,105,160	1,474,668	100,200	4,746,800	645,367	385,719	1,447,797	13,319,170
Value of PRC previous year	500,000	500,777	2,615,533	90,000	2,047,479	3,215,000	83,000	10,200,000	484,500	458,115	943,047	1,848,000	22,985,451

#### Overview of total expenditure in 2014 by country

<i>Vendor country</i>	<i>PO value (in euros)</i>	<i>Percentage</i>
Andorra	610	0.01
Afghanistan	13,305	0.01
Argentina	174,310	0.11
Austria	56,196	0.04
Australia	94,450	0.06
Belgium	989,149	0.64
Benin	13,914	0.01
Brazil	480	0.01
Canada	389,374	0.25
Democratic Republic of the Congo	1,544,968	1.00
Central African Republic	94,996	0.06
Congo	17,481	0.01
Switzerland	659,967	0.43
Côte d'Ivoire	444,448	0.29
Cameroon	12,824	0.01
China	56,734	0.04
Germany	146,021	0.09
Denmark	159,221	0.10
Algeria	17,226	0.01

<sup>1</sup> Includes the €71 million obligation for the construction of the permanent premises.

Estonia	14,287	0.01
Egypt	13,377	0.01
Spain	164,117	0.11
Ethiopia	3,818	0.00
Finland	17,434	0.01
France	537,531	0.35
United Kingdom	1,821,185	1.18
Ghana	31,397	0.02
Gambia	18,378	0.01
Greece	94	0.01
Hungary	3,506	0.01
Ireland	37,522	0.02
Israel	2,000	0.00
India	92,740	0.06
Italy	28,435	0.02
Kenya	280,087	0.18
Cambodia	1,370	0.01
Luxembourg	587	0.01
Morocco	3,000	0.01
Mali	25,234	0.01
Nigeria	37,906	0.03
Netherlands	144,114,682	93.30
Norway	24,940	0.02
Poland	96	0.01
Portugal	14,145	0.01
Republic Serbia	2,700	0.01
Russian Federation	2,328	0.01
Ruanda	12,217	0.01
Sweden	7,850	0.01
Senegal	39,201	0.03
Tanzania	30,882	0.02
Uganda	538,268	0.35
USA	1,469,456	0.95
Uruguay	13,747	0.01
South Africa	172,314	0.11
Zambia	6,250	0.00
<b>Total</b>	<b>154,468,754</b>	<b>100.00</b>

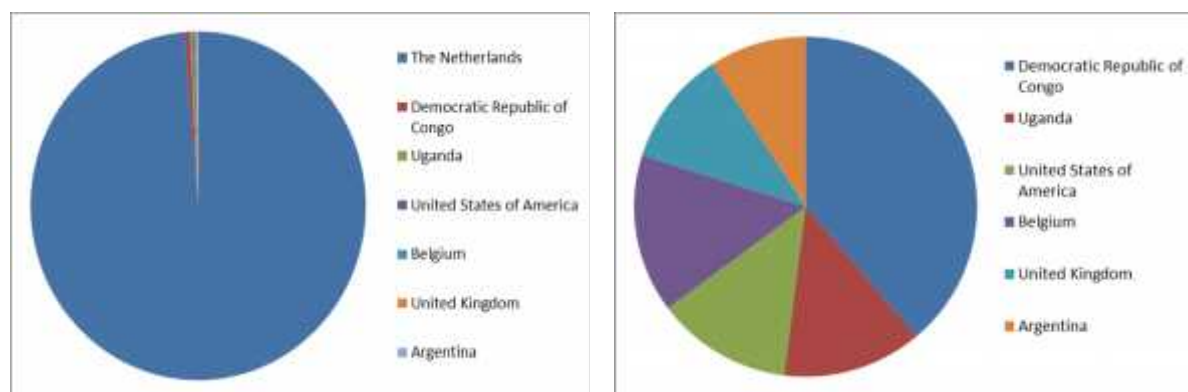
#### Main goods and services purchased in 2014 shown with country (top 20)

	Description	Value	Country
1	Building construction of the permanent premises	115,300,000	The Netherlands
2	Interim premises maintenance	4,825,697	The Netherlands
3	Permanent Premises Project management services	1,184,842	The Netherlands
4	Computer hardware, including SAN	1,297,224	The Netherlands
5	Judges' pension premium	1,005,038	The Netherlands
6	Detention centre – cell rental in The Hague	1,687,500	The Netherlands
7	ASP conference services	300,000	The Netherlands
8	Office cleaning at Headquarters	424,684	The Netherlands
9	Humanitarian services	350,000	Democratic Republic of the Congo
10	Mobile phone subscriptions and usage	310,350	The Netherlands
11	SAP software maintenance and licences	308,766	The Netherlands
12	Voice landlines	226,300	The Netherlands
13	Software maintenance	513,613	The Netherlands



14	Maintenance of security systems	235,000	The Netherlands
15	Humanitarian services	220,520	Uganda
16	UNHQ satellite communications	214,514	United States of America
17	Audio-visual hardware for courtroom at permanent premises	252,025	Belgium
18	Court software support services	183,399	United Kingdom
19	Humanitarian services	300,000	Democratic Republic of the Congo
20	ECOS software support services	153,600	Argentina
<b>Total</b>		<b>129,293,074</b>	

**Diagrammatic representation of the top 20 expenditures in 2014 by country (including and excluding the Netherlands)**



## Annex X

### Liquid funds

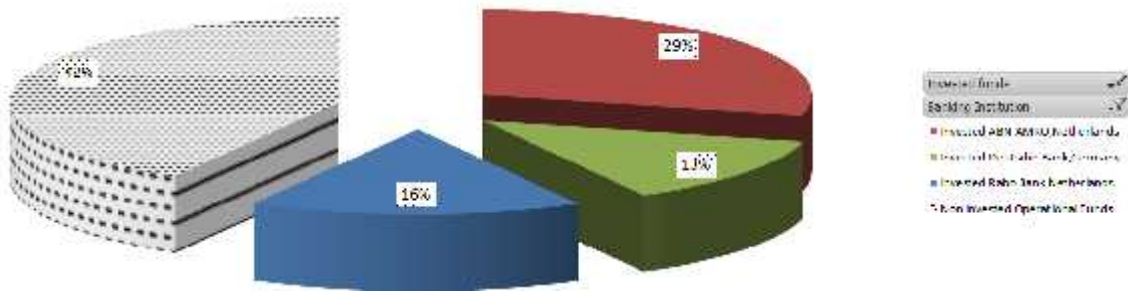
**Table 1. Sovereign Risk – Credit Ratings**

Country	Moody's	S&P	Fitch
Netherlands	AAA	AA+	AAA
Germany	AAA	AAA	AAA
France	AA1	AA	AA
United Kingdom	AA1	AAA	AA+
Sweden	AAA	AAA	AAA
Singapore	AAA	AAA	AAA

**Table 2. Banking Risk – Credit Ratings**

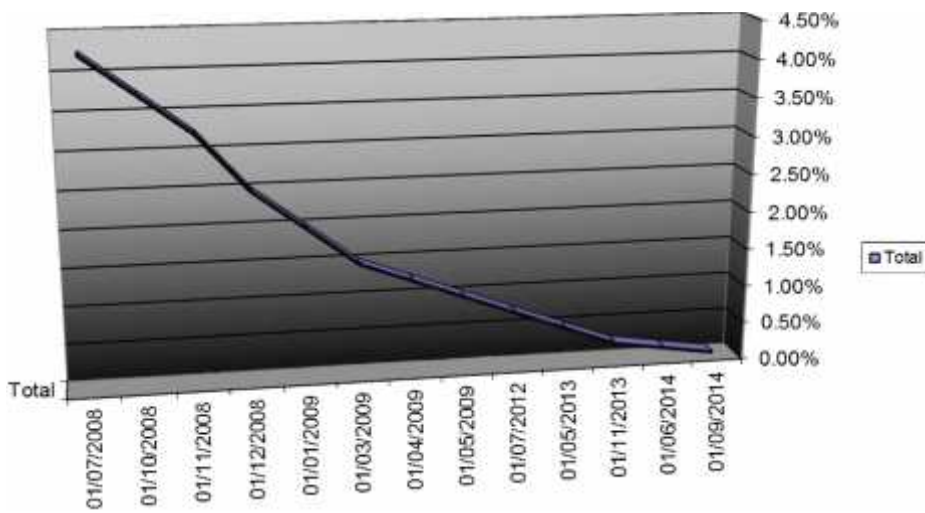
Bank	Short-term rating			Long-term rating		
	Moody's	S&P	Fitch	Moody's	S&P	Fitch
ABN AMRO, Netherlands	P-1	A-1	F1+	A2	A	A+
Rabobank, Netherlands	P-1	A-1	F1+	AA2	A+	AA-
ING, Netherlands	P-1	A-1	F1+	A2	A	A+
BNP Paribas, France	P-1	A-1	F1	A1	A+	A+
SEB, Sweden	P-1	A-1	F1	A1	A+	A+
Deutsche Bank, Germany	P-2	A-1	F1+	A3	A	A+
HSBC, United Kingdom	P-1	A-1+	F1+	AA3	AA-	AA-
DBS Bank, Singapore	P-1	A1+	F1+	AA1	AA-	AA-

**Chart 1. Liquid Funds by Bank**



The high proportion of non-invested funds at year-end is due to one-time payments received in December for permanent premises.

**Chart 2. European Central Bank Base Rates 2008-2014**



## Annex XI

## Realization of assumptions 2005-2014

<i>Financial year</i>	<i>Approved budget (in million euros)</i>	<i>Budget performance</i>	<i>Assumptions</i>	<i>Realization of assumptions</i>
2005	66.9	92.9%	<ul style="list-style-type: none"> <li>- Eight situations being monitored:</li> <li>- Two situations at each of the pre-trial, trial and appeals phases</li> <li>- Two situations at the investigation phase</li> </ul>	<ul style="list-style-type: none"> <li>- Monitored/analysed eight situations</li> <li>- Pre-trial proceedings and interlocutory appeals in three situations</li> <li>- Three situations at the investigation phase – Uganda, DRC I and Darfur (following Security Council referral)</li> </ul>
2006	80.4	80.4%	<ul style="list-style-type: none"> <li>- Up to eight situations being monitored</li> <li>- A fourth investigation opened</li> <li>- Start of two trials</li> </ul>	<ul style="list-style-type: none"> <li>- Monitored/analysed five situations</li> <li>- Opening of fourth investigation – DRC II</li> <li>- Pre-trial proceedings and interlocutory appeals in <i>Lubanga</i> (DRC I)</li> <li>- Pre-trial proceedings in the other three investigations</li> </ul>
2007	88.9	87.2%	<ul style="list-style-type: none"> <li>- At least five situations being monitored</li> <li>- No new investigations into new situations</li> <li>- Within the four situations, investigation of at least six cases, including the two cases in which arrest warrants have been issued</li> </ul>	<ul style="list-style-type: none"> <li>- Five situations under preliminary/advanced analysis</li> <li>- One new investigation into a new situation opened (CAR)</li> <li>- Seven cases in four situations under investigation (DRC I and II, Darfur I and II, Uganda and CAR)</li> <li>- Continuation of pre-trial proceedings (confirmation of charges hearing) in <i>Lubanga</i> (DRC I)</li> </ul>
2008	90.4	92.6%	<ul style="list-style-type: none"> <li>- Monitoring of at least five situations</li> <li>- No new investigations into new situations</li> <li>- In four situations, pursuit of investigative steps in at least five cases, including the three cases in which arrest warrants have been issued</li> <li>- At least one trial</li> </ul>	<ul style="list-style-type: none"> <li>- Six situations under preliminary/advanced analysis</li> <li>- No new situations opened</li> <li>- Seven cases in four situations under investigation (Uganda, DRC I and II; Darfur I, II and III; and CAR)</li> <li>- <i>Lubanga</i> case before the Trial Chamber; proceedings stayed (DRC I)</li> <li>- Pre-trial proceedings (confirmation of charges hearing) in <i>Katanga and Ngudjolo</i> (DRC II)</li> <li>- Pre-trial hearings (status conferences) in <i>Bemba</i> (CAR)</li> </ul>
2009	101.2	92.5%	<ul style="list-style-type: none"> <li>- Five investigations in three existing situations</li> <li>- No new investigations into new situations</li> <li>- Analysis of up to eight other situations</li> <li>- Two trials. Not envisioned to start third trial in 2009</li> <li>- Consecutive trials</li> </ul>	<ul style="list-style-type: none"> <li>- Five active investigations conducted: DRC II (<i>Katanga and Ngudjolo</i>), DRC III (Kivus), CAR (<i>Bemba</i>), Darfur II (<i>Al Bashir</i>) and Darfur III (<i>Haskanita</i>)</li> <li>- One request for Judges' authorization to open an investigation in Kenya (<i>proprio motu</i>)</li> <li>- Situations under preliminary examination, including Kenya, Colombia, Afghanistan, Georgia, Guinea, Côte d'Ivoire and Palestine, have been made public. In order to increase impact, the OTP has systematized publicity of its monitoring activities.</li> <li>- Two trials: OTP presentation completed in <i>Lubanga</i>; OTP presentation commenced in <i>Katanga and Ngudjolo</i></li> <li>- Confirmation of charges proceedings completed in two cases: <i>Bemba</i> and <i>Abu Garda</i>.</li> </ul>
2010	103.6	100.3%	<ul style="list-style-type: none"> <li>- Five active investigations in three situations currently before the Court</li> </ul>	<ul style="list-style-type: none"> <li>- DRC III, IV and V (Kivus); Darfur III; and Kenya I and II</li> </ul>

			<ul style="list-style-type: none"> <li>- Five residual investigations where either trial proceedings on-going or where suspects are at large</li> </ul>	<ul style="list-style-type: none"> <li>- Residual investigations/witness management in cases where suspects are at large: Uganda and Darfur I and II; Residual investigations in support of cases at trial: DRC I and II and CAR</li> </ul>
			<ul style="list-style-type: none"> <li>- No opening of investigations into new situations</li> </ul>	<ul style="list-style-type: none"> <li>- Investigation in the new situation of Kenya authorized by the Pre-Trial Chamber on 31 March 2010</li> <li>- Active investigation in two cases: Kenya I and II</li> <li>- Applications for summonses to appear made on 15 December 2010</li> </ul>
			<ul style="list-style-type: none"> <li>- Analysis of up to eight potential situations</li> </ul>	<ul style="list-style-type: none"> <li>- Nine situations under preliminary examination (phase 2b) – Afghanistan, Colombia, Côte d’Ivoire, Georgia, Guinea, Honduras, Nigeria, Republic of Korea and Palestine – have been made public. In order to increase impact, the OTP has systematized publicity of its monitoring activities.</li> </ul>
			<ul style="list-style-type: none"> <li>- Up to three trials being held consecutively (parallel hearings over several weeks may occur)</li> </ul>	<ul style="list-style-type: none"> <li>- Confirmation of charges hearing completed in <i>Banda and Jerbo</i>– decision pending.</li> <li>- Trials continued in <i>Lubanga</i> and <i>Katanga and Ngudjolo</i>. Prosecution cases concluded in both.</li> <li>- The trial in <i>Bemba</i> commenced 22 November 2010.</li> <li>- Four months of parallel trials</li> </ul>
2011	103.6	98.7% <sup>1</sup>	<ul style="list-style-type: none"> <li>- Four or five new investigations into cases, within existing or new situations, subject to external cooperation received</li> </ul>	<ul style="list-style-type: none"> <li>- DRC III and IV, Darfur III, Kenya I and II, Libya and Côte d’Ivoire</li> </ul>
			<ul style="list-style-type: none"> <li>- Maintaining of seven residual investigations (including providing support for three trials, subject to external cooperation received)</li> </ul>	<ul style="list-style-type: none"> <li>- Residual investigations/witness management in cases where suspects are at large: Uganda and Darfur I and II; residual investigations in support of cases at trial: DRC I and II, CAR</li> </ul>
			<ul style="list-style-type: none"> <li>- Analysis of up to eight potential situations</li> </ul>	<ul style="list-style-type: none"> <li>- Ten situations were under preliminary examination (phase 2b or later), of which Afghanistan, Colombia, Georgia, Guinea, Honduras, Nigeria, Republic of Korea and Palestine were public and two, Côte d’Ivoire and Libya, were brought to the investigation stage in 2011.</li> <li>- In order to increase impact, the OTP has systematized publicity of its monitoring activities, including through the issuance in December of a “Comprehensive Public Report on Preliminary Examinations”.</li> </ul>
			<ul style="list-style-type: none"> <li>- At least four trials, subject to external cooperation received</li> </ul>	<ul style="list-style-type: none"> <li>- Confirmation of charges hearing completed for <i>Ruto, Kosgey and Sang</i> and for <i>Muthaura, Kenyatta and Ali</i>.</li> <li>- Charges confirmed in <i>Banda and Jerbo</i>– trial date to be set.</li> <li>- Charges declined in <i>Mbarushima</i> – OTP sought leave to appeal.</li> <li>- Arrest warrants requested and issued and initial hearing completed in <i>Gbagbo</i>.</li> <li>- Arrest warrants requested and issued for Muammar Gaddafi, Saif Al-Islam Gaddafi and Abdullah Al Senussi; case against Muammar Gaddafi terminated.</li> <li>- Arrest warrant requested for Abdel Raheem Muhammad Hussein.</li> </ul>

<sup>1</sup> 98.7 per cent (programme budget), with 60 per cent from the Contingency Fund. Subject to external auditors’ recommendations.

				- Trials continued in <i>Lubanga, Katanga and Ngudjolo and Bemba</i> .
2012	108.8	96.9%	- Analysis of up to eight potential situations	<p>- Nine situations were under preliminary examination (phase 2 or later) – Afghanistan, Colombia, Georgia, Guinea, Honduras, Mali, Nigeria, Republic of Korea and Palestine – of which two (Mali and Palestine) were completed.</p> <p>- In order to increase impact, the OTP has produced more in-depth public reporting of its monitoring activities, including through the issuance of an annual “Report on Preliminary Examinations” as well as situation-specific reports (Colombia, Mali).</p> <p>- The OTP conducted eight active investigations during 2012. DRC IV, V and VI; Kenya I and II; Libya I and II; and Cote d’Ivoire.</p>
			- Maintain nine residual investigations (including providing support for three trials, subject to external cooperation)	- Residual investigations/witness management in cases where suspects are at large or where there are witness-management issues: Uganda; Darfur I, II, III and IV; and DRC III. Residual investigations in support of cases at trial: DRC I and II and CAR
2013	115.1	95.8%	- Seven investigations in seven situation countries, including the recent situation in Côte d’Ivoire	- After opening an investigation in Mali, the OTP is operating in eight situation countries. The OTP was only able to conduct six active investigations. However, this was also because the OTP conducted three additional investigations related to article70 offences.
			- Continuation of current case-load of nine residual investigations	- The OTP maintained seven residual investigations (this figure does not include the investigative support given to ongoing trials).
			- Preliminary examination of at least eight situations	<p>- Eight situations were under preliminary examination: Afghanistan, Colombia, Georgia, Guinea, Honduras, Nigeria, Republic of Korea and Registered Vessels of the Comoros, Greece and Cambodia.</p> <p>- The OTP published a “Report on Preliminary Examination Activities 2013”, the OTP “Policy Paper on Preliminary Examinations” and the article 5 report on the situation in Nigeria. The Office further processed 627 new communications received pursuant article 15, including 29 communications warranting further analysis and subject to a dedicated analytical report.</p>
2014	121.7	96.5%	- Four investigations in eight situation countries, including the recent situation in Mali	- The activities that had to be performed for unforeseen events (e.g.: CAR article70 and Kenya article70) as well as developments in the field of operations (e.g. surrender of Mr Blé Goudé, security issues in the north of Mali and health risks in Western Africa) led the original plans to be modified. More investigations were eventually performed but at a different pace than had been planned.
			- Continuation of current case-load of nine residual investigations	- As mentioned in the previous point, a few unforeseen developments led to a different mix of investigations in 2014. The addition of the article70 cases, which required a rapid response, led to some delays and the postponement of certain activities. Consequently, the number of residual investigations increased.
			- Preliminary examination of at least eight situations	<p>- Eleven situations were under preliminary examination: Afghanistan, Colombia, Georgia, Guinea, Honduras, Nigeria, Republic of Korea, Iraq, the CAR, Ukraine and the Registered Vessels.</p> <p>- The Office concluded its preliminary examinations in the CAR and the Republic of Korea and with respect to the Registered Vessels. The OTP published its annual report on preliminary-examination activities on 2 December 2014. The Office further received 511</p>

communications relating to article 15 of the Rome Statute, of which 392 were manifestly outside the Court's jurisdiction, 43 warranted further analysis, 52 were linked to a situation already under analysis, and 24 were linked to an existing investigation or prosecution.

## Annex XII

### Unliquidated obligations

**Table 1: Unliquidated obligations as at 31 December 2014 – unaudited figures (amounts in thousands of euros)**

	<i>Open purchase orders</i>		<i>Open trips</i>		<i>Total unliquidated obligations</i>
	<i>Number of POs</i>	<i>Amount for POs</i>	<i>Number of trips</i>	<i>Amount for trips</i>	
<i>Major Programme / Programme</i>	[1]	[2]	[3]	[4]	[5]=[2]+[4]
<b>Major Programme I</b>					
<b>Judiciary</b>	3	4.8	6	44.1	48.9
The Presidency	2	4.1	2	13.3	17.4
Chambers			4	30.7	30.7
Liaison Offices	1	0.7			0.7
<b>Major Programme II</b>					
<b>Office of the Prosecutor</b>	103	343.9	93	171.6	515.5
The Prosecutor	54	160.0	22	26.8	186.8
Jurisdiction, Complementarity & Cooperation Division	5	69.0	12	12.4	81.4
Investigation Division	38	77.8	50	82.7	160.5
Prosecution Division	6	37.1	9	49.6	86.7
<b>Major Programme III</b>					
<b>Registry</b>	309	2,748.4	255	424.3	3,172.7
Office of the Registrar	32	79.9	17	20.2	100.1
Common Administrative Services Division	161	959.2	41	47.1	1,006.3
Division of Court Services	95	1,409.1	185	347.5	1,756.6
Public Information and Documentation Section	21	300.2	12	9.5	309.7
Independent Offices and Special Projects					
<b>Major Programme IV</b>					
<b>Secretariat of the Assembly of States Parties</b>	26	283.1	10	32.2	315.3
<b>Major Programme V</b>					
<b>Interim Premises</b>					
<b>Major Programme VI</b>					
<b>Secretariat of the Trust Fund for Victims</b>	15	139.7	7	12.7	152.4
<b>Major Programme VII-1</b>					
<b>Project Director's Office</b>	13	109.5	1	4.8	114.3
<b>Major Programme VII-5</b>					
<b>Independent Oversight Mechanism</b>	1	33.9			33.9
<b>Total Court</b>	<b>470</b>	<b>3,663.1</b>	<b>372</b>	<b>689.6</b>	<b>4,352.7</b>

**Table 2: Unliquidated obligations as at 31 December 2013 (amounts in thousands of euros)**

<i>Major programme / programme</i>	<i>Open purchase orders</i>		<i>Open trips</i>		<i>Total unliquidated obligations</i>	<i>Disbursed during 2014</i>	<i>Savings on ULOs</i>
	<i>Number of POs</i>	<i>Amount for POs</i>	<i>Number of trips</i>	<i>Amount for trips</i>			
	[1]	[2]	[3]	[4]	[5]=[2]+[4]	[6]	[7]=[5]-[6]
<b>Major Programme I</b>							
<b>Judiciary</b>	23	93.6	42	99.9	193.5	147.4	46.1
The Presidency	6	39.5	11	39.8	79.3	54.8	24.5
Chambers	15	51.8	29	56.4	108.2	89.2	19.0
Liaison Offices	2	2.3	2	3.6	5.9	3.3	2.6
<b>Major Programme II</b>							
<b>Office of the Prosecutor</b>	91	406.3	251	595.2	1,001.5	792.9	208.6
The Prosecutor	37	126.2	59	138.7	264.9	225.0	39.9
Jurisdiction, Complementarity & Cooperation Division	1	8.0	32	76.1	84.1	73.8	10.3
Investigation Division	39	178.2	122	292.4	470.6	357.2	113.4
Prosecution Division	14	93.8	38	88.0	181.8	136.9	44.9
<b>Major Programme III</b>							
<b>Registry</b>	321	3,198.2	367	849.3	4,047.5	2,737.0	1,310.5
Office of the Registrar	112	1,208.3	170	331.8	1,540.1	689.3	850.8
Common Administrative Services Division	140	1,217.8	32	114.3	1,332.1	1,091.7	240.4
Division of Court Services	37	658.7	110	340.9	999.6	829.3	170.3
Public Information and Documentation Section	26	96.7	50	48.1	144.8	114.0	30.8
Independent Offices and Special Projects	6	16.6	5	14.2	30.8	12.7	18.1
<b>Major Programme IV</b>							
<b>Secretariat of the Assembly of States Parties</b>	22	134.7	45	168.0	302.7	252.4	50.3
<b>Major Programme V</b>							
<b>Interim Premises</b>	1	127.0			127.0	112.2	14.8
<b>Major Programme VI</b>							
<b>Secretariat of the Trust Fund for Victims</b>	12	101.5	10	20.8	122.3	115.1	7.2
<b>Major Programme VII-1</b>							
<b>Project Director's Office</b>	8	75.3	1	0.2	75.5	73.5	2.0
<b>Major Programme VII-5</b>							
<b>Independent Oversight Mechanism</b>	1	7.1	1	2.3	9.4	2.3	7.1
<b>Total</b>	<b>479</b>	<b>4,143.6</b>	<b>717</b>	<b>1,735.8</b>	<b>5,879.4</b>	<b>4,232.9</b>	<b>1,646.5</b>

## Annex XIII

## Judicial decisions with significant financial implications in 2014

<i>Judicial Decision</i>	<i>Financial Implication</i>	<i>Comments</i>
<b><i>The Prosecutor v. Bosco Ntaganda (ICC-01/04-01/06)</i></b>		
<b>ICC-01/04-02/06-160</b> <i>Decision Concerning the Organisation of Common Legal Representation of Victims</i> Dated 2 December 2013	€75,290	The decision was issued in December 2013, but its financial implications only became known in 2014. Expenses for missions undertaken to meet and consult with victims (travel, DSA, rental of premises and cost for transportation of victims). The expenses for missions and salaries of the two Legal Assistants in the field (DRC) have been covered by the legal aid budget managed by CSS.
<b>ICC-01/04-02/06-389</b> Transcript ICC-01/04-02/06-T-15-ENG ET, page 3, line 14, to page 4, line 9. Dated 17 October 2014 and <i>Reasons for Review of Registrar's Decision on Defence resources</i> Dated 29 October 2014	€5,622/month	At the hearing of 17 October 2014, the Chamber ordered the Registry to make available to the Defence, without delay, the funds for a second Legal Assistant for the duration of the trial phase up until closing statements.
<b><i>The Prosecutor v. Charles Blé Goudé (ICC-02/11-02/11)</i></b>		
<b>ICC-02/11-02/11-83</b> <i>Decision on victims' participation in the pre-trial proceedings and related issues</i> Dated 11 June 2014	€20,889	Expenses for missions undertaken to meet and consult with victims (travel, DSA, rental of premises and cost for transportation of victims).
<b><i>The Prosecutor v. Germain Katanga (ICC-01/04-01/07)</i></b>		
<b>ICC-01/04-01/07-3508</b> <i>Order instructing the Registry to report on applications for reparations</i> Dated 27 August 2014	€1,912	Expenses for missions undertaken to consult with victims. This decision instructed the Registry to contact victims who had applied for participation or reparations in the case and consult them regarding reparations. In order to implement the decision, the VPRS conducted a lengthy field mission to eastern DRC involving staff from different field offices as well as Headquarters.
<b><i>The Prosecutor v. William Samoei Ruto and Joshua Arap Sang (ICC-01/09-01/11)</i></b>		
Several decisions by Trial Chamber V(a) issuing summonses to appear and testimony via video-link in 2014	€7,233	Five witnesses testified from Kenya via video-link in 2014. This additional cost includes travel and accommodation in the field for DCS staff and operational and logistical support provided to witnesses in the field. Furthermore, because video-links were required, at irregular intervals, throughout 2014, CMS had to recruit a third ALO/CO on GTA funds.
<b><i>The Prosecutor v. Jean-Pierre Bemba Gombo et al. (ICC-01/05-01/13)</i></b>		
<b>ICC-RoC85-01/13-21-Corr</b> Presidency decision ordering the Registry to advance the cost of four months' legal representation to Mr Bemba Dated 20 May 2014	€40,000	