



Assembly of States Parties

Distr.: General
27 May 2014

Original: English

Thirteenth session

New York, 8-17 December 2014

**Report on activities and programme performance of
the International Criminal Court for the year 2013***

* Previously issued as CBF/22/13.

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I. Introduction

1. This report details the main activities conducted by the International Criminal Court (“the Court”) in 2013, and provides an overview of its budgetary performance for that year. Annexes I to XV provide detailed information, *inter alia*, on performance by major programme, realization of budgetary assumptions, indicators on defendants, victims and witnesses managed by the Registry, and on missions, documents and pages filed by the Office of the Prosecutor (the “OTP” or “the Office”).

2. The detailed descriptions of the activities in the first section of the report show that the Court undertook the activities projected for 2013, and managed to carry out various unforeseen activities, support for which was initially requested from the Contingency Fund but which will be entirely absorbed by the regular programme budget, as explained in Section IV of this report. These activities included, *inter alia*, the provision of legal aid for the defence of Mr Laurent Gbagbo in the situation in Côte d’Ivoire for the latter half of 2013; judicial activities in the situation in the Democratic Republic of the Congo (DRC) requiring the additional provision of legal aid, as well as the extension of the mandate of judges in one of the cases; the transfer of Mr Bosco Ntaganda to the seat of the Court and the new investigative efforts and confirmation of charges hearings in this case; and the costs associated with the opening of Mali as a new situation before the Court. The work carried out by the Court as a result of these unforeseen activities is detailed in Section IV.

II. Main activities of the Major Programmes

A. Major Programme I – Judiciary

1. The Presidency

3. In 2013, the Presidency continued exercising its functions in its three main areas of responsibility: legal and judicial tasks, external relations and administration.

4. The Presidency Legal and Enforcement Unit (PLEU) faced a significant increase in legal tasks compared to the level of 2012, generated by an unprecedented increase in the provision of support to the administrative functions of the Presidency in the context of The Hague Working Group, Study Group on Governance (SGG), Cluster I: “Expediting the Judicial Process” and the Working Group on Lessons Learnt (WGLL). This included the successful adoption by the Assembly of States Parties (“the Assembly”) of two Court-proposed amendments to the Rules of Procedure and Evidence (RPE). The PLEU also coordinated the first ever Court-wide revision of the Regulations of the Registry (RoR), enabling those Regulations to be approved by the Presidency. In other areas, the PLEU continued to prepare Presidency decisions concerning applications, many of which were confidential. The PLEU also facilitated the constitution of Chambers and supported meetings and plenaries of the judges, including one on the election of the Registrar. The PLEU was also involved in the conclusion of one Court-wide agreement with an international organization. The decrease in the number of Court-wide agreements was, among other things, linked to the PLEU’s significant workload generated by the SGG and WGLL activities and the coordination and supervision of the Court-wide consultation process that resulted in the adoption of the Regulations of the Registry by the Presidency.

5. In the area of external relations, the Presidency engaged with States, the Assembly and its subsidiary organs, intergovernmental 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, the President (or one of the Vice-Presidents acting on his behalf) conducted 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 of the Rome Statute system. As the leading organ within the Court

promoting 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 joining the Court.

6. In the area of administration, the Presidency remains heavily engaged, together with the other organs of the Court, in improving and further streamlining the Court's institutional and control structure. The Presidency continued its engagement in the finalization of a comprehensive risk identification and management system which will become fully operational in 2014. It also provided strategic guidance regarding the synchronization of the Court's Programme Budget with its updated Strategic Plan. The Presidency interacted with the Assembly's Hague Working Group to clarify the internal logic of the Court's updated Strategic Plan to States and other external stakeholders. As regards strategic oversight of the Registry and coordination of inter-organ issues, the administrative team continued to engage with the Registry in a wide range of meetings on topics of common concern, including issues such as the re-structuring of the Registry and various section-specific structural improvement initiatives. The administrative team also engaged extensively with the Assembly's SGG throughout the year on a number of legal, administrative and managerial topics relevant to the Court's operations alongside the other organs, in particular Cluster II concerning the Court's budget process. The Presidency represented the Court in a number of facilitations within The Hague Working Group, in particular principals and reparations-related discussions. As in previous years, the administrative team was closely involved in inter-organ matters such as the preparation of the Court's programme budget and a number of related reports and documents as well as the discussion of other budgetary matters in the Court's Budget Working Group; cooperation with the Committee on Budget and Finance ("the Committee") and the Assembly's budget facilitator on a number of budgetary items; discussion and facilitation of strategic issues in Tricomm; policy work; and the coordination and facilitation of the monthly Coordination Council meetings. Finally, the Presidency continued its review of inter-organ draft administrative issuances.

2. Pre-Trial Division

7. Pre-Trial Chambers are currently seized of nine situations.¹ One new situation, the situation on the Registered Vessels of the Union of the Comoros, the Hellenic Republic and the Kingdom of Cambodia, was assigned by the Presidency to Pre-Trial Chamber I on 5 July 2013. Although six judges are in theory assigned to the Pre-Trial Division, one judge is in fact assigned to a Trial Chamber and therefore the two Pre-Trial Chambers are composed of only five judges, one judge being assigned to both Pre-Trial Chambers. Two other judges are currently also assigned to Trial Chambers. The two remaining judges are also participating in interlocutory appeals and/or appeals on the merits. Only one judge in the Pre-Trial Division is involved solely in pre-trial issues, but sits in all cases in both Pre-Trial Chambers.

8. With regard to the situation in the DRC, Bosco Ntaganda voluntarily surrendered to the Court on 22 March 2013 and made his first appearance before Pre-Trial Chamber II on 26 March 2013 following the issuance of two warrants of arrest against him on 22 August 2006 and 13 July 2012. During the initial appearance hearing, it was decided that the confirmation of charges hearing would start on 23 September 2013. On 17 June 2013, Pre-Trial Chamber II postponed the commencement of the confirmation of charges hearing to 10 February 2014.

9. With regard to the situation in the Central African Republic, on 20 November 2013, Pre-Trial Chamber II issued five warrants of arrest against Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba (Jean-Pierre Bemba Gombo's counsel in the case at trial), Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido for offences against the administration of the Court under article 70 of the Rome Statute. Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba and Fidèle Babala Wandu made their first appearance before Pre-Trial Chamber II on 27 November 2013 and Jean-Jacques Mangenda Kabongo on 5 December 2013. Surrender proceedings have concluded in France in relation to

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

Narcisse Arido, and he was transferred to the seat of the Court on 18 March 2014. In accordance with rule 165(3) of the RPE, proceedings may be conducted in writing and no confirmation hearing has to take place unless the Chamber decides to hold such hearing in the interests of justice. Pre-Trial Chamber II has ordered the Prosecutor to present her document containing the charges and her list of evidence by 18 March 2014.

10. On 26 March 2013, Pre-Trial Chamber II issued its decision on the non-compliance of the Republic of Chad with the cooperation requests issued by the Court regarding the arrest and surrender of Omar Al-Bashir. The Court referred the matter to the United Nations Security Council and the Assembly.

11. On 5 September 2013, Pre-Trial Chamber II issued a decision on the cooperation of the Federal Republic of Nigeria regarding Omar Al-Bashir's arrest and surrender to the Court. Taking into consideration the observations provided by Nigeria and its discretionary power under article 87(7) of the Statute, it decided not to refer the matter to the Assembly and/or the United Nations Security Council.

12. In the case against *William Samoei Ruto and Joshua Arap Sang*, on 16 August 2013, Pre-Trial Chamber II denied a request by the Prosecutor under article 61(9) of the Statute to amend the temporal scope of the charges because of lack of due diligence on the part of the Prosecutor in the presentation of her request. The Prosecutor applied for leave to appeal this decision on 26 August 2013. Leave was granted by Pre-Trial Chamber II on 6 September 2013.

13. At the request of the Prosecutor, a warrant of arrest was issued under seal on 2 August 2013, against Walter Osapiri Barasa for offences against the administration of justice under article 70 of the Statute. The warrant of arrest was unsealed on 2 October 2013. Surrender proceedings are still continuing in Kenya.

14. In the case of *Saif Al-Islam Gaddafi and Abdullah Al-Senussi* in the situation in Libya, on 31 May 2013, Pre-Trial Chamber I rejected the admissibility challenge presented by Libya with regard to Saif Al-Islam Gaddafi. The Chamber concluded that Libya had not presented sufficient evidence to demonstrate that it was investigating the same case as that before the Court. The Court further rejected Libya's 4 March request, reiterated on 28 March 2013, to adduce further evidence. The Chamber also concluded that Libya's national system was unable to secure the transfer of the accused into the custody of the Libyan authorities or to carry out the proceedings in the case against *Mr Saif Al-Islam Gaddafi*.

15. On 15 and 16 January 2013, Libya confirmed that Abdullah Al-Senussi was in their custody and that national judicial proceedings were on-going. On 6 February 2013, Pre-Trial Chamber I ordered the Libyan authorities to proceed with the immediate surrender of Mr Al-Senussi to the Court and to refrain from taking any action which would frustrate, hinder or delay Libya's compliance with its obligation to surrender him to the Court. In addition, the Chamber ordered the Registrar to make the necessary arrangements with the Libyan authorities for a privileged visit to Mr Al-Senussi by his Defence counsel.

16. On 2 April 2013, Libya filed an application challenging the admissibility of the case against *Abdullah Al-Senussi* before Pre-Trial Chamber I. On 14 June 2013, the Chamber decided that Libya could postpone the execution of the surrender request in relation to Mr Al-Senussi, pending determination of its admissibility challenge filed before the Court. On 11 October 2013, Pre-Trial Chamber I issued its decision on the admissibility challenge, declaring the case against Mr Al-Senussi inadmissible before the Court.

17. With regard to the situation in Côte d'Ivoire, the hearing on the confirmation of charges in the case of *Laurent Gbagbo* was held from 19 to 28 February 2013 before Pre-Trial Chamber I. On 3 June 2013, the Chamber decided to adjourn the hearing on the confirmation of charges pursuant to article 61(7)(c)(i) of the Statute and requested the Prosecutor to consider providing further evidence or conducting further investigation with respect to all charges. On 11 June 2013, the Chamber rejected the challenge against the admissibility of the case filed on 15 February 2013 by the Defence. On 17 December 2013, the Chamber issued a calendar for further proceedings following the judgment issued by the Appeals Chamber on 16 December 2013 rejecting the Prosecutor's appeal against the 3 June 2013 decision adjourning the hearing. The Chamber ordered the Prosecutor to submit the amended document containing the charges, the amended list of evidence and the updated Elements Based Chart by no later than 13 January 2014. The Defence was ordered

to present its observations on the Prosecutor's evidence and amended document containing the charges, and to disclose to the Prosecutor the evidence it intended to present by no later than 13 February 2014.

18. In the case against *Simone Gbagbo*, on 30 September 2013, Côte d'Ivoire lodged an admissibility challenge and requested that the request for arrest and surrender be postponed in accordance with article 95 of the Statute.

19. In the case against *Charles Blé Goudé*, the warrant of arrest which had been issued under seal in December 2011 was unsealed on 30 September 2013. Pre-Trial Chamber I issued a decision requesting Côte d'Ivoire to present observations by no later than 13 January 2014 on the status of implementation of the request for his arrest and surrender.

3. Trial Division

20. The Trial Chambers are seized of five cases. Some important developments took place in 2013: in particular, the presentation of oral evidence in the *Bemba* trial was completed, the *Ruto and Sang* trial commenced, and the *Muthaura* case was terminated.

21. In the trial of *Germain Katanga* (DRC situation), between May and November 2013, Trial Chamber II issued several decisions concerning the potential re-characterisation of the mode of liability under which the accused was charged, on the basis of regulation 55 of the Regulations of the Court. Legal and factual information on the re-characterisation was provided, and rulings were made on requests for additional defence investigations and the presentation of additional evidence. In the course of 2013, Trial Chamber II issued 28 written decisions.

22. On 19 November 2013, Trial Chamber II issued an order setting 7 February 2014 as the date for delivery of the final trial judgment (*Decision pursuant to the Article 74 of the Statute*). Subsequently, on 11 December 2013, the Defence requested a stay of proceedings. The motion is currently before the Chamber.

23. The trial of *Jean-Pierre Bemba Gombo* (CAR situation), which commenced on 22 November 2010 before Trial Chamber III, was temporarily suspended in December 2012 as a result of the Chamber's decision that the legal characterization of the facts may be subject to change in accordance with regulation 55 of the Regulations of the Court. On 6 February 2013, the Chamber lifted the temporary suspension of the trial proceedings. Thereafter, the Chamber heard the testimony of 20 witnesses called by the Defence and one witness called by the Chamber.

24. Throughout the presentation of evidence by the Defence, significant difficulties were encountered with securing the appearance of witnesses, entailing repeated gaps in the proceedings. After having been granted three extensions of the deadline for the completion of its evidence, the Defence's presentation of oral evidence was completed after the testimony of its last witness on 14 November 2013. A Defence request for an additional extension until 15 December 2013 and for an order for cooperation in order to hear the testimony of two further witnesses was rejected by the Chamber on 15 November 2013. At a public status conference held on 28 November 2013, the Chamber declared that the presentation of oral evidence in the case had in principle been completed.

25. During the course of the trial, the Chamber heard the testimony of 40 witnesses called by the Prosecution, two witnesses called by the legal representatives of victims, 34 witnesses called by the Defence and one witness called by the Chamber, and issued approximately 382 written and 257 oral decisions. Three victims came before the Chamber to express their views and concerns in person before the start of the presentation of Defence evidence. In 2013, the Chamber issued approximately 74 written and 48 oral decisions. Closing statements, including an unsworn statement by the accused, are scheduled to be heard 26 weeks (6.5 months) after the formal closure of evidence is declared in accordance with rule 141(1) of the RPE.

26. In the *Banda and Jerbo* case (situation in Darfur, Sudan) before Trial Chamber IV, the Defence filed a request for termination of the proceedings on 5 September 2013, for alleged breaches of the Prosecutor's statutory obligations. The request is to be considered by the Chamber in early 2014. On 4 October 2013, after receiving evidence of Mr Jerbo's death, the Chamber terminated the proceedings against him. Trial Chamber IV held two

status conferences, issued 24 written decisions and orders and delivered two oral decisions in 2013. The trial is set to commence on 5 May 2014. The accused's presence at the trial is to continue to be on the basis of the summons to appear.

27. In January 2013 in the *Ruto and Sang* case (Kenya situation) before Trial Chamber V, the Chamber issued a decision on witness preparation and subsequently denied a joint Defence request for leave to appeal. The Prosecution filed its Pre-Trial Brief on 9 January 2013, explaining the case against Mr Ruto and Mr Sang, with reference to the evidence it intends to present at trial. On 21 May 2013, the Presidency dissolved Trial Chamber V and formed Trial Chamber V(a) in the composition of Judge Herrera Carbuccion, Judge Fremr and Judge Eboe-Osuji. Judge Eboe-Osuji was elected as the Presiding Judge. The commencement date for the trial of *Ruto and Sang* was vacated twice by two separate orders of the Chamber. On 3 June 2013, the Chamber set the final start date of trial for 10 September 2013. On the same day, by separate decision, the Chamber recommended to the Presidency that it was desirable for the Court to hold the commencement or portions of trial in either Kenya or Tanzania. The plenary of judges ultimately decided against holding proceedings away from the seat of the Court.

28. On 18 June 2013, Trial Chamber V(a) issued a decision excusing Mr Ruto from continuous presence at his trial, subject to his signing a waiver in respect of his right to be present, and to conditions stipulating the stages of trial during which he must be present in the courtroom. The Prosecution was subsequently granted leave to appeal the decision. On 18 June 2013, the Appeals Chamber reversed the decision on excusal. In the meantime, the Chamber held status conferences on 19 August and 9 September in preparation for the opening of trial. The trial commenced on 10 September 2013, with the opening statements of the parties and participants. On 23 September 2013, the Chamber temporarily adjourned proceedings following the events at the Westgate Mall in Kenya. The Chamber heard the testimony of eight prosecution witnesses between 17 September and 22 November. In 2013, the *Ruto and Sang* Chambers held 10 status conferences, and issued a total of 130 decisions or orders, including 35 oral and 95 written.

29. On 7 March 2013, in the *Muthaura and Kenyatta* case (Kenya situation), Trial Chamber V vacated the scheduled 11 April 2013 trial commencement date and provisionally set a new date of 9 July 2013, in order to enable consideration of Defence motions to refer the question of the validity of the confirmation decision back to the Pre-Trial Chamber. On 18 March 2013, following the Prosecution's submission that it did not have sufficient evidence to support the charges against Mr Muthaura, the Trial Chamber terminated the proceedings against him. On 26 April 2013, having received both oral and written submissions, the Trial Chamber denied the Defence request to refer matters back to the Pre-Trial Chamber and to stay the proceedings. The Trial Chamber partially granted a request for additional time for the Defence to investigate new evidence and consequently adjourned the scheduled trial commencement date until 12 November 2013. On 21 May 2013, the Trial Chamber was reconstituted as Trial Chamber V(b), in the composition of Judge Kuniko Ozaki, Judge Robert Fremr and Judge Chile Eboe-Osuji. Judge Ozaki was elected as the Presiding Judge.

30. On 24 September 2013, Trial Chamber V(b) denied a Defence request for a further adjournment. On 18 October 2013, a majority of the Trial Chamber granted Mr Kenyatta's request for conditional excusal from continuous presence at trial. On 31 October 2012, the Chamber granted a request to vacate the scheduled trial commencement date in order to enable the Prosecution to further investigate new factual allegations which had been raised by the Defence. A new provisional trial commencement date of 5 February 2014 was set. On 26 November 2013, a majority of the Trial Chamber reconsidered its decision on continuous presence, in light of an intervening Appeals Chamber judgement on the same issue in the *Ruto and Sang* case, and rejected the request. On 5 December 2013, the Trial Chamber denied a Defence motion to permanently stay proceedings due to abuse of process. In 2013, the Trial Chamber held five status conferences and issued 59 written decisions or orders and six oral decisions.

4. Appeals Division

31. In 2013, the workload of the Appeals Division remained at a high level. The Appeals Chamber continued hearing the first final appeals arising from the cases of *The Prosecutor v. Thomas Lubanga Dyilo* and *The Prosecutor v. Mathieu Ngudjolo Chui*. In addition, the Appeals Chamber was seized of 12 interlocutory appeals and comparable proceedings (the same number of interlocutory appeals as in 2012). At the time of writing, four of these appeals are still pending before the Appeals Chamber. On average, it took 89 days from the filing of the document in support of the appeal to the delivery of the judgment on an interlocutory appeal (not counting the interlocutory appeals that are still pending). This average remains within the range of previous years (2012: 58 days; 2011: 49 days; 2010: 92 days; 2009: 133 days).

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

32. In the case of *Thomas Lubanga Dyilo*, the Appeals Chamber continued hearing the appeals against the Trial Chamber's *Judgment pursuant to Article 74 of the Statute* of 14 March 2012 and against the *Decision on Sentence pursuant to Article 76 of the Statute* of 10 July 2010 (note that the Trial Chamber had ordered that for the Defence, the time limit for appealing those decisions should commence only with the notification of their translations into French. For that reason, Mr Lubanga's documents in support of the appeals were filed only in December 2012). The Appeals Chamber has ruled on several procedural issues arising in these appeals, including on the participation of additional victims in the appeals proceedings.

33. In addition, the Appeals Chamber is seized of appeals against the Trial Chamber's 7 August 2012 decision concerning reparations.

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

34. In the case of *Mathieu Ngudjolo Chui*, the Appeals Chamber received, on 19 March 2013, the Prosecutor's document in support of her appeal against the Trial Chamber's 18 December 2012 decision to acquit Mr Ngudjolo Chui. The appeal is currently pending before the Appeals Chamber. 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 Chui's situation and status in The Netherlands following the Trial Chamber's decision to acquit him.

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

35. On 27 March 2013, the Appeals Chamber rejected Mr Germain Katanga's appeal against the Trial Chamber's 21 November 2012 decision regarding the implementation of regulation 55 of the Regulations of the Court.

36. On 20 January 2014, the Appeals Chamber rejected the appeal of three detained witnesses who had testified in the joint case of *Katanga and Ngudjolo Chui* against the decision of the Trial Chamber in relation to their continued detention. On the same day, the Appeals Chamber, acting in the case of *The Prosecutor v. Ngudjolo*, ordered the Registrar to take the necessary steps to return the three detained witnesses to the Democratic Republic of the Congo, following consultations with The Netherlands.

(d) *Situation in Kenya (ICC-01/09)*

37. On 22 April 2013, the Appeals Chamber rejected a motion seeking the reconsideration of a decision rejecting a request for the disqualification of the Prosecutor.

(e) *The Prosecutor v. Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus (ICC-02/05-03/09)*

38. On 28 August 2013, the Appeals Chamber issued its judgment on the appeal of Mr Banda and Mr Jerbo against the Trial Chamber's 23 January 2013 decision on disclosure of evidence. The Appeals Chamber decided to reverse the impugned decision and directed the

Trial Chamber to decide anew on the Defence requests for disclosure of documents in the possession of the Prosecutor.

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

39. On 24 June 2013, the Appeals Chamber received the Government of Libya's document in support of the appeal against the Pre-Trial Chamber's decision of 31 May 2013, finding that the case against *Mr Saif Al-Islam Gaddafi* before the Court is admissible. The Appeals Chamber is currently considering the appeal. It has issued several procedural and other decisions in relation to this case and has received numerous filings.

40. The Appeals Chamber was also seized of an appeal by Mr Abdullah Al-Senussi against the decision of the Pre-Trial Chamber's 11 October 2013 decision, holding that the case against Mr Al-Senussi before the Court is inadmissible, and an appeal against the Pre-Trial Chamber's 14 June 2013 decision relating to the postponement of the execution of the warrant for his arrest. These appeals, in relation to which the Appeals Chamber has issued several procedural decisions, are currently pending before the Appeals Chamber.

(g) *The Prosecutor v. Laurent Gbagbo (ICC-02/11-01/11)*

41. On 29 October 2013, the Appeals Chamber issued a judgment on Mr Laurent Gbagbo's appeal against the Pre-Trial Chamber's decision reviewing Mr Gbagbo's detention and deciding to continue his custody. The Appeals Chamber decided to dismiss the appeal and to confirm the decision of the Pre-Trial Chamber.

42. On 16 December 2013, the Appeals Chamber issued its judgment dismissing the Prosecutor's appeal against the Pre-Trial Chamber's 3 June 2013 decision adjourning the confirmation of charges hearing in relation to Mr Gbagbo.

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

43. On 25 October 2013, the Appeals Chamber decided to reverse, upon appeal by the Prosecutor, the Trial Chamber's 18 June 2013 decision relating to Mr William Samoei Ruto's request to be excused from continuous presence at the trial.

44. On 13 December 2013, the Appeals Chamber rejected as inadmissible the Prosecutor's appeal against the Pre-Trial Chamber's 16 August 2013 decision in relation to her request to amend the document containing the charges in that case.

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

45. On 26 November 2013, the Appeals Chamber was seized of an appeal by Mr Bosco Ntaganda against Pre-Trial Chamber's 18 November 2013 decision rejecting his request for interim release. The appeal is currently pending before the Appeals Chamber.

5. Liaison Offices

46. In 2013, the New York Liaison Office ("NYLO") continued to represent the Court at the United Nations (UN) and provided support to all organs of the Court in their interaction with the UN. The Head of the NYLO participated in numerous meetings of relevance to the Court and maintained continuous interaction with UN officials, in particular, representatives of Permanent Missions, States Parties to the Rome Statute, as well as representatives of international organizations and non-governmental organizations working at the UN. The NYLO also assisted in organizing the annual UN-ICC Roundtable for 2013. The NYLO's most significant activities in 2013 are set out below.

47. In accordance with its mandate, the Head of the NYLO represented the Court by actively participating in numerous United Nations General Assembly (UNGA) and Security Council (UNSC) meetings in which issues relevant to the work of the Court were discussed. The Office monitored and participated in more than 40 such meetings of the UNGA and its subsidiary bodies and more than 80 such meetings of the UNSC. The Office, in collaboration with the UN Women, the Permanent Mission of Finland and Global Action

to Prevent War, organized and made presentations at a side event on Reparations for Victims in the margins of the 57th session of the Commission on the Status of Women held in New York in March 2013. The Office also actively participated in more than 30 informal meetings including panel discussions and workshops at the UN in which the work of the Court or policies impacting the work of the Court were discussed.

48. The NYLO also continued its daily informal engagement with UN member states and UN Secretariat Officials to encourage mainstreaming of the Court and justice within discussions, reports and decisions of the UN and to provide input as appropriate. In 2013, the UNSC referred to the Court and/or international criminal justice in more than 60 of its documents and the UNGA in more than 20. The UN Secretariat referred to the Court and accountability in many of its periodic reports on the Court situation countries and in other relevant thematic reports. Many States Parties to the Rome Statute continued the practice of mentioning the Court in their interventions at the UN.

49. The NYLO facilitated and provided substantive and logistical support for meetings of the Court's principals with senior UN and Government officials in New York. The Head of the Office participated in these meetings and, where required, undertook follow-up action on the issues discussed. The Office supported the President's annual briefing to the UNGA, the Prosecutor's four annual briefings to the UN Security Council and other briefings to States Parties and regional groups in New York. The Office supported a total of 10 high-level visits to New York and facilitated a total of 130 meetings between senior Court officials and senior UN and Government officials, including the UN Secretary General and several Heads of State and Ministers in the margins of the 68th session of the UN General Assembly.

50. The NYLO followed up and reported to the relevant Court organs, as appropriate, on the status of various requests for assistance made to the United Nations. In 2013, the Court transmitted approximately 30 requests to the UN on judicial and technical matters.

51. The NYLO continued to consult with and update the United Nations Secretariat and agencies on matters of mutual interest, including relevant administrative and judicial developments. In 2013, there was a significant increase in the number of queries from the UN on the Court's judicial activities, driven mostly by the high interest in the cases concerning high-level Government officials.

52. The NYLO continued to raise awareness of the work of the Court within the UN community by transmitting, on a weekly basis, updates from the Court to the UN Secretariat, its organs and agencies as well as Permanent Missions to the United Nations, intergovernmental organizations and non-governmental organizations. It monitored key developments at the UN, collected and analyzed reports and provided periodic updates to the Court as necessary.

53. The NYLO maintained regular and continuous contact with key NGOs engaged in UN advocacy in support of the Court. The office met with NGO representatives approximately twice a month to exchange information and identify priority areas for advocacy at the UN.

54. As requested by the Secretariat of the Assembly, the NYLO continued to provide technical support to monthly meetings of the Bureau and the periodic meetings of the New York Working Group. It also participated in these meetings and provided, as appropriate, updates and information to and from the Court.

B. Major Programme II – The Office of the Prosecutor

55. The Office had its busiest year in 2013. The Investigation Division advanced six active investigations, supported four trials with investigative activities and maintained – to the extent possible – seven residual investigations in a so-called state of hibernation (i.e.: preservation of evidence, keeping contact with witnesses, etc., in order to allow quick and effective reactivation of the case if and when required) and met all deadlines and collection objectives. The Office was also engaged in activities relating to article 70 (see paragraph 4 below) in three cases. As regards preliminary examination of potential situations, the Office analysed a total of eight situations. In the area of trials, the assumptions were met in full.

56. In January 2013, the Prosecutor opened an investigation in the situation of Mali, following the referral by the Malian government in July 2012. The Court submitted a Contingency Fund notification for this situation which was not foreseen at the time of the budget submission. In evaluating the needs for the team involved in the Malian situation, the Office started applying the new approach of in-depth, open-ended, more scientific-evidence-based investigations included in the Strategic Plan. This new approach called for larger teams staffed with more senior and experienced professionals, and more specialized equipment. The notification was initially made taking into account the overall financial impact that could be estimated for the operations resulting from the new approach of the OTP. This was subsequently reduced in volume. In fact, the combination of several factors, such as the efficiency savings identified, the synergies found within the OTP, the need to deploy resources quickly (which implied using existing staff), the complexity of a search for new profiles not present in the Court's roster, and the limited appeal of short contracts offered to potential candidates, led to a lower than expected implementation of the funds.

57. In March 2013, the voluntary surrender into the Court's custody of Bosco Ntaganda, the main accused in the *DRC 6* case, prompted an additional Contingency Fund notification by the Court. The OTP applied the same new approach in estimating the resources needed to deal with the case. The implementation of the funds was affected by the very same factors listed above in the case of Mali. In addition, some expensive activities which were foreseen in terms of outsourced services to accommodate for translation requests made by the Defence team did not materialize.

58. In the course of 2013, the Office conducted additional activities associated with the trials in the situations in the CAR and Kenya, necessitated by attempts by some individuals to tamper with and/or bribe the Prosecution witnesses in those trials. These activities, which relate to the applicability of the provisions of article 70, were made public at the end of November 2013, when a series of arrests were made by police in several European and African countries following arrest warrants issued by the Court.

59. The Prosecutor exercised utmost care and due diligence in her financial planning, in accordance with the recommendations of the Committee and the resolutions of the Assembly, so as to contribute through savings to reducing the additional financial needs of the Court as a whole.

60. The Office continued in 2013 to actively monitor national proceedings in various countries so as to ensure that alleged crimes are investigated and, where warranted, subsequently prosecuted and tried. This contributes to efforts to end impunity for core international crimes without expanding the Court's activities and financial resources. The Office intends to continue this strategy in the current and following years.

61. Information on the number of missions, documents and pages filed in OTP cases in 2013 is given in Annex III.

1. Preliminary examination activities

62. In 2013, the Office opened one new preliminary examination based on a State Party referral from the Union of the Comoros.

63. In the meantime, the Office has continued the preliminary examination of the situations in Afghanistan, Honduras and Korea (phase 2) and the situations in Colombia, Georgia, Guinea and Nigeria (phase 3).

64. In 2013, the Office continued to analyze information received from various sources alleging the commission of crimes potentially falling within the Court's jurisdiction. In 2013, the Office received 627 communications relating to article 15 of the Rome Statute, of which 524 were manifestly outside the Court's jurisdiction; 29 were unrelated to current situations and warranted further analysis; 40 were linked to a situation already under analysis; and 34 were linked to an investigation or prosecution.

65. In November 2013, the Office published its Report on Preliminary Examination Activities 2013² and its Policy Paper on Preliminary Examinations.³

2. Afghanistan

66. Over the reporting period, the Office continued to gather and verify information on alleged crimes committed in the situation in Afghanistan, and to refine its legal analysis. In addition, the Office further engaged with relevant States and cooperation partners with a view to discussing and assessing allegations of crimes, and gathering more information.

67. The Office held a number of meetings with representatives of Afghan civil society and international non-governmental organizations in order to discuss possible solutions to challenges raised by the situation in Afghanistan, such as security concerns, limited or reluctant cooperation, and verification of information.

68. In November 2013, the Office conducted a mission to Kabul, Afghanistan, and presented its findings that there is a reasonable basis to believe that crimes within the jurisdiction of the Court, namely crimes against humanity and war crimes, have been committed in the situation in Afghanistan since 1 May 2003.

3. Colombia

69. Over the reporting period, the Office continued to consult with the Government of Colombia on a variety of issues related to the preliminary examination. The Office conducted three missions to Colombia in April, June and November 2013, gathered additional information on a variety of issues related to the jurisdiction and admissibility assessment of the situation, analyzed information submitted through article 15 communications and held numerous meetings with international organizations, international NGOs and Colombian civil society in Bogotá, The Hague, New York and Geneva.

70. Specifically, the Office closely followed developments related to the Legal Framework for Peace and the implementation of the reform of military courts' jurisdiction, in particular its impact on the investigation and prosecution of false positive cases.

4. Georgia

71. The Office continued to follow up on investigations into alleged crimes committed during the armed conflict and to engage with relevant stakeholders at regional and national levels. The Office sought updates on the status of national proceedings, whether any additional information remains to be provided to the Office, and whether the lack of cooperation identified as an obstacle both by the Russian and Georgian authorities may be overcome through enhanced mutual legal assistance between the two States. For this purpose, and to establish contacts with the new Georgian government, the Office conducted two missions to Georgia in March and September 2013, during which the Office delegation also interacted with Georgian NGOs

72. In accordance with its positive approach to complementarity, the Office also accepted the invitation of the Georgian Chief Prosecutor to give a presentation on 6 and 7 June 2013, to national investigators and prosecutors on crimes falling within the Court's jurisdiction.

73. In the process of verifying the reliability of information, the Office further interacted with relevant international partners on several occasions, including the Organization for Security and Co-operation in Europe (OSCE), which resulted in the definition and implementation of effective modalities for mutual cooperation.

² OTP Report on Preliminary Examination Activities 2013, November 2013, http://www.icc-cpi.int/en_menus/icc/structure%20of%20the%20court/office%20of%20the%20prosecutor/comm%20and%20ref/Pages/Report-on-Preliminary-Examination-Activities-2013.aspx.

³ Policy Paper on Preliminary Examinations, http://www.icc-cpi.int/en_menus/icc/structure%20of%20the%20court/office%20of%20the%20prosecutor/policies%20and%20strategies/Pages/draft%20policy%20paper%20on%20preliminary%20examinations.aspx

5. Nigeria

74. During the reporting period, the Office was in close contact with the Nigerian authorities and maintained and developed contacts with persons submitting communications under article 15, local and international NGOs.

75. Between 29 July and 1 August 2013, the Office conducted a mission to Abuja to consult with Nigerian officials on the investigation and prosecution of alleged Boko Haram crimes. The Office also sought information on the security operations conducted against Boko Haram as part of its analysis regarding the existence of a non-international armed conflict. The Office ultimately concluded that the situation of Nigeria involving the activities of Boko Haram and the counter-insurgency response by the Nigerian authorities constitutes a non-international armed conflict.

76. In August 2013, the Office published its article 5 Report on the situation in Nigeria based on information gathered by the Office as at December 2012

6. Republic of Korea

77. The preliminary examination is focused on two incidents: (a) the shelling of Yeonpyeong Island on 23 November 2010; and (b) the sinking of the Republic of Korea warship *Cheonan* on 26 March 2010. The Office continued to seek additional information from relevant sources, focusing its activities on ascertaining factual issues that are key to determining, in accordance with article 53(1), whether the available information provides a reasonable basis to believe that a crime within the jurisdiction of the Court has been committed in the course of either incident. In particular, additional information was received from the Republic of Korea on 11 July 2013 and has been analyzed by the Office.

7. Guinea

78. In accordance with its policy on positive complementarity, the Office has sought to encourage national proceedings in order to bring to account those bearing the greatest responsibility for the alleged crimes committed on 28 September 2009 in Conakry. The Office sent two missions to Guinea in January and June 2013 to follow-up on the investigative steps undertaken by the national authorities, to assess whether the proceedings are vitiated by any indication of unwillingness or inability to carry out the proceedings genuinely, and to assess the prospects for a domestic trial in the near future. During both missions, the Office held extensive discussions with the panel of investigative judges in charge of the case, the Guinean judicial and political authorities, victims' representatives and international actors.

8. Honduras

79. Over the reporting period, the Office gathered and analyzed information on the situation in Honduras from multiple sources, including the Truth and Reconciliation Commission (*Comisión de la Verdad y Reconciliación*), the Inter-American Commission on Human Rights, the UN Office of the High Commissioner for Human Rights, various reports from domestic civil society organizations and international non-governmental organizations, the report of the civil society-supported Truth Commission (*Comisión de Verdad*), information from national governments, communications under article 15 submitted to the Office, as well as information submitted on behalf of the Honduran government.

80. The Office pursued discussions with local and international NGOs to exchange views and verify information on the context and characterization of alleged crimes committed since the June 2009 *coup d'état*. Ultimately, the Office concluded that the alleged crimes committed during the post-coup period in Honduras did not reach the threshold of crimes against humanity, but new allegations warrant further analysis.

9. Registered Vessels of the Union of the Comoros, the Hellenic Republic and the Kingdom of Cambodia

81. On 14 May 2013, the Office received a referral by the authorities of the Union of the Comoros “with respect to the 31 May 2010 Israeli raid on the Humanitarian Aid Flotilla bound for Gaza Strip.” A copy of the referral has been made available on the Court’s website. The referral makes reference to seven vessels that were allegedly attacked, and asks the Prosecutor to investigate the incident. According to the referral, three of the vessels comprising the flotilla were registered in the Comoros, Greece and Cambodia, respectively. In accordance with the requirements of the Rome Statute, the Office initiated a preliminary examination to establish whether the criteria for opening an investigation are met.

82. The Office analyzed the supporting documentation accompanying the referral, along with the reports published by four separate commissions of inquiry set up by the Human Rights Council, the UN Secretary General, the Government of Israel and the Government of Turkey respectively. The Office sought additional information from relevant reliable sources in order to resolve discrepancies in the factual and legal characterization of the incidents by these commissions.

10. Investigative and prosecutorial activities

83. 2013 was a very busy year for the Appeals Section, hearing appeals under articles 81 and 82 and actively supporting and providing legal advice to trial teams during pre-trial and trial proceedings. In addition, the Appeals Section drafted numerous applications for leave to appeal under article 82(1)(d) or responded to such applications from the Defence.

Appeals under article 81:

- (a) *Ngudjolo*, Prosecution appeal against acquittal decision (fully briefed);
- (b) *Lubanga*, complete briefing of Prosecution and Defence appeals.

Appeals under article 82:

- (a) *Katanga*, response to Defence appeal against regulation 55 decision (appeal dismissed);
- (b) *Banda/Jerbo*, response to Defence appeal against rule 77 decision (appeal granted);
- (c) *William Samoei Ruto*, Prosecution appeal against excusal decision (appeal granted);
- (d) *Laurent Gbagbo*: Defence appeal against detention decision (dismissed);
- (e) *William Samoei Ruto*, Prosecution appeal against decision on amendment of charges (appeal dismissed);
- (f) *Laurent Gbagbo*, Prosecution appeal against article 61 decision (appeal dismissed);
- (g) *Katanga*, witness appeal against detention decision (appeal dismissed, but remedy granted in separate decision – following the submissions of the Prosecution);
- (h) *Bosco Ntaganda*: Defence appeal against the detention decision (pending);
- (i) *Saif Al-Islam Gaddafi*: appeal against the admissibility decision (pending); and
- (j) *Abdullah Al-Senussi*: appeal against the non-admissibility decision (pending).

84. As regards the Uganda situation, the Office continued to monitor, gather information and analyze crimes allegedly committed since arrest warrants were issued in July 2005 against Lord’s Resistance Army (LRA) leaders Joseph Kony, Okot Odhiambo and Dominic Ongwen. Unfortunately, due to the lack of resources, the Office has had to adopt a reactive approach towards maintaining contact with witnesses in this as well as in other cases. This affects the ability of the Office to preserve evidence. The OTP continues to promote action to execute the Court’s warrants against LRA leaders Joseph Kony, Okot Odhiambo and Dominic Ongwen.

85. The Office continued its investigation into alleged crimes committed by Bosco Ntaganda in the Democratic Republic of the Congo. On 22 March 2013, Bosco Ntaganda surrendered voluntarily and is now in the custody of the Court. He appeared before Pre-

Trial Chamber II on 26 March 2013. The Document Containing the Charges in the *Ntaganda* case was completed and presented on 10 January 2014. The confirmation of charges started on 10 February 2014.

86. The unexpected surrender of Bosco Ntaganda triggered the need for additional resources that was met from recourse to the Contingency Fund. The urgency of the case led to existing staff being diverted from active investigations such as Kenya 1, Kenya 2, Libya 2, Mali 1 and Côte d'Ivoire pending provision of Contingency Fund resources for deployment.

87. As regards the situation in Darfur/Sudan, the Office continues to monitor crimes committed since arrest warrants were issued by Pre-Trial Chamber I for Ahmad Harun and Ali Kushayb on 27 April 2007 and for Omar Hassan Ahmad Al Bashir and Abdel Raheem Muhammed Hussein on 4 March 2009 and 12 July 2010. The four suspects remain at large.

88. On 4 October 2013, Trial Chamber IV terminated the proceedings against Saleh Jerbo after receiving evidence pointing towards his death on 19 April 2013. The proceedings against Abdallah Banda will continue and the trial is scheduled to start on 5 May 2014.

89. In accordance with United Nations Security Council Resolution 1593 (2005), the Prosecutor reported twice to the United Nations Security Council, in June and December 2013, on the progress of her Office's investigation.

90. In the situation in the Central African Republic (CAR), in the case of *Jean-Pierre Bemba Gombo*, the Office completed the presentation of evidence. The parties are now preparing closing submissions.

91. In the situation in Kenya, following the Prosecutor's December 2010 request for summonses to appear against six individuals in two cases, on 8 March 2011 Pre-Trial Chamber II issued summonses to appear before the Court for William Samoei Ruto, Henry Kiprono Kosgey, Joshua Arap Sang, Francis Kirimi Muthaura, Uhuru Muigai Kenyatta and Mohammed Hussein Ali, for their alleged responsibility in the commission of crimes against humanity committed in the context of the 2007-2008 post-election violence in Kenya. The suspects appeared before the Court on 7 and 8 April 2011. The confirmation hearing for *The Prosecutor v. William Samoei Ruto, Henry Kiprono Kosgey and Joshua Arap Sang* was held from 1 to 8 September 2011, and the confirmation hearing for *The Prosecutor v. Francis Kirimi Muthaura, Uhuru Muigai Kenyatta and Mohammed Hussein Ali* was held from 21 September to 5 October 2011.

92. On 23 January 2012, the judges declined to confirm the charges against Henry Kiprono Kosgey and Mohammed Hussein Ali. Pre-Trial Chamber II confirmed the charges against William Samoei Ruto, Joshua Arap Sang, Francis Kirimi Muthaura and Uhuru Muigai Kenyatta and committed them for trial.

93. On 18 March 2013, the charges against Francis Kirimi Muthaura were withdrawn. The trial of *William Samoei Ruto and Joshua Arap* started on 10 September 2013 and the trial of *Uhuru Muigai Kenyatta* is scheduled to start on 5 February 2014.

94. The Office, in cooperation with a wide range of partners, is monitoring and investigating attempts to expose, intimidate or otherwise tamper with perceived witnesses of the Court. While initially, the Office made no provision in this respect, it has had to deal with multiple cases of obstruction of justice. This has been a drain on normal investigative activities but could not be postponed.

95. The Office successfully sought warrants of arrest against five individuals suspected of committing offences under article 70 of the Rome Statute in the *Jean-Pierre Bemba Gombo* trial, including the accused himself, his lead counsel and the case manager. The warrants were obtained after more than a year of covert investigation and were executed in simultaneous arrest operations with the assistance of national authorities from four different countries.

96. On 2 October 2013, Pre-Trial Chamber II unsealed an arrest warrant against Walter Osapiri Barasa, initially issued on 2 August 2013, for several offences against the administration of justice consisting of corruptly influencing or attempting to corruptly influence witnesses at the Court. An initial investigation of offences under article 70 in the Kenya situation was completed and a warrant of arrest against one suspect (Mr Walter Osapiri Barasa) was served on the national authorities for execution. Investigations are still on-going regarding other cases in the same situation.

97. On 26 February 2011, the United Nations Security Council referred the situation in Libya to the Prosecutor. On 3 March 2011, the Prosecutor announced the opening of an investigation into the Libya situation. On 16 May 2011, the Office applied to Pre-Trial Chamber I for warrants for the arrest of Muammar Mohammed Abu Minyar Gaddafi, Saif Al-Islam Gaddafi, and Abdullah Al-Senussi. The Pre-Trial Chamber issued arrest warrants for all three individuals on 27 June 2011.

98. On 22 November 2011, the arrest warrant against Muammar Gaddafi was terminated on account of his death, reported on 20 October and confirmed in writing by the Libyan National Transitional Council.

99. On 19 November 2011, Saif Al-Islam Gaddafi was arrested by forces associated with the National Transitional Council, in whose custody he remains, as confirmed by a filing made by the Libyan authorities to the Pre-Trial Chamber in advance of a 23 January 2012 deadline set by the Pre-Trial Chamber. The National Transitional Council has maintained its public and private stance that it intends to investigate and prosecute Saif Al-Islam Gaddafi, including for crimes which are the subject of the arrest warrant issued by the Court.

100. In the situation in Libya, the Office reported twice to the Security Council, in May and November 2013, on the progress of its investigation.

101. The Office has remained in contact with the Libyan authorities to monitor their progress in the national proceedings against Saif Al-Islam. Admissibility litigation was completed before the Pre-Trial Chamber. Abdullah Al-Senussi was arrested and transferred to Libya in September 2012. On 31 May 2013, Pre-Trial Chamber I rejected Libya's challenge to the admissibility of the case against Saif Al-Islam Gaddafi and reminded Libya of its obligation to surrender the suspect to the Court. An appeal against the decision is pending. On 11 October 2013, Pre-Trial Chamber I decided that the case against Abdullah Al-Senussi was inadmissible before the Court as it was currently the subject of domestic proceedings conducted by the competent Libyan authorities and that Libya was willing and able genuinely to carry out such investigation. The Prosecutor and the Defence may appeal this decision. Investigation of other cases is on-going.

102. In the Côte d'Ivoire situation, following its preliminary examination activities, where it closely monitored the situation and liaised with the main protagonists of the on-going crisis with a view to preventing the commission of new crimes, the OTP sought authorization from Pre-Trial Chamber III to open an investigation into war crimes and crimes against humanity allegedly committed in Côte d'Ivoire since 28 November 2010. This request was granted on 3 October 2011. At the same time, Pre-Trial Chamber III asked the Prosecutor to revert to the Chamber within one month with any additional information available on potentially relevant crimes committed between 2002 and 2010. On 3 November 2011, the Prosecutor submitted further information relating to this period. On 22 February 2012, Pre-Trial Chamber III decided to expand its authorization for the investigation in Côte d'Ivoire to include crimes allegedly committed between 19 September 2002 and 28 November 2010.

103. In the case of *Laurent Gbagbo*, the Prosecutor advanced the investigation and applied for a warrant of arrest on 25 October 2011, which was issued on 23 November 2011 by Pre-Trial Chamber III. Laurent Gbagbo was arrested and transferred into the Court's custody on 30 November 2011.

104. The confirmation of charges hearing took place between 19 and 28 February 2013. On 3 June 2013, Pre-Trial Chamber I adjourned the hearing on the confirmation of charges and requested the Prosecutor to consider providing further evidence or conducting further investigation with respect to the charges presented. The Office has hence conducted further investigations and submitted additional evidence filing a Document Containing the Charges.

105. On 22 November 2012, Pre-Trial Chamber I decided to unseal a warrant of arrest against Simone Gbagbo initially issued on 29 February 2012, for four counts of crimes against humanity allegedly committed in the territory of Côte d'Ivoire between 16 December 2010 and 12 April 2011. Mrs Gbagbo is not in the custody of the Court.

106. On 30 September 2013, Pre-Trial Chamber I unsealed an arrest warrant against Charles Blé Goudé initially issued on 21 December 2011, for four counts of crimes against

humanity allegedly committed in the territory of Côte d'Ivoire between 16 December 2010 and 12 April 2011. Mr Blé Goudé is not in the custody of the Court.

107. On 16 January 2013, the Office opened an investigation into alleged crimes committed on the territory of Mali since January 2012. The situation in Mali was referred to the Court by the Government of Mali on 13 July 2012. After conducting a preliminary examination of the situation, including an assessment of admissibility of potential cases, the Office determined that there was a reasonable basis on which to proceed with an investigation. The situation in Mali has been assigned to Pre-Trial Chamber II.

108. Investigations are currently being conducted in Mali in respect of several crimes that require the Office's attention. Currently the focus is on the crimes committed in the areas of Aguelhok and Timbuktu. The Investigation Division's Scientific Response Unit is deeply engaged in scientific forensic activities, consistent with the new strategic approach of the Office that entails a stronger reliance on scientific rather than witness-related evidence. The Office has undertaken a total of sixty-five missions on Malian territory, eight using the regular budget and fifty-seven using the Contingency Fund.

109. The Prosecutor continued to highlight the need to secure arrests in discussions with States, United Nations, African Union, Arab League and European Union interlocutors, as well as with civil society, seeking to promote support for arrest and surrender and, as part of this process, to secure the necessary marginalization of those named in warrants.

11. International cooperation and judicial assistance

110. In connection with its investigative and prosecutorial activities, in 2013 the Office addressed a total of 351 requests for assistance (including notifications regarding investigative activities) to 58 different partners, including 37 States Parties, five non-States Parties and 11 international and regional organizations, in addition to following up on the execution of pending requests.

111. Furthermore, throughout 2013 the Office concluded a memorandum of understanding with the United Nations Institute for Training and Research (UNITAR), a cooperation agreement with Mali to facilitate its investigation in that country, and cooperation arrangements with three other States. The Office also participated in the negotiation of a memorandum of understanding concerning cooperation between the United Nations Mission in Mali (MINUSMA) and the Court.

112. The Office continues to emphasise to States and other partners the significance and importance of timely and positive responses to its requests for assistance and the consequent effect on investigations and preparation for trial.

113. The increased request for assistance from States Parties has led the Office to dedicate more resources to these specific activities.

12. External relations

114. The Office 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 Office during discussions on various issues with a view to ensuring a successful twelfth session of the Assembly. The Prosecutor, the Deputy Prosecutor, the Director of the Jurisdiction, Complementarity and Cooperation Division (JCCD) and other senior members of the OTP also engaged in a number of external relations activities, including missions abroad and meetings with senior government and international organization officials to provide updates to States, regional and international organizations and civil society, to explain the work of the Office and seek cooperation for its activities, and in particular to galvanize arrest efforts. During the reporting period, the International Relations Task Force produced, *inter alia*, more than 60 speeches for the Prosecutor's use in external speaking engagements in The Hague and abroad.

C. Major Programme III – The Registry

115. On 18 April 2013, Mr Herman von Hebel (the Netherlands) was sworn in as Registrar for a period of five years. The Immediate Office of the Registrar supports the Registrar in the discharge of his wide-ranging responsibilities. During the reporting period, the newly elected Registrar led the 2014 budget negotiations and conducted a stringent and thorough internal review of the proposed budget for 2014, which included drastic reductions and reprioritization of activities. Furthermore, the Registrar undertook to engage in a process of revision of the Registry, with a view to increasing services and support to the other organs of the Court and all parties and participants in proceedings, while ensuring increased efficiency and cost reductions. This should help to limit, as far as possible, any future increase in resource requirements. As a result, the Assembly, with the support of the Committee, authorized "... the Registrar to reorganize and streamline the Registry's organizational structure within the envelope of the approved programme budget for 2014 and the maximum number of established posts and approved positions."⁴

116. The support functions performed by the Registry in 2013 exceeded the level of activities planned for the year, since it had to provide additional non-judicial services arising from unforeseen activities. This section provides an overview of the Registry's main activities in 2013.

117. The Registry engaged heavily with the Committee, The Hague and The New York Working Groups and relevant Assembly groups.

1. Court Management

(a) Judicial activity

118. A total of 9,264 court records and 572 transcripts were registered and notified in 2013. 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:

119. A total of 22 documents were registered and notified in the situation in Uganda. No transcripts were registered and no hearings were conducted in 2013.

120. In the situation in the Democratic Republic of the Congo, a total of 3,368 documents and six transcripts of hearings were registered and notified. Support (both procedural and technical) was provided for three hearings. During March 2013, Mr Bosco Ntaganda's voluntary surrender to the Court increased judicial activity (and therefore the number of court records submitted for registration).

121. In the situation in Darfur/Sudan, a total of 334 documents and eight transcripts of hearings were registered and notified. Support (both procedural and technical) was provided for three hearings.

122. In the situation in the Central African Republic, a total of 1,269 documents and 326 transcripts of hearings were registered and notified. Support (both procedural and technical) was provided for 81 hearings. In November 2013, one new case (*Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu, and Narcisse Arido*) was created in the said situation.

123. In the situation in Kenya, a total of 2,220 documents and 191 transcripts of hearings were registered and notified. Support (both procedural and technical) was provided for 53 hearings. In August 2013, one new case (*Walter Osapiri Barasa*) was created.

124. In the situation in Côte d'Ivoire, a total of 898 documents and 37 transcripts of hearings were registered and notified. Support (both procedural and technical) was provided for 12 hearings.

⁴ *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. I, part III, ICC-ASP/12/Res.1, section H, para. 3.*

125. In the situation in Libya a total of 1,049 documents and four transcripts of hearings were registered and notified. No hearings were conducted in 2013.

126. The Office of the Prosecutor formally opened an investigation into the situation in the Republic of Mali in January 2013. However, no documents were registered and no hearings were conducted in 2013.

127. In the situation on Registered Vessels of the Union of the Comoros, the Hellenic Republic and the Kingdom of Cambodia, a total of three documents were registered and notified. No hearings were conducted in 2013.

128. Increased judicial activity throughout 2013 resulted in more Court documents being registered and notified and more hearings throughout 2013.

129. The use of audio or video-link technology to facilitate witness testimony drastically increased in 2013. Such technology was used in the *Bemba* case for 17 Defence witnesses who gave evidence from different locations. Two video-link hearings were organized to facilitate the appearance of the accused in the *Kenyatta* and *Ruto/Sang* cases in February 2013. In all, 14 missions totalling 88 days were organized by the Court Management Section (CMS) to comply with the Chamber's orders and make the necessary arrangements for witnesses to be heard using this technology. On several occasions, arrangements had to be made without the required advance notice which meant that expedited assistance had to be requested from supporting sections (such as travel arrangements, security clearances, re-prioritising the budget to cover this unforeseen video-link activity). This was made possible as a result of a very high level of commitment from staff. However, staff welfare was affected as they were required to work without a break on last minute field missions, travelling over the weekend to ensure continuity of hearings from Mondays to Fridays.

130. Two Associate Legal Officers/Courtroom Officers (ALO/CO) are required for the purpose of organizing video-link hearings – one in The Hague courtroom and the other at the witness location. It must be noted that ALO/COs not only perform duties during hearings, but also perform tasks related to in-office service activities including registering filings and managing the disclosure and storage of evidence. Video-link activity therefore has a direct impact on the performance of back-office tasks, which are increasing in proportion to the rise in the number of situations and cases, irrespective of hearing activity.

131. In addition to routine in-court and registration activities, the Court Management Section 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: Projects deriving from upgrades of our court record registration and notification system (e-filing system) currently launched which will be rolled out Court-wide in 2014. In 2013, TRIM indexes were created, statistics were prepared and submitted and those submitting documentation were trained and advised as regards required formats to prevent errors arising in submissions prior to document registration. The Court Management Section worked closely on revision of the amendment of the Regulations of the Registry throughout 2013, providing input and participating in seminars to inform users of the new challenges faced with regard to Court Management. Section staff also worked on a Protocol for the submission of court records in electronic form, which is currently being considered by the ECOURT user group. The result of this work was incorporated into the final version of the amendments of the Regulations of the Registry which was adopted and which entered into force on 5 December 2013.
- (b) Transcripts: In 2013, the Transcript Coordination team, in close cooperation with the French and English in-house Court Reporting teams, were able to successfully engage in and complete numerous requests referred to them with specific and mandatory deadlines imposed by Chambers. Those projects included:
 - (i) Reclassification of transcripts in the *Bemba* and *Ruto and Sang* cases consisting of reviewing all closed and private sessions, redacting confidential information from each transcript and thereafter lifting the confidentiality of the remaining initial passages. This activity is extremely labour intensive and requires a high level of precision due to confidentiality levels and the severe consequences of any potential errors.

- (ii) Transcript correction. A substantial number of corrections in the *Ruto and Sang* case were submitted by the parties and processing started in 2013. This activity will continue in 2014 because the court reporters and interpreters working on the corrections can only do so outside court scheduled activities.
- (c) Evidence management: CMS receives and is responsible for processing material and/or evidence in electronic format, to be uploaded and registered into the E-court system, for all cases and situations before the Court. In 2013, around 270 packages containing more than 11,500 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. This includes meetings with parties and participants, verification, registration and establishment of all originals and chain of custody procedures. During periods of lower judicial activity:
 - (i) The court clerk who was cross-trained in 2012 continued to be assigned to the Transcript Coordinator's team to provide support and timely implementation and execution of the instructions of the Chambers with respect to the reclassification of transcripts.
 - (ii) Court clerks were also able to organize the original evidence items stored in the Registry vault. That activity included the creation and maintenance of an official log and a location data-base and system to ensure expeditious tracking and production of evidence for consultation upon request. The storage and organization in the vault of the multiple items of evidence is still on-going and will continue throughout 2014.

(b) *E-court*

132. E-Filing Module:

- (a) Development of the Document Management Module is complete. The first phase, "e-filing portal" has been rolled out to a wider audience and has received over 2,000 documents. The system will be released Court-wide during 2014.
- (b) Development of the phase two and three modules of the system, comprising full filing processing through stamping, security application, TRIM upload and email notification, is complete and set to go into production on 4 February 2014.
- (c) This system was designed and developed entirely in-house as a joint venture between the Court Management Section and the Information and Communications Technologies Section (ICT).

133. Future ECOS Development:

- (a) ECOS development continues to be monitored by the Court Management Section. All project planning and management is contained within the section. Various plans for change requests and module upgrades are planned for 2014, with in-house capability being combined with external expertise where needed.
- (b) Special focus is placed on the Court calendar as the core function of the ECOS system. Development began in December 2013 and release is scheduled for Q1 2014. Upgrades to all aspects of the calendar are in scope including a user subscription notification module, mobile device access and real-time statistics and resource usage reporting.

134. E-court Access Management:

- (a) Phase three of the e-filing system required a new security matrix in the ECOS situation and case tree. Although primarily used for the e-filing security application and notification, it will be leveraged during 2014 to facilitate access provision to other e-court technologies, thus streamlining access provision and increasing efficiency.
- (b) Access management to the E-court suite: in 2013, the Court Management Section continued to maintain security within TRIM, Ringtail and Transcend and ECOS.

That included the creation of new situations and cases, new security groups and new members.

135. Provision of specific E-court training and assistance:

Four CMS staff members attended the 2013 Counsel Support Section seminar and provided counsel with direct training in making filings before the Court, including the use of the e-filing portal and the Court's templates.

2. Detention

136. On 23rd March 2013, Mr Bosco Ntaganda was transferred to the Court's Detention Centre (ICC DC).

137. On 15th October 2013, Mr Charles Taylor was transferred to the United Kingdom for the enforcement of his 50-year sentence. This ended a period of more than seven years during which the Court facilitated the detention of a detained person of the Special Court for Sierra Leone (SCSL), in addition to providing other services.

138. On 25th November 2013, two suspects in a case brought under article 70 in the situation in the Central African Republic, Mr Babala and Mr Kilolo, were transferred to the detention centre, followed by a third suspect, Mr Mangenda Kabongo, who arrived on 4 December 2013, bringing the total number of detained persons to 11.

139. The Court had budgeted for six cells during 2013. However, during the course of 2013, the ICC DC housed three detained witnesses (DWs), later followed by the suspects in the article 70 case, in addition to the regular detained persons (DPs) requiring the Court to rent 12 cells.

140. In 2013 about €52,000 was spent on organizing six family visits for a total of 20 persons. As at the end of 2013, around €40,000 remains in the Trust Fund for Family Visits for indigent detained persons (out of the original €170,000 donated).

3. Translation and interpretation

(a) Terminology

141. In 2013, the Terminology and Reference Unit (TRU) produced Terminology Bulletin 13 in Arabic, English, French, Russian, Spanish and Swahili. It is a fully revised and updated version of the bulletin on post titles and names of organizational entities. It is of great value for Court staff but also for the wider public.

142. In 2013, the Terminology and Reference Unit and the Field and Operational Interpretation Unit (FOIU) organized a workshop on Dioula terminology. It was a unique opportunity to bring together field interpreters, linguists and terminologists, who produced a 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, and drafted rules and recommendations on terminology work in Dioula.

(b) Field and Operational Interpretation

143. In 2013, the Field and Operational Interpretation Unit provided interpretation for meetings in the field and at Headquarters in nine different language combinations in six situations, totalling 289 field interpreter days. Operational interpretation services were provided, *inter alia*, for facilitating Defence counsel meetings and telephone conversations, witness familiarization, psychological and protection assessments, voice-overs and audio-visual transcript translation. Supported field missions included those conducted by the Victims Participation and Reparations Section (VPRS), Defence counsel, Victims and Witnesses Unit (VWU), the Immediate Office of the Registrar and the Division of Court Services (DCS) to the Democratic Republic of the Congo, Congo-Brazzaville, Uganda, Kenya, Tanzania, Chad, Cameroon and Tunisia.

144. In total, 69 requests for field and operational interpretation services were received, 16 of which were cancelled by the requester. FOIU conducted one field interpreter

induction and basic training mission in the field and another one at Headquarters. Throughout the year, FOIU implemented the field interpreter recruitment and accreditation programme, expanding the roster of accredited field interpreters for new situational languages, mainly for the Côte d'Ivoire and Mali situations. The Unit worked with the TRU to organise the Dioula Terminology Workshop.

(c) *Interpretation*

145. In 2013, the Interpretation Unit provided interpretation for 190 events. Judicial events (hearings, missions with high court officials) represented 1,157 judicial interpreter days. Non-judicial events, such as seminars, round tables and visits from delegations, represented 155 non-judicial interpreter days. Apart from the working languages of the Court, English and French, interpretation was provided from and into Arabic, Lingala, Kinyarwanda, Sango, Swahili and Zaghawa. Parallel trials were held with some chambers sitting extended hours.

(d) *Translation*

146. The French Translation Unit dealt with appeals documents in the *Katanga* case, including decisions from the Dutch Courts, as well as amendments to various rules and regulations in the Basic texts of the Court (Regulations of the Registry, Rules of Procedure and Evidence). The Unit also translated a number of administrative documents including disciplinary proceedings and appeals. The English Translation Unit dealt with requests from the Appeals Chamber (mostly in the *Lubanga*, *Katanga*, *Ngudjolo* and *Gbagbo* cases). The Unit edited the Regulations of the Registry and translated a number of administrative documents including disciplinary proceedings and appeals. Other projects included editing of the Court's budget document. The Arabic Translation Unit finalised the revision of the translated *Lubanga* Judgment. The Unit also translated documents relating to judicial cooperation in the Libya and Sudan situations/cases and revised the translation of amendments to the Rules of Procedure and Evidence.

4. Legal aid and counsel issues

(a) *Counsel Support Section*

147. The assumptions used to establish the budget for 2013 included seven indigent defendants (no assumption was included regarding the number of victims). In practice however, in 2013, the legal aid system was employed for eight defendants found by the Registrar to be indigent.

148. As in previous years, in accordance with the Chamber's order, the Registry advanced the necessary funds to cover the legal representation of Mr Jean-Pierre Bemba Gombo who, though declared non-indigent by the Registrar, continues to experience problems concerning his assets (i.e. access to frozen assets, progress on other assets identified). The Registrar has continued with the investigation of Mr Bemba's assets, and it is expected that amounts will be recovered in the course of 2014. However, at this stage, it is not possible to give an indication of the amount and the utilization of any possible recoveries. In another case, the Registrar exceptionally decided to assume the costs of Mr Gaddafi's defence in the interest of and for the proper administration of justice. The Registry notes that should Mr Gaddafi be ultimately found not to be indigent, the same regime applied in the *Bemba* case will be implemented to recover funds.

149. The Counsel Support Section (CSS) provided administrative and logistical support and assistance to all legal teams representing suspects, accused persons, victims and legal representatives of States involved in the Court's proceedings. By the end of 2013, 89 team members paid exclusively out of the Court's legal aid system were receiving assistance from CSS. This number is higher (233) 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.

150. CSS implemented the Decision of the Bureau on legal aid of 22 March 2012, and has been reporting on a quarterly basis on its consequences on the legal aid budget. A

saving of approximately €750,000 has been achieved. CSS also submitted the Report of the Registry on the Comprehensive Review of the Legal Aid System of the Court (CBF/20/22) and the Registry's single policy document on the Court's legal aid system (ICC-ASP/12/3).

151. Once again, CSS organized a Seminar of Counsel complemented by an intense three-day training programme for lawyers on the List of Counsel eligible to act as counsel before the Court and active defence and victims team members. The 2013 event was a resounding success with a record increase in attendance.

152. In 2013, the Registry received 62 new applications for inclusion on the List of Counsel. Of the complete dossiers processed, 39 persons were added to the list, bringing the total number of admitted counsel to 485. A further 31 applications for admission to the List of Assistants to Counsel were processed. With the processed dossiers from 2012 and those received in the preceding years, admissions to the List of Assistants to Counsel by the end of 2013 totalled 166. The List of Professional Investigators saw nominal activity in 2013, with three applications received. This latter list now comprises 29 members.

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

153. The work of the Office of Public Counsel for the Defence (OPCD) significantly increased in 2013, especially due to on-going admissibility challenges and confirmation of charges hearings, the surrender of Mr Ntaganda, the start of the trial phase in the *Ruto and Sang* case and the preparations for the start of the *Kenyatta* case, and the initiation of the case brought under article 70 in the situation in the Central African Republic.

154. During 2013, the OPCD:

- (a) created and distributed specialised legal memoranda to 19 defence teams (Lubanga - Ngudjolo - Katanga - Simone Gbagbo - Laurent Gbagbo - Bosco Ntaganda - Saif Gaddafi - Al Senussi - Kenyatta - Banda - Jerbo - Muthaura - Ruto - Sang - Bemba - CAR article 70 (Bemba - Mangenda - Kilolo - Babala) upon team request;
- (b) maintained and issued updated versions of OPCD manuals for Counsel, including the OPCD manual on all jurisprudence related to the confirmation stage, the OPCD manual on evidential and procedural decisions, the OPCD manual on victim participation, the OPCD manual on interlocutory appeals, the OPCD manual for duty counsel and the keywords tables;
- (c) assisted the Bemba team in the main case during court hearings through real-time access to transcripts;
- (d) was appointed by Pre-Trial Chamber I to represent the interests of Mr Saif Al Islam Gaddafi in proceedings before the Court. This representation terminated in April 2013 and the OPCD transitioned the case to the new Counsel while continuing to provide legal assistance as requested by the team.
- (e) The Principal Counsel of OPCD assisted Bosco Ntaganda's Duty Counsel at the initial appearance hearing. He also assisted counsel for of Aimé Kilolo and Fidèle Babala in the initial appearance hearing in the case brought under article 70 in the situation in the Central African Republic.
- (f) provided assistance to teams, especially in the *Ruto and Sang* case, in collecting disclosing, uploading and downloading evidence and accessing filings;
- (g) assisted teams, especially the four Defence teams in the case brought under article 70 in the situation in the Central African Republic, with case management issues;
- (h) participated in the Working Group on the Strategic Plan for Victims, the Review of the System for Victims to Apply to Participate in Proceedings, the Draft Expert Panel report on Victim Participation, the eCourt Working Group, The Hague Working Group (for certain issues), the Steering Committee for the Case Law Database, and the Terminology Project of the Court's Interpretation and Translation Section;
- (i) provided on-going training to defence teams as requested for, *inter alia*, Ringtail, i-Transcend, downloading and uploading of evidence, and Casemap.

(c) *Office of Public Counsel for Victims*

155. Throughout 2013, there was a growing tendency for the Office of Public Counsel for Victims (OPCV) to be appointed by Chambers as the legal representative/common legal representative of victims in proceedings pending before the Court. As a result, the OPCV's workload, together with the number of victims represented, has increased steadily. The OPCV continued to seek to protect the interests of victims by attempting to raise general awareness of victims' issues, including by participating in conferences and seminars and contributing to publications. Moreover, the OPCV continued to offer its legal expertise to potential victims and/or external legal representatives of victims by evaluating the possibility of requesting participation and/or reparations in proceedings before the Court.

156. During 2013, the OPCV assisted 42 external legal representatives in the different situations and related cases by providing advice on a variety of legal issues, both in preparation for and during hearings. The Office provided legal advice and/or research to counsel on 600 occasions.

157. As regards the provision of legal representation in proceedings, in 2013, the OPCV represented more than 4,000 victims in the different situations and cases before the Court. To this figure must be added the number of victims from countries under examination – around 100 – who contacted the Office for information on participating in proceedings before the Court, and to whom the OPCV provided advice. The OPCV submitted written submissions and undertook several missions in the field in order to meet with its clients and effectively represent their interests in proceedings pending before the Court.

158. The OPCV has been appointed to protect the rights and interests of victims within the framework of proceedings under article 19 of the Rome Statute in the *Gaddafi and Al Senussi* case and in the *Simone Gbagbo* case. Moreover, it has been appointed in the framework of the reparations proceedings in the *Lubanga* case and as legal representative of applicants for reparations in the *Bemba* case. In the *Laurent Gbagbo* case and in the *Ntaganda* case, the OPCV has been appointed as common legal representative of the participating victims. Two OPCV teams were appointed in the latter case. Finally, in accordance with a decision issued by Trial Chamber V on 3 October 2012, two OPCV team members were seconded to the common legal representatives appointed respectively in the *Ruto and Sang* case and in the *Kenyatta* case. THE OPCV team member involved in the *Ruto* case has attended court on a daily basis since the trial started on 10 September 2013.

159. The OPCV needs to be extremely flexible given the wide range of mandates assigned to it. In this regard, OPCV staff members are allocated to different cases simultaneously. This measure allows the OPCV to create synergies between teams and enables staff to be redeployed depending on the workload in the various proceedings. It also enables the OPCV to deal with changing needs resulting from the Court's judicial activities using existing resources. Moreover, finalisation of the OPCV Database resulting in faster data processing has led to greater efficiency within the OPCV, enabling it to respond better and in a more timely manner to requests for assistance from victims and external counsel.

160. The OPCV also published the updated version, as at December 2013, of its Manual for Legal Representatives in English and French, as well as the first edition of the Spanish version.

(d) *Victim participation and reparation*

161. A total of 2,501 new applications for participation in proceedings were received in 2013 by the Victims Participation and Reparations Section (VPRS), which acts as the entry point for victim applications. The largest number of applications received during the year related to participation in the Confirmation of Charges hearing in the *Ntaganda* case. During the year, the VPRS also received 2,044 applications for reparations, mainly in relation to the DRC and more specifically to the *Bosco Ntaganda* case. In 2013, Chambers authorised a total of 91 victims to participate in the various proceedings (60 in the *Laurent Gbagbo* case, 14 in the *Banda* case, and 17 in the appeals phase of the *Lubanga* case. Decisions on applications in the *Ntaganda* case were issued in 2014).

162. 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, organizing common legal representation and 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. During 2013, the Victims Participation and Reparations Section filed 79 reports on victims' applications and other reports and documents with Chambers, and prepared 299 other communications relating to the proceedings intended for legal representatives of victims and others. During 2013, the VPRS organized field activities in the DRC, Kenya, Uganda and Côte d'Ivoire. A total of 54 missions took place this year. The Section's field activities focused on identifying potential victims of the 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.

163. 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 due 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.

164. One major activity for the VPRS during the year was facilitating victim participation in the pre-trial proceedings relating to the *Naganda* case (DRC). The Pre-Trial Chamber introduced a new simplified one-page form in order to facilitate victim participation. This involved intensive management of the process and training of intermediaries in the field and the recruitment of special contractors by the VPRS to manage the processing of applications. As a result, a total of 1,186 applications were filed over a period of five months.

165. Kenya was another major focus of VPRS activities during 2013. Following the Trial Chamber's decision on victim representation and participation of 3 October 2012, the Registry worked with the common legal representatives to establish a framework for cooperation in reporting to the Chamber on victims, as envisaged in the Chamber's decision. During the year, a total of 416 new victim registration forms were received, bringing the total number of victims participating in the two cases to 1,012.

166. As for the Central African Republic, the VPRS notified 100 applications for reparations to the Defence in the trial proceedings in the *Bemba* case during the last 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 public redacted versions of these annexes to be filed by the Chamber.

167. In relation to the new situation involving the Registered Vessels of the Union of the Comoros, the Hellenic Republic and the Kingdom of Cambodia, the VPRS has so far received a total of 136 applications for participation.

168. The VPRS continued to carry out its routine activities. It provided support to the common legal representatives of the 89 participating victims in the *Banda and Jerbo* case in the Darfur situation. The Section acted in Uganda jointly with the Public Information and Documentation Section and Trust Fund for Victims to meet victims who had applied for participation or communicated with the Court in relation to the proceedings so as to explain the lack of judicial developments, to rectify misconceptions and to manage expectations. As regards the Mali situation, the VPRS continued preparatory work to map the victims of the situation and develop a network of reliable intermediaries.

(e) *Victims and Witnesses*

169. The Victims and Witnesses Unit (VWU) Operations Sub-Unit facilitated the appearance of a total of 29 witnesses who testified before the Court in 2013. Of the 21 witnesses in the *Bemba* trial, one Defence witness came to testify at the seat of the Court in 2013 whilst the other

20 testified via video link from different locations. Of the 20 who testified via video link, 19 were Defence witnesses and one was a Chamber witness. Administrative and logistical support was provided to 21 Defence witnesses in the *Bemba* trial. In 2013, eight Prosecution witnesses appeared before the Court in the *Ruto and Sang* trial.

170. The maximum duration per stay per witness/victim at the seat of the Court during 2013 was 38 days (in the *Ruto and Sang* case).

171. The Initial Response System (IRS) has been maintained in the DRC, CAR, Kenya and Côte d'Ivoire situations. Subsequent to the conflict in the CAR and the change of government, the VWU has only been able to maintain a limited IRS.

172. The VWU Support Sub-Unit provided psycho-social services to 29 witnesses appearing before the Court which included preparation for travelling to The Hague to testify, preparation for testifying via audio-video-link from various locations, and familiarisation with courtroom procedures. Some of the witnesses were prepared for Court appearance in 2013 and for the Court's Protection Programme. A total of 11 vulnerability and psychological assessments, nine psychosocial assessments for inclusion in the Court's Protection Programme and 23 re-assessments of participants in the Court's Protection Programme were conducted by Associate Support Officers, and some witnesses required intense medical care or other measures to facilitate their court appearance. Associate Support Officers and Support Assistants were deployed in the field to facilitate video-link testimonies for periods of between one month and five weeks.

173. Associate Support Officers travelled to the various field offices to provide follow up psycho-social and psychological support for the Court's Protection Programme witnesses. Two additional Support Assistants were deployed to the field on a rotational basis to provide support services to the Court's Protection Programme witnesses throughout 2013. One remains in the field.

174. In its interaction with Chambers during 2013, the VWU submitted or provided expert input to 81 Registry filings: *Lubanga* case - one filing; *Katanga and Ngudjolo* case - one filing; *Katanga* case - two filings; *Ngudjolo* case - seven filings; *Bemba* case - sixteen filings; *Ruto and Sang* case - 25 filings; *Kenyatta* case - 22 filings; *Gbagbo* case - two filings; *Ntaganda* case - six filings. The VWU submitted a further 45 formal reports to the Chambers by email.

175. VWU representatives attended a total of 23 hearings. As regards relocation agreements, the VWU collected voluntary contributions to the Special Fund for Relocations from one State and is currently negotiating with 43 States with a view to concluding additional relocation agreements.

176. The VWU Protection Sub-Unit provided expert advice to the various Chambers, parties and participants. In total the Protection Sub-Unit dealt with 42 new referrals for protection. For all 42 referrals a protection assessment of the applicants and, in some cases, their dependants was conducted in the field by an Associate Protection Officer. Following referral to the Court's Protection program, the VWU psychologist conducted 40 psycho-social assessments of witnesses and adult dependants. Nineteen internal assisted moves and nine external moves were carried out in 2013 and two exit strategies for the Court's Protection Programme participants in the different situations were initiated.

177. Annex V provides information on the number of indigent defendants, applications for participation and reparations, defendants, victims' applications and duration of stay of witnesses in 2013.

(f) *Public Information and Outreach*

178. The Public Information and Documentation Section (PIDS) contributes to raising awareness and promoting understanding of the Court's mandate and its work, primarily among communities affected by cases heard before it. It also engages 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 and the Court's Public Information Strategy.

179. In 2013, the Section's capacity to achieve its goals and fully implement its budget was affected by both internal and external circumstances. The recruitment of three field staff is still pending (for Côte d'Ivoire, DRC and Kenya). Furthermore, some activities had to be interrupted and others cancelled due to security conditions in the field. The impact was significant in operations related to the CAR (all activities have been suspended since January 2013), Libya and Kenya (the capacity to hold public meetings was restricted due to security concerns).

180. The Court's Outreach Programme continued its efforts to engage with affected communities, prioritizing situations with cases at the trial stage or in which there have been significant judicial developments. Judicial proceedings were made accessible to local audiences in face to face meetings, through radio and television broadcasts in local languages and via traditional communication means. In the DRC, groups of women, child soldiers and academics were engaged. In Kenya, the main focus of activity was on training journalists and responding to their daily questions concerning judicial developments in the two cases. In Côte d'Ivoire, the Programme broadcast weekly radio and TV programs and conducted a number of outreach sessions by The Hague based staff, in partnership with the VPRS, ensuring that victims and affected communities were able to access information on developments in the *Laurent Gbagbo* case.

181. The Court continued to publicize on-going judicial proceedings so as to make accurate information more accessible to global audiences and enhance understanding of the Court, its mandate and activities among the general public and key target groups with the ultimate objective of broader support. By strengthening its use of digital tools and audio-visual products, the Court has been able to respond in a timely and cost-effective manner to the needs of the media and the general public.

182. The Court's website (www.icc-cpi.int) remained one of the key tools in providing timely and accessible information. With 2,007,000 visitors in 2013, twice the number for 2012, the Court's website is not only a means of distributing publications –including official documents, press statements and materials – but also serves as the platform for streaming all public hearings. A total of 93,666 persons accessed the Court streaming services in 2013.

183. In 2013, the Court reinforced 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 tripled in 2013 to more than 80,000 followers worldwide.

184. The Court also continued to use traditional media, including radio, television and print. 138 press releases and other information materials were distributed in 2013 to a mailing list of more than 5,500 journalists and other stakeholders around the world. 1,339 interviews were conducted with officials of the Court at Headquarters and in the field. As a result, information produced by the Court was widely reprinted in leading newspapers and magazines, and often broadcast on television and radio, both at national level in the countries concerned and by international media houses, in particular, with regard to judicial developments in the situations in Kenya, Côte d'Ivoire and Libya.

185. The Court expanded its audio-visual production. Images and sounds from the courtroom, press conferences, interviews with Court officials, and recordings of other Court events as well as tailored audio-visual programmes reached audience on all continents and especially in situation countries. 351 audio-visual programmes were disseminated to international, regional and local media for further distribution and broadcast and 423,141 download requests were received. Most audio-visual products were uploaded on the Court's YouTube Channel and were viewed 309,248 times in 2013, compared to 175,390 in 2012.

186. The number of requests to visit the Court's headquarters remained at the similar high level as in the previous year, probably as a result of the Court's enhanced international prominence. Due to the long-term sick leave of the Protocol and Events Assistants, many visit requests unfortunately had to be declined or cancelled. The number of visitors attending hearings increased significantly, mainly due to the Kenya hearings. PIDS supported the same number of VIP/high-level visits (51) interacting with the Court's officials to support efforts towards universality, to increase cooperation and to strengthen national capacities in different areas. PIDS also supported a significant increase in the number of stakeholder visits (128 compared to 67 in 2012). The purpose of stakeholder

visits is to brief key groups that visit the Court as part of training programs organized and funded by national governments, embassies, NGOs and other relevant third parties. Through the organization of the final rounds in four Moot Courts (Chinese, English, Russian and Spanish) the Court reached out to a large community of international criminal law students around the globe, allowing them to practise their knowledge in simulated cases before the Court.

(g) *External Relations and Cooperation*

187. The Immediate Office of the Registrar transmitted and followed up on the 51 requests for cooperation issued by the Chambers in 2013, and drafted and transmitted 73 requests for cooperation to States regarding matters pertaining to its mandate. It assisted Defence teams in transmitting and following up on 10 requests for assistance in the context of their investigations. Close contacts were maintained with the field operations section for the situation countries.

188. With respect to voluntary cooperation, the efforts of the Office resulted in the signature of three relocation agreements, with a fourth agreement in the pipeline at year-end. The Office continued to emphasize the importance of such agreements in different fora, including The Hague Working Group, the diplomatic briefing, the Assembly and bilateral meetings with States. Significant progress was made during negotiations with one State on the agreement on interim release. It is expected that the agreement will be signed in 2014. A draft agreement was circulated to States Parties within the framework of The Hague Working Group.

189. The Office also served as a focal point for the organization of round-tables with the relevant departments of the United Nations. It played the same role with NGOs in organizing high-level seminars on fostering cooperation and on witness protection.

190. The Office maintained a constant dialogue with States in the framework of the different working groups and coordinated input from the different sections of the Registry in the reports of the Court submitted to the Assembly, the Committee and the United Nations. Finally, it is in regular contact with the Host State to discuss matters of common interest and remains in contact with relevant NGOs, other tribunals and international and regional organizations with a view to strengthening their support for the Court.

(h) *Field Operations*

191. In 2013, the Field Operations Section (FOS) implemented its budget largely in accordance with forecast assumptions. However, a number of unforeseen events occurred which required an efficient and cost-effective response from the Section. These unforeseen events were primarily a result of a deteriorating environment in terms of security and political stability, unanticipated judicial developments and new and unexpected operational requirements. The worsening security and political situation in the Central African Republic as a result of the coup d'état and the raised security levels in Kenya in the pre-election period, led to the implementation of emergency measures, namely the evacuation of field-based staff from Bangui, and preventive movement of field-based staff from Nairobi offices. The surrender of Bosco Ntaganda, the five (5) cases brought under article 70 concerning offences against the administration of justice and the OTP's request to establish a field presence in Bamako to support on-going investigations were also unforeseen judicial and operational events. Similarly, the OTP's decision to conduct forensic activities in the DRC and Mali situations, not included in the activities planned for the year, entailed the acquisition of materials and specialised equipment. The costs associated with these unforeseen activities were covered essentially from existing resources. Furthermore, due to the worsening situation in the CAR, the existing Field Office in Bangui was closed at the end of November 2013. The Court continued to operate thorough in-country missions, while local staff continued to work from home.

192. The Abidjan Field Office Manager was temporarily deployed to Bamako to set up a small administrative office. He continued to manage the Abidjan Field Office remotely.

193. Even taking account of the above mentioned changes, at the end of 2013, the total number of field presences remained unchanged at six.

194. A number of strategic reviews were conducted to ensure appropriate planning and use of resources in accordance with the SOP on the review of the field presences. Four reviews were conducted in relation to the situation in CAR. The existing field office was closed two weeks before the general situation worsened, with no harm to the Court's staff or damage to its assets.

195. The Nairobi Field Office in Kenya successfully coordinated Registry activities during hectic times resulting from the proceedings in the two cases pending before the Court. The Office also prepared a study, at the Chamber's request, on the feasibility of in-situ proceedings and coordinated video-link activities in the two cases. Both activities were unforeseen. Overall, the Office maximised resources through cooperation with the United Nations Office at Nairobi. By maintaining an excellent network of key contacts and enhancing synergies with external partners, the Task Force Coordinator was able to send over 30 comprehensive analyses of the in-country situation, outlining the impact of the on-going proceedings on the Court's operations and providing, wherever relevant, suggestions and recommendations for further action.

196. Overall and, in accordance with the anticipated 2013 field work days, FOS coordinated assistance and support to the Court in all situation countries, irrespective of the existence of a field presence. Actual external missions (605) exceeded forecast missions (337) by 268, an excess of 79.53 per cent. Actual internal missions (382) exceeded forecast missions (329) by 53, an excess of 16.11 per cent.

197. In line with judicial developments in the situations and cases before the Court, the field presences were instrumental in the timely notification and follow-up of orders, decisions issued by the Chambers and other requests for cooperation and assistance generated by the Registry. Details are given in the table below.

<i>Total number of notifications, decisions, requests for assistance and cooperation</i>	<i>Uganda</i>	<i>DRC</i>	<i>CAR</i>	<i>Kenya</i>	<i>Côte d'Ivoire</i>	<i>Mali</i>
95	0	45	6	23	14	7

(i) *Human Resources*

198. In 2013, the Court continued to focus on a number of strategic and operational human resources areas. Information on human resources related activities is provided separately in the report of the Court on human resources management for 2013.

(j) *Security and Safety*

199. In 2013, 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 for operations in the field. The section provided security for Court proceedings in accordance with the hearing schedule and with decisions of the Chambers. The Personnel Security and Investigations Office (PSIO) processed 1,158 files relating to the issuance of Personnel Security Clearances (PSC). This significant increase over the previous year (182.4 per cent) was a direct consequence of the implementation of the pre-employment PSC process on 1 February 2013. The procedure was applied to all new personnel joining the Court against 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 seven 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 following the Court's protocols and relevant security and safety frameworks. Security support was provided to 772 missions in the eight situation countries and close protection and security liaison was provided for the Court's elected officials during ten missions. SSS also supported three transport missions involving accused persons and two joint Registry missions in Yaoundé and Brazzaville. The section continued to develop its information gathering and analysis capability by training relevant personnel and reorganizing the areas of responsibility of its analysts. Following the implementation of a revised training "Safe and Secure Approaches in Field Environments" (SSAFE) in previous

years, in 2013, two SSAFE courses were delivered in collaboration with the Host State military in the Netherlands and have effectively become part of the regular and comprehensive staff awareness and safety program.

200. As regards Information Security, the section submitted an extensive report on the Court's risk appetite, including the mitigating measures to enhance the Court's control over the reproduction and dissemination of sensitive information. To back up case management support by CMS, the section now delivers forensic support with regard to the acquisition and pre-processing of digital devices. Furthermore, the section assessed a number of projects, tools, processes and practices to identify and mitigate potential risks to the confidentiality of sensitive information. In its incident management role, the Section investigated a range of security incidents regarding data leaks. New training was developed and provided to guide relevant staff in operational issues in their communications with external parties.

(k) *Information and Communications Technologies*

201. The Information and Communications Technologies Section (ITC) completed its Strategic Plan for 2013-2017 with a view to the permanent premises and is focused on ensuring all major investments will be reusable at the new location. It also maintained its level of service despite the unplanned increase in activities in the field. The ICT Section supported the implementation of the new payroll system, the Human Resources upgrade project and the IPSAS project. It worked closely with the project managers to ensure that adequate facilities and services were provided for the success of the projects. The new high volume of video link testimony was supported by ICT technical staff on the ground by utilizing existing staff in the field rather than HQ staff, thereby significantly reducing travel costs. Along with other Registry Sections, it conducted assessment missions in Mali and Côte d'Ivoire for the proposed opening of field offices.

(l) *Procurement*

202. The Court reports to the Committee annually on its procurement activities, as requested by the Committee at its twelfth session.⁵

203. The Court continues its efforts to maximize benefits through joint procurement activities with other organizations. An overview of the Court's procurement activities in 2013, including total expenditure by country of main goods and services purchased, by country of origin and top expenditures is provided in Annex VI.

204. The Court has signed a contract with the United Nations Headquarters and SAP Nederland BV to be included in the global Product Support for Large Enterprises (PSLE) contract concluded by the United Nations Headquarters and SAP. This will reduce the annual percentage software maintenance charge from 22 per cent to 17 per cent, with no reduction in the level of service. The agreement was concluded on 1 January 2014 with effect from the same date. This contract will result in savings of more than €150,000 over the next three years.

205. It is vital that all members of the Procurement Review Committee are trained in their duties and responsibilities. The Court, in conjunction with the Organisation for the Prohibition of Chemical Weapons (OPCW), the Special Tribunal for Lebanon (STL) and the International Criminal Tribunal for the former Yugoslavia (ICTY), has, on an annual basis, conducted training courses in joint procurement with representatives and experts from the United Nations. This on-going programme provides basic and advanced level courses with a view to harmonizing joint procurement practices and has recently been extended to provide training for Property Survey Board members.

206. For the purposes of its building maintenance contract, the Court has utilized the agreements between the owner of the interim premises and the maintenance contractor arising out of a tender process conducted by the Rijksgebouwendienst (RGD).

⁵ *Official Records... Eighth session ... 2009* (ICC-ASP/8/20), vol. II, part B.1, para. 42.

207. The Court has been able to secure significant savings in secure document storage services by utilizing Government archiving at a nominal fee. This service provides a high level of security at the lowest cost to the Court.

(m) *Liquid Funds*

208. As a matter of course, the Court reports to the Committee on the investment of its liquid funds in light of the following aspects:

(i) *Compliance with the current investment policy*

209. In 2013, the Court fully met and expanded on the criteria for banking selection and investment limits in compliance with the Administrative Instruction (“AI”) (ICC/A1/2012/002) on the Investment of Surplus Funds (Section 9.3 on Bank Selection and Investment Limits), which states that no more than one third of the cash assets should normally be invested in one institution. In terms of the investment of liquid funds, the Court focuses primarily on security and maximising returns in this very difficult market.

210. The Court continues to take stringent measures to minimize banking risks in the current economic climate. Treasury Unit staff monitor the market situation and check regularly for any changes to each bank’s credit rating, using Standard & Poor’s, Moody’s and Fitch. The Court has concentrated its banking relationships exclusively in countries rated AAA and AA by the leading credit rating agencies (see Annex VII). The Investments Review Committee (IRC) continued to meet on a quarterly basis in 2013 to analyse current market conditions and provide guidance to the Treasurer.

(ii) *Return on investment*

211. Between 1 January 2012 and 31 December 2012, the Court held an average monthly cash balance, including the Working Capital Fund (WCF), Contingency Fund (CF), Permanent Premises Project (PPP) and Trust Fund (TF), of approximately €67.8 million. Of that amount, approximately €55 million relates to the approved programme budget.

212. Between 2012 and 2013, European Central Bank (ECB) base interest rates fell by 0.75 per cent, bringing the present ECB interest rate to 0.25 per cent (see Annex VII). Considering the Court’s average interest rate yield in 2012 was 0.79 per cent, the Court’s performance of 0.55 per cent for 2013 (€380,000) has benchmarked particularly well, despite the sharp decline in interest rates between 2012 and 2013.

(iii) *Future trend and investment strategy*

213. In the last half of 2013, some larger banks such as HSBC (UK) offering zero returns on deposits were accepting no further Euro Deposits due to market conditions and low demand for Euros. There has been discussion in 2014 on whether the ECB will offer zero overnight deposit rates in order to boost the economy and encourage inter-bank lending.

214. Considering that the Court is risk averse, in 2014 the IRC will continue to employ efficient, cost-effective and safe investment practices whilst ensuring, whenever possible, that it obtains favourable returns through on-going negotiation with its banking contacts, in compliance with the AI on the Investment of Surplus Funds and in line with the Court’s current investment strategy.

5. Annual inventories

215. A full physical check of assets was performed by members of the General Services Section (GSS) at Headquarters in the last three months of 2013. In order to ensure a full inventory of the field offices at least bi-yearly, Abidjan, Côte d’Ivoire, Kinshasa, DRC and Kampala, Uganda were visited by two GSS members and inventories carried out. Asset inventories at all other field offices have been verified by field office managers. Results have been processed and the database has been updated. Follow-up procedures continue.

Those field offices not visited by GSS staff in 2013 will be inventoried by the section in 2014, where possible.

216. Mindful of the move to the permanent premises, the asset management activities carried out in 2013 were aimed at maximizing the useful life of existing assets. As at 31 December 2013, a total of 8,578 asset items were in use, with an acquisition value of €15.23 million. This includes actual acquisition of asset items in 2013 amounting to €1.21 million, after adjusting actual write-off against acquisition value due to obsolescence, damage, loss or theft. As a result of this phase of the asset management control exercise, items have been written-off, with a corresponding original acquisition value of €0.85 million.

217. The Administrative Instruction on Property and Assets Management reference ICC/AI/2013/001 is being fine-tuned and amended to accommodate the introduction of IPSAS on 1/1/2014 and audit recommendations. The SAP Asset Management Module facilitates a Court-wide consolidated central database of assets.

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

218. The Secretariat continued to provide substantive and conference servicing to the Assembly and its subsidiary bodies in 2013.

219. Significant achievements of the Secretariat in 2013 included:

Assembly of States Parties and its subsidiary bodies

- (a) Organized and serviced the twelfth session of the Assembly, held in The Hague, for a period of seven working days, i.e. one day less than the eight working days foreseen and planned for.
- (b) Provided legal and substantive secretariat services, such as the provision of documentation, reports and analytical summaries, to the Assembly and its subsidiary bodies, including the preparation of documentation relating to the election to fill a judicial vacancy which had not been foreseen, the election of six members of the Committee, and the substantive and technical servicing for the first ever meetings of the Advisory Committee on Nomination of Judges;
- (c) Serviced the subsidiary bodies of the Assembly, in particular 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 permanent premises and the newly established Advisory Committee on Nominations of Judges;
- (d) Organized and serviced two sessions of the Committee on Budget and Finance in The Hague, for a period of 14 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 regarding the Plan of Action pursuant to relevant resolutions, resulting in the 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/1, ICC-ASP/9/Res.3⁶, ICC-ASP/10/Res.5⁷ and ICC-ASP/11/Res.6.⁸ 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 developing a new database of complementarity actors to be made 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,

⁶ *Official Records ... Ninth session ... 2010* (ICC-ASP/9/20), vol. I, part III, ICC-ASP/9/Res.3, section II, para. 47.

⁷ *Official Records ... Tenth session ... 2011* (ICC-ASP/10/20), vol. I, part III, ICC-ASP/10/Res.5, section II, para. 62.

⁸ *Official Records ... Eleventh session ... 2012* (ICC-ASP/11/20), vol. I, part III, ICC-ASP/11/Res.6, para 10.

thus facilitating the participation of a total of 27 representatives in the twelfth 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) Assisted States in organizing seminars and workshops, including two high-level seminars in Dakar and Arusha on the topic of cooperation;
- (k) Managed accreditations of non-governmental organizations to the twelfth session of the Assembly, facilitating the participation of approximately 450 representatives of civil society in the twelfth session; and
- (l) Provided assistance to the President of the Assembly, including legal advice on substantive issues relating to the work of the Assembly and its subsidiary bodies, preparation of travel arrangements and assistance in participation in various meetings and seminars.

220. In addition to the plenary meetings of the Assembly and the related informal consultations, the Secretariat serviced 188 meetings as follows:

- (a) Bureau..... 20
- (b) The Hague Working Group..... 86
- (c) New York Working Group 27
- (d) Working Group on Amendments 5
- (e) Study Group on Governance..... 15
- (f) Oversight Committee 18
- (g) Committee on Budget and Finance 15
- (h) Advisory Committee on Nominations ... 2

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

- (a) Pre-session: 244 documents and 5,764 pages;
- (b) In-session: 144 documents and 639 pages; and
- (c) Post-session: 13 documents and 2,111 pages.

222. For the two sessions of the Committee on Budget and Finance, the Secretariat also processed a total of 664 documents and 5,092 pages, in the two working languages.

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

223. The activities of the Project Director’s Office included both the construction and the transition projects. The construction works, which physically started in March 2013, are on track, as are the timelines for the completion of the project. Serious soil contamination was discovered during excavation and resolved with the cleaning of the water table. The host State agreed to cover the cost based on the ground lease agreement. The need to change the material for the façade resulted in lower construction and maintenance costs and mitigated a number of other related risks.

224. In July 2013, the Project Director was given responsibility for managing the transition project.

225. As a result, the project budget has been unified, and transition costs have been removed from the regular budget and included in the project budget. The financial envelope for the unified project is set at €195.7 million, including transition costs of €11.3 million.

F. Major Programme VI - Secretariat of the Trust Fund for Victims and Major Programme VII-5 - Independent Oversight Mechanism

226. Performance indicators for Major Programme VI, Secretariat of the Trust Fund for Victims and Major Programme VII-5, Independent Oversight Mechanism are provided in Annexes X and XI.

III. Cross-cutting issues

227. Information on the realization of Court assumptions 2005-2013 is provided in Annex XII.

A. Transfers of funds

228. As at year-end 2013, there were two transfers over €200,000.

229. SASP transferred €200,000 to contractual services from General Temporary Assistance (€100,000) and temporary assistance for meetings (€100,000) in respect of the commitment for the preparation, including rental of venue, for the Assembly Session to be held in November 2013.

230. An amount of €850,000 was transferred within the Counsel Support Section from Counsel for Victims to Counsel for the Defence to cover the legal fees and travel of Defence teams for the remainder of 2013.

B. Strategic Plan and risk management

231. The Court undertook a review and revision of its Strategic Plan in 2012 with a focus on further refining the plan as a management tool and strengthening its operational and strategic framework. Since the Strategic Plan for 2013-2017 ("the Plan") was presented at the eleventh session of the Assembly,⁹ the document has been used as the guiding framework, enabling the Court to further its work in more closely linking the strategic planning, risk management and budgeting cycles. The impact of the Plan was apparent during the drafting process of the Court's 2014 programme budget as references to the Plan can be found consistently throughout the document with clear connections between the Strategic Objectives and the yearly targets.

232. The new format of the Plan introduced in 2012 includes performance measures which enable the Court to engage in an annual review of the link between the Plan and the budget. During 2013, the Court monitored implementation of the Plan as well as implementation of the budget. These activities will allow the Court to review its Plan accordingly in early 2014, in order to produce more accurate and precise strategic direction to the 2015 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 until its next structural review scheduled for 2017.

233. As requested by the Assembly,¹⁰ the Court reported to the States on its implementation in 2013 of the Revised Strategy in relation to Victims,¹¹ in the context of the Court's on-going discussion with the States in that connection. These discussions, as well as others which were held with a wide variety of different stakeholders, have to a significant degree focused on raising awareness among key stakeholders of the crucial role complementarity plays in terms of victims' rights and further exploring the most effective ways the Court can work with States and its other stakeholders towards advancing and broadening the meaningful realization of victim's rights.

234. With regard to the risk management activities performed at the Court, it should be noted that the absence of dedicated funding remains a major constraint. As explained in last year's Performance Report, the Court is not able to implement the formal risk management

⁹ *Official Records ... Eleventh session ... 2013* (ICC-ASP/11/20), vol II, part A, Annex IV.

¹⁰ *Official Records ... Eleventh session ... 2012* (ICC-ASP/11/20) vol. I, part 3, ICC-ASP/11/ Res.8, para. 57.

¹¹ ICC-ASP-12/41.

process that had been established by senior management in 2011.¹² However, aware of the crucial importance of the risk management project, the Court has developed an interim plan whereby a more limited approach to risk management can still be implemented. This approach led to the completion of a high level Court-wide approved risk register in 2013 which will be used as a basis for further identification of risk control and mitigations strategies in 2014.

C. Efficiency measures

235. At its twenty-first session, the Committee analyzed the organs' efforts to achieve reductions through efficiency gains and careful allocation, redeployment and reprioritization of resources, and called on the Court to find further efficiencies.¹³ The following paragraphs describe the efforts undertaken by the Court in that regard since its 2102 report.

236. As already reported to the Committee, the Court employs a coordinated approach to achieve greater efficiency,¹⁴ with three overarching elements at its core: managing efficiency and fairness of judicial activities, managing efficiency for other activities of the Court and evaluating the effectiveness of major activities of the Court. The Court has progressed beyond the stage of efficiency improvements linked to the start-up of its operations. Its efforts are now targeted more at creating synergies and harmonizing business processes across the organization with a view to enhancing the long-term impact of its activities rather than focusing on shorter-term savings.

237. The reorganization efforts within the OTP and the Registry have also had an impact on the Court's efficiency efforts. The Prosecutor's new strategy focuses on in-depth, open-ended, quality investigations, conducting high quality prosecutions and efficiency. The new strategy will in part reshape the OTP so as to enable the Office to surpass its previous standards of performance and still manage the growing demands on it. Furthermore, as reported to the Committee at its twenty first session,¹⁵ the OTP will continue to seek efficiency gains through cooperation with the Registry.

238. The Registrar has also commenced a review and restructuring of the Registry. Taking into account the recommendations from external consultants on the structure of the Court and lessons learned, the *ReVision* project will identify barriers to excellence and make recommendations for measures that will enhance performance. The work of the OTP implementing the new strategy and the *ReVision* exercise of the Registry are expected to enhance the effectiveness and efficiency of each organ.

239. Work on the Presidency-led Lessons Learned project to increase the efficiency of criminal proceedings is continuing and it is expected – in consultation with States Parties through the Study Group on Governance – to lead to tangible improved efficiency in the progress of cases before Chambers.

240. With regard to actual efficiency measures implemented by the Court in 2013, the most relevant examples of activities, grouped within the same strategic categories as in previous reports, are reported in Annex XIII of this report, providing a short description as well as an estimated total amount of efficiency gains achieved in 2013.

IV. Budgetary performance 2013

A. Overview of the budgetary performance of the Court

241. The actual implementation rate for the Court in the programme budget is 95.8 per cent, or €110.33 million, against the approved budget of €115.12 million. The Court's implementation rate has fallen by 0.8 per cent compared to last year's 96.6 per cent.

242. The Court submitted a total of seven notifications to the Committee for potential access to the Contingency Fund ("the Contingency Fund notification") pending full

¹² Report on activities and programme performance of the International Criminal Court for the year 2012, para. 199.

¹³ *Official Records ... Twelfth session ... 2013* (ICC-ASP/12/20), vol. 2, part B.1, para. 47.

¹⁴ CBF/18/12, para. 4.

¹⁵ ICC/ASP/12/15, para. 69.

utilization of the Court's programme budget, in a total amount of €8.46 million. On 25 April and 6 June, the Court notified the Committee of the revised estimates of resources. This resulted in the decrease of €1.25 million in total Contingency Fund notifications to €7.21 million. The revised notifications were related to unforeseen judicial developments and activities and the new situation of Mali into which the Office of the Prosecutor opened its investigation on 16 January 2013. At year-end, the Contingency Fund notifications were implemented at 51.9 per cent, or a total of €3.75 million, against the total revised Contingency Fund notification of €7.21 million. Each Contingency Fund notification is detailed below in paragraph 267.

243. On a consolidated basis, the Court implemented 93.2 per cent, or €114.07 million, against the consolidated budget amount of €122.33 million, including the revised Contingency Fund notification of €7.21 million. In the context of the approved budget of €115.12 million, the expenditure of €114.07 million indicates 99.1 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

244. At year-end 2013, the Court had implemented at 95.8 per cent, or a total of €110.33 million, of the approved budget of €115.12 million, a decrease of 0.8 per cent compared to last year's implementation rate of 96.6 per cent. Table 1 below provides a summary of overall implementation of the programme budget by major programme and programme.

245. The Judiciary implemented its budget at 88.1 per cent, which corresponds to total expenditure of €9.42 million against an approved budget of €10.70 million, a decrease of 7.9 per cent. The reasons for under implementation were threefold; (i) one of the three judges expected to be called to duty in early 2013 was not called; (ii) certain staff members were on unpaid leave and there were unexpected difficulties in recruitment to some posts, resulting in reduced staff costs, including General Temporary Assistance (GTA); and (iii) travel costs decreased because various assumptions, such as for site visits, did not materialize.

246. The OTP's implementation rate fell to 95.9 per cent, a decrease of 3.1 per cent compared to 99.0 per cent the previous year, due to reduced staff costs, including GTA. The corresponding actual expenditure is €27.10 million against the approved budget of €28.27 million. The savings in staff costs were partially redeployed to cover various non-staff costs such as travel in relation to investigations, general operating expenses to cater for witnesses and field-related activities and the purchase of PCs and investigation-related equipment.

247. The Registry implemented at 97.3 per cent, or €62.78 million against an approved budget of €64.52 million. It was in line with last year's implementation rate of 97.0 per cent. The overall underspend of €1.74 million stems mainly from three programmes; (i) in the Office of the Registrar as a result of an underspend in legal aid of €1.18 million in the Counsel Support Section, due in large part to the fact that assumptions in situations and cases did not materialize; (ii) in the Common Administrative Services Division, the unused amount in the IPSAS project budget has been carried over to 2014, as approved by the Assembly;¹⁶ and (iii) the Public Information and Documentation Section under implemented because various outreach activities related to the Sudan, the Central African Republic and Libya situations could not be conducted for security reasons, resulting in an underspend in contractual services.

248. The Secretariat of the Assembly of State Parties (SASP) had a 97.9 per cent implementation rate. As in previous years, SASP managed the budget by redeploying funds from General Temporary Assistance and Temporary Assistance for Meetings to Contractual Services, outsourcing translations rather than utilizing translators for longer periods to assist the Secretariat during the twelfth session of the Assembly held in November.

249. The new major programme, Interim Premises, relating to the rent and maintenance of the Courts' interim premises, has completely exhausted its approved budget of €5.90 million.

¹⁶ *Official Records ... Twelfth session ... 2013* (ICC ASP/12/20), vol. I, part 3, ICC-ASP/12/Res.5, K.

250. The implementation rate of the Secretariat of the Trust Fund for Victims was 90.6 per cent. The low implementation rate was the result of: (i) the delayed recruitment for vacant GTA posts; (ii) less travel due to staff being on maternity leave, the presence required at HQ and fewer activities required in the Central African Republic and Kenya situations; and (iii) no need to rent facilities because planned meetings and workshops did not materialize, resulting in an underspend in general operating expenses.

251. The Project Director's Office's low implementation rate of 67.7 per cent was influenced by an underspend in contractual services approved in the sub-programme for Staff Resources and Management Support. Costs incurred for the project per section, namely the Security and Safety Section (SSS), the General Services Section (GSS) and the Information and Communication Technologies (ICT) Section, are provided in Figure 1 below. SSS and GSS have partly used the funds available. ICT and GSS have partly absorbed the costs incurred as they had their GTA positions still under recruitment. Had sections declared the costs incurred, a total amount of €0.21 million would have been charged.

Figure 1: Project costs incurred for Staff Resources and Management Support and 2gv elements (non-integrated user equipment) in the Project Director's Office (thousand euros)

<i>Sub-programme</i>	<i>Items</i>	<i>Approved Budget 2013</i>	<i>Actual Expenditure 2013 (*)</i>	<i>Actual Expenditure equivalent of services provided (**)</i>	<i>Justification</i>
7120 Staff Resources and Management Support	Contractual services	386.3	113.4	211.3	
	Security and Safety Section		77.3	81.8	various staff - 2000 hours - 267 working days
	General Services Section			81.8	various staff - 2000 hours - 267 working days
			20.0	20.0	insurance risk scan
	Information and Communication Technologies Section			15.3	various staff - 375 hours - 50 working days
	Public Information and Documentation Services			2.9	12.3
	External audit		13.2		3 weeks of in-depth audit by External Auditor <i>Cour des Comptes</i>
7130 2gv elements (non-integrated user equipment)	Contractual services	150.0	102.3		
	Project management support IPMMC (transition)		48.3		
	Other contractual services		54.0		

(*) Actual Expenditure 2013 is based on preliminary, unaudited figures, which are subject to change.

(**) Based on services agreements with sections SSS, GSS and ICT for fixed yearly fee of €80,000 (261 working days per year, 7.5 hours/ day - ICC Staff Rules and Regulations).

252. The Independent Oversight Mechanism (IOM) has been in the process of setting up office since the middle of 2010. In 2013, its expenditure was for the staff costs of one official on reimbursable loan from the United Nations Office of Internal Oversight Services in New York for a whole year and for training in mediator skills. The IOM's implementation rate was 64.1 per cent. In 2013, the Assembly approved the full operationalization of the IOM for 2014.¹⁷

¹⁷ *Official Records ... Twelfth session ... 2013* (ICC-ASP12/20), vol I, part 3, ASP-ICC/12/Res.6.

Table 1: Budget Performance 2013 by Major Programme and Programme (thousand euros)

<i>Major Programme / Programme</i>	<i>Approved Budget 2013</i>	<i>Actual Expenditure* 2013</i>	<i>Variance</i>	<i>Implementation rate in %</i>
	[1]	[2]	[3]=[1]-[2]	[4]=[2]/[1]
Major Programme I				
Judiciary	10,697.9	9,420.9	1,277.0	88.1
The Presidency	1,383.2	1,129.5	253.7	81.7
Chambers	8,993.5	7,952.3	1,041.2	88.4
Liaison Offices	321.2	339.2	-18.0	105.6
Major Programme II				
Office of the Prosecutor	28,265.7	27,097.5	1,168.2	95.9
The Prosecutor	6,923.6	6,055.6	868.0	87.5
Jurisdiction, Complementarity & Cooperation Division	2,648.7	2,564.4	84.3	96.8
Investigation Division	11,895.6	12,158.2	-262.6	102.2
Prosecution Division	6,797.8	6,319.3	478.5	93.0
Major Programme III				
Registry	64,520.9	62,779.5	1,741.4	97.3
Office of the Registrar	18,167.1	17,165.8	1,001.3	94.5
Common Administrative Services Division	20,862.9	20,537.8	325.1	98.4
Division of Court Services	19,080.0	19,003.2	76.8	99.6
Public Information and Documentation Section	3,754.7	3,489.5	265.2	92.9
Independent Offices and Special Projects	2,656.2	2,583.3	72.9	97.3
Major Programme IV				
Secretariat of the Assembly of States Parties	2,951.7	2,890.6	61.1	97.9
Major Programme V				
Interim Premises	5,901.5	5,901.5		100.0
Major Programme VI				
Secretariat of the Trust Fund for Victims	1,580.0	1,431.5	148.5	90.6
Major Programme VII-1				
Project Director's Office	996.7	675.0	321.7	67.7
Major Programme VII-5				
Independent Oversight Mechanism	205.9	132.0	73.9	64.1
Total ICC	115,120.3	110,328.3	4,792.0	95.8

* Expenditure 2013 is based on preliminary, unaudited figures which are subject to change.

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

254. The Court's staff cost for established posts was implemented at 95.9 per cent, a decrease of 3.5 per cent over last year. The Court's annual average vacancy rate rose to 9.5 per cent, an increase of 0.8 per cent over last year. The Judiciary's annual average vacancy rate of 6.3 per cent remained at the same level as 2012, with a staff costs implementation rate of 89.5 per cent. The annual average vacancy rate for the OTP decreased to 7.0 per cent and the staff costs implementation rate was 94.6 per cent. The Registry's annual average vacancy rate rose to 10.3 per cent and its staff costs implementation rate was 97.6 per cent.

255. The GTA budget was implemented at 95.4 per cent of the approved budget. The implementation rate fell by 12.8 per cent compared to last year. Two major programmes - Judiciary and the OTP - underspent their approved budget at 84.5 per cent and 89.2 per cent, respectively while the Registry implemented at 104.5 per cent.

256. Consultants implemented at 198.7 per cent of the approved budget. This was due to an overspend in the Registry for the unforeseen but necessary activities to contract consultants to work on the incident involving the detention of four staff in Libya and on the incident in the Democratic Republic of the Congo.

257. Overspend occurred in travel at 103.6 per cent. The OTP and Registry overspent their approved budget at 107.2 per cent and 111.6 per cent, respectively. The OTP overspent to cover the necessary investigation related trips through redeployment from staff costs. In the Registry, the main overspend came from two sections: (i) Information and Communication Technologies Section was required to implement some non-budgeted activities to support remote witness testimony via video link as ordered by the Chamber and to perform support activities at HQ and in the field, including setting-up a new field office in the Cote d'Ivoire; and (ii) Victims and Witnesses Unit overspent due to increased travel in order to conduct witnesses protection activities, mainly in the DRC and Kenya situations.

258. The total underspend of €1.18 million in Legal Aid has been mentioned in paragraph 11. However, counsel for defence teams were overspent, with an implementation rate of 120.4 per cent, while counsel for victims' teams were underspent, with an implementation rate of 50.3 per cent. The shift towards utilization of the funds came as a result of additional resources having been made to defence teams for Mr Germain Katanga and Mr Bosco Ntaganda for the period between April to June. Furthermore, Mr Saif Al-Islam Gaddafi was referred to external counsels rather than the internal counsel of the Office of the Public Counsel for the Defence, following the decision of the Chamber, and proceedings were brought under article 70 (ICC-01/05-01/13) starting in late November 2013, with the respective defence counsel being granted legal aid, resulting in a Legal Aid overspend for defence.

259. General operating expenses showed budget performance at 98.5 per cent implementation rate, with a residual balance of only €0.25 million against the approved budget of €16.91 million.

260. The implementation in supplies and materials was 77.1 per cent mainly due to the prioritization of funds to cover unexpected outsourcing of English and French Court reporting services, scheduled simultaneous hearings and an underspend in purchases such as security uniforms and medical supplies.

261. In equipment including furniture, the implementation at 133.1 per cent was due in large part to the purchase of equipment for forensic activities and investigation-related equipment in the OTP and the purchase of five vehicles for the field.

Table 2: Budget Performance 2013 by item of expenditure (thousand euros)

<i>Items</i>	<i>Approved Budget 2013</i>	<i>Actual Expenditure* 2013</i>	<i>Variance</i>	<i>Implementation rate in %</i>
	[1]	[2]	[3]=[1]-[2]	[4]=[2]/[1]
Judges	4,689.4	4,154.1	535.3	88.6
Judges' travel		49.9	-49.9	
<i>Sub-total judges</i>	<i>4,689.4</i>	<i>4,204.0</i>	<i>485.4</i>	<i>89.6</i>
Staff costs	63,141.6	60,576.2	2,565.4	95.9
General temporary assistance	11,186.3	10,670.2	516.1	95.4
Temporary assistance for meetings	813.2	809.5	3.7	99.5
Overtime	391.3	397.8	-6.5	101.7
Consultants	318.1	632.1	-314.0	198.7
<i>Sub-total staff costs</i>	<i>75,850.5</i>	<i>73,085.8</i>	<i>2,764.7</i>	<i>96.4</i>

<i>Items</i>	<i>Approved Budget 2013</i>	<i>Actual Expenditure* 2013</i>	<i>Variance</i>	<i>Implementation rate in %</i>
	[1]	[2]	[3]=[1]-[2]	[4]=[2]/[1]
Travel	4,394.1	4,550.8	-156.7	103.6
Hospitality	31.0	24.2	6.8	78.1
Contractual services	4,423.1	4,124.1	299.0	93.2
Training	692.3	628.1	64.2	90.7
Counsel for defence	2,608.4	3,139.5	-531.1	120.4
Counsel for victims	3,448.2	1,735.1	1,713.1	50.3
General operating expenses	16,908.0	16,653.8	254.2	98.5
Supplies and materials	1,035.6	798.7	236.9	77.1
Equipment incl. furniture	1,039.7	1,384.1	-344.4	133.1
<i>Sub-total non-staff costs</i>	<i>34,580.4</i>	<i>33,038.6</i>	<i>1,541.8</i>	<i>95.5</i>
Total ICC	115,120.3	110,328.3	4,792.0	95.8

* Actual Expenditure 2013 is based on preliminary, unaudited figures, which are subject to change.

262. 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 is under implemented at 50.5 per cent, or €0.30 million against the approved budget of €0.60 million. The 2013 budget underspend will be carried over to 2014 when full budget utilization is forecast.¹⁸ Reallocation of budget between 2013 and two subsequent years was necessary to ensure support for transfer of IPSAS activities to business as usual and continued training in order to stabilise and sustain implementation.

Table 3: Budget Performance for the IPSAS Project 2013 by item of expenditure (thousand euros)

<i>Items</i>	<i>Approved Budget 2013</i>	<i>Actual Expenditure* 2013</i>	<i>Variance</i>	<i>Implementation rate in %</i>
	[1]	[2]	[3]=[1]-[2]	[4]=[2]/[1]
Judges				
Judges' travel				
<i>Subtotal Judges</i>				
Staff costs				
General temporary assistance	369.2	248.7	120.5	67.4
Temporary assistance for meetings				
Overtime				
Consultants				
<i>Subtotal other staff</i>	<i>369.2</i>	<i>248.7</i>	<i>120.5</i>	<i>67.4</i>
Travel	15.0	2.9	12.1	
Hospitality				
Contractual services	186.0	42.9	143.1	23.1
Training	30.0	8.3	21.7	27.8
Counsel for defence				
Counsel for victims				

¹⁸ ICC-ASP/12/Res.1.

<i>Items</i>	<i>Approved Budget 2013</i>	<i>Actual Expenditure* 2013</i>	<i>Variance</i>	<i>Implementation rate in %</i>
	[1]	[2]	[3]=[1]-[2]	[4]=[2]/[1]
General operating expenses				
Supplies and materials				
Equipment incl. furniture				
<i>Subtotal non-staff</i>	<i>231.0</i>	<i>54.1</i>	<i>176.9</i>	<i>23.4</i>
Total ICC	600.2	302.9	297.3	50.5

* Actual Expenditure 2013 is based on preliminary, unaudited figures, which are subject to change.

263. Table 4 provides an overview split for the programme budget by basic and situation-related expenditure. The basic component shows a 96.8 per cent implementation rate, whereas the situation-related component shows 94.8 per cent implementation rate.

Table 4: Budget Performance 2013 by Basic and Situation-related expenditure (thousand euros)

<i>Major Programme / Programme</i>	<i>Basic</i>			<i>Situation-related (SRF)</i>		
	<i>Approved Basic Budget 2013</i>	<i>Actual Basic Expenditure* 2013</i>	<i>Implementation rate in %</i>	<i>Approved SRF Budget 2013</i>	<i>Actual SRF Expenditure* 2013</i>	<i>Implementation rate in %</i>
	[1]	[2]	[3]=[2]/[1]	[4]	[5]	[6]=[5]/[4]
Major Programme I						
Judiciary	9,036.8	8,126.6	89.9	1,661.1	1,294.3	77.9
The Presidency	1,352.0	1,129.5	83.5	31.2		
Chambers	7,363.6	6,658.0	90.4	1,629.9	1,294.3	79.4
Liaison Offices	321.2	339.2	105.6			
Major Programme II						
Office of the Prosecutor	5,161.9	4,983.7	96.5	23,103.8	22,113.8	95.7
The Prosecutor	3,009.4	2,613.8	86.9	3,914.2	3,441.8	87.9
Jurisdiction, Complementarity & Cooperation Division	1,009.3	980.6	97.2	1,639.4	1,583.8	96.6
Investigation Division	429.6	432.5	100.7	11,466.0	11,725.7	102.3
Prosecution Division	713.6	956.8	134.1	6,084.2	5,362.4	88.1
Major Programme III						
Registry	33,471.7	33,165.9	99.1	31,049.2	29,613.6	95.4
Office of the Registrar	6,870.9	6,451.8	93.9	11,296.2	10,714.0	94.8
Common Administrative Services Division	16,611.9	16,415.5	98.8	4,251.0	4,122.3	97.0
Division of Court Services	6,402.1	6,630.7	103.6	12,677.9	12,372.5	97.6
Public Information & Documentation Section	2,097.4	2,169.5	103.4	1,657.3	1,320.0	79.6
Independent Offices and Special Projects	1,489.4	1,498.4	100.6	1,166.8	1,084.9	93.0
Major Programme IV						
Secretariat of the Assembly of States Parties	2,951.7	2,890.6	97.9			

Major Programme / Programme	Basic			Situation-related (SRF)		
	Approved Basic Budget 2013	Actual Basic Expenditure* 2013	Implementation rate in %	Approved SRF Budget 2013	Actual SRF Expenditure* 2013	Implementation rate in %
	[1]	[2]	[3]=[2]/[1]	[4]	[5]	[6]=[5]/[4]
Major Programme V						
Interim Premises	5,901.5	5,901.5	100.0			
Major Programme VI						
Secretariat of the Trust Fund for Victims	712.0	696.4	97.8	868.0	735.1	84.7
Major Programme VII-1						
Project Director's Office	996.7	675.0	67.7			
Major Programme VII-5						
Independent Oversight Mechanism	205.9	132.0	64.1			
Total ICC	58,438.2	56,571.6	96.8	56,682.1	53,756.8	94.8

* Expenditure 2013 is based on preliminary, unaudited figures which are subject to change.

C. Field activity

264. Table 5 provides a summary of actual expenditure for field operations per situation. In 2013, the Court was investigating eight situations, namely Uganda, the Democratic Republic of the Congo (DRC), Sudan, Central African Republic (CAR), the Republic of Kenya (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 is €31.24 million, which is 55.1 per cent of the approved situation-related budget of €56.68 million. Of the total actual expenditure of €31.24 million, €17.58 million was spent by the OTP and €13.30 million by the Registry, leaving a balance of €0.36 million accounted for by other programmes, the Judiciary and STFV.

Table 5: Actual expenditure for field operations per situation 2013 (thousand euros)*

	Uganda situation	DRC situation	Sudan situation	CAR situation	Kenya situation	Libya situation	CIV situation	Mali situation	Operational Support	Total
The Presidency										
Chambers									14.2	14.2
Judiciary									14.2	14.2
Immediate Office Prosecutor					2.4	18.5	17.4	0.9	199.6	238.8
Services Section	11.8	57.0	102.1	21.9	276.7	128.9	40.3	11.7	1,600.6	2,251.0
<i>The Prosecutor</i>	<i>11.8</i>	<i>57.0</i>	<i>102.1</i>	<i>21.9</i>	<i>279.1</i>	<i>147.4</i>	<i>57.7</i>	<i>12.6</i>	<i>1,800.2</i>	<i>2,489.8</i>
Jurisdiction, Comple & Cooperation Division	2.4	110.4	114.4	9.1	179.6	15.9	105.6	25.2	1,028.2	1,590.6
<i>JCCD</i>	<i>2.4</i>	<i>110.4</i>	<i>114.4</i>	<i>9.1</i>	<i>179.6</i>	<i>15.9</i>	<i>105.6</i>	<i>25.2</i>	<i>1,028.2</i>	<i>1,590.6</i>
Planning & Operation	20.1	302.4	80.4	296.7	635.0	183.8	285.1	96.5	3,793.7	5,693.8
Investigation Teams		668.7	475.8	52.2	2,175.5	528.3	380.6	711.7	533.7	5,526.6

	<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>
<i>Investigation Division</i>	20.1	971.1	556.3	348.9	2,810.5	712.1	665.7	808.2	4,327.4	11,220.4
Prosecution Division		520.5	732.8	27.2	490.7	85.5	81.3	170.6	167.0	2,275.7
<i>Prosecution Division</i>		520.5	732.8	27.2	490.7	85.5	81.3	170.6	167.0	2,275.7
Office of the Prosecutor	34.3	1,659.0	1,505.6	407.1	3,759.9	960.8	910.2	1,016.7	7,322.8	17,576.5
Immediate Office Registrar		33.8				47.7			4.8	86.4
Security & Safety Section	104.1	677.6		356.3	281.2	3.8	94.0	14.7	433.7	1,965.4
Field Operations Section	322.3	952.9	41.4	291.4	298.4		269.1		752.3	2,928.0
Counsel Support Section		67.6		125.9			14.3		185.1	392.9
<i>Office of Registrar</i>	<i>426.4</i>	<i>1,731.9</i>	<i>41.4</i>	<i>773.7</i>	<i>579.6</i>	<i>51.6</i>	<i>377.4</i>	<i>14.7</i>	<i>1,376.0</i>	<i>5,372.7</i>
Human Resources Section									201.8	201.8
Budget & Finance Section									339.1	339.1
General Services Section									19.7	19.7
ICT Section	83.1	262.4		53.8	35.2		68.4		283.9	786.8
<i>Common Administrative Services Division</i>	<i>83.1</i>	<i>262.4</i>		<i>53.8</i>	<i>35.2</i>		<i>68.4</i>		<i>844.4</i>	<i>1,347.3</i>
Office of the Head		3.8			5.4				2.5	11.7
Court Mgt. Section		-4.1							15.1	11.0
Detention Section									1.3	1.3
Court Int. & Trans Section	-21.8	703.5	41.0	13.0	16.5	4.9	7.6		623.3	1,388.0
Victims & Witness Unit	43.3	974.9	33.1	349.0	1,298.5		25.5	0.4	494.0	3,218.7
Victim Part and Rep Section	19.1	200.0		103.8	140.2		33.0		209.3	705.4
<i>Division of Court Service</i>	<i>40.6</i>	<i>1,878.1</i>	<i>74.1</i>	<i>465.8</i>	<i>1,460.6</i>	<i>4.9</i>	<i>66.2</i>	<i>0.4</i>	<i>1,345.4</i>	<i>5,336.0</i>
Office of the Head									4.1	4.1
Public Affairs Unit					4.2				117.5	121.7

	<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>
Outreach Unit	67.6	262.1	70.1	64.8	386.3		71.1		166.5	1,088.5
<i>Public Information & Documentation Section</i>	<i>67.6</i>	<i>262.1</i>	<i>70.1</i>	<i>64.8</i>	<i>390.5</i>		<i>71.1</i>		<i>288.1</i>	<i>1,214.4</i>
Counsel for Defence									2.5	2.5
Counsel for Victims	12.9								6.2	19.0
Internal Audit					5.1					5.1
<i>Independent Offices & Special Projects</i>	<i>12.9</i>				<i>5.1</i>				<i>8.7</i>	<i>26.7</i>
Registry	630.6	4,134.5	185.6	1,358.1	2,471.0	56.4	583.2	15.1	3,862.6	13,297.0
Secretariat TFV	141.7	149.1							58.5	349.2
Secretariat of TFV	141.7	149.1							58.5	349.2
Total ICC	806.6	5,942.6	1,691.1	1,765.2	6,230.9	1,017.2	1,493.4	1,031.8	11,258.1	31,236.9

* Expenditure 2013 is based on preliminary, unaudited figures which are subject to change.

D. Unliquidated Obligations

265. As requested by the Committee,¹⁹ Annex XIV provides the total number of outstanding unliquidated obligations (ULOs) and the total amount due as at 31 December of the 2013 financial year, and the updated figures for the same period as at 31 December of 2012.

E. Recruitment

266. Table 6 provides a summary of staffing per major programme. As at 31 December 2013, a total of 688 posts or 90.4 per cent were filled, against the approved total of 761, 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	46		2		
Office of the Prosecutor						
Major Programme II	214	198	4	10		2
Registry						
Major Programme III ***	478	429	4	15	1	29
Secretariat of the ASP						
Major Programme IV	9	6		3		
Secretariat of the TFV						
Major Programme VI	7	6		1		

¹⁹ *Official Records ... Twelfth session ... 2013* (ICC-ASP/12/20), vol. II, part B.2, para. 111.

	<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]
Project Director's Office						
Major Programme VII-1	3	3				
Independent Oversight Mechanism						
Major Programme VII-5	2			1		1
Total ICC	761	688	8	32	1	32

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

** Indicates that the selected candidate has accepted the offer, recruitment process has been finalized and the post is blocked until the arrival of the incumbent.

*** In MP-III, one post not vacant as such but funding a Staff Council Representative.

F. Budget performance for Contingency Fund notifications

267. In 2013, the Court originally submitted the following seven notifications to the Committee, in a total amount of €8,457,541. The Court notified the Committee on 25 April and 6 June of revisions to the estimates of the resources required in three notifications, namely Notification (i), (ii) and (iii), which resulted in a total revised notification amount of €7,211,054, a decrease of €1,246,487. 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. Notifications are as follows:²⁰

- (a) Notification of 17 December 2012 for €311,087 and further notification of the revised estimate of the resources required for €244,800 on 25 April for the further extension of the mandates of two judges and of support staff and additional legal aid for defence teams in the case of *Mr Germain Katanga and Mr Mathieu Ngudjolo Chui* in the situation in the Democratic Republic of the Congo;
- (b) Notification of 18 December 2012 for €509,100 and further notification of the revised estimate of the resources required for €366,900 on 25 April for the need to cater for the continuation of pre-trial proceedings in the case of *Mr Laurent Gbagbo* in the situation in Côte d'Ivoire;
- (c) Notification of 9 and 11 April 2013 for €4,279,200 and further notifications of the revised estimates of the resources required for €3,791,200 on 25 April and €3,241,200 on 6 June for the situation in Mali in which the OTP opened its investigations on 16 January 2013;
- (d) Notification of 15 April 2013 for €414,500 for the further extension of mandates of two judges and for support staff and additional legal aid for the defence teams in the case of *Mr Germain Katanga* in the situation in the Democratic Republic of the Congo;
- (e) Notification of 19 April 2013 for €124,554 for the transfer of Mr Bosco Ntaganda from Kigali, Rwanda, to the Court's Detention Centre in the Netherlands in the situation in the Democratic Republic of the Congo;
- (f) Notification of 12 June 2013 for €230,500 for the continuation of the Sango interpretation teams in the case of *Mr Jean-Pierre Bemba Gombo* in the situation in the Central African Republic; and
- (g) Notification of 18 June 2013 for €2,588,600 for the need to conduct new investigative efforts and cater for the confirmation of charges hearing in the case of *Mr Bosco Ntaganda* in the situation in the Democratic Republic of the Congo.

²⁰ Notifications (i) and (ii) became effective on 1 January 2013.

G. Budget performance for the total Contingency Fund notifications

268. Table 7 below provides a summary of overall budget performance for a total of seven Contingency Fund notifications submitted to the Committee. Overall actual implementation rate at year-end 2013 is 5.9 per cent, or €3.75 million, against the total revised Contingency Fund notification of €7.21 million.

Table 7: Budget Performance of the total of seven Contingency Fund notifications 2013 by item of expenditure (thousand euros)

<i>Expenditure Item</i>	<i>Total Revised Contingency Fund Notification</i>	<i>Total Actual Expenditure*</i>	<i>Total Implementation rate in %</i>
	[1]	[2]	[3]=[2]/[1]
Judges' Costs	297.9	275.2	92.4
Staff Costs			
General temporary assistance	3,694.2	1,721.3	46.6
Temporary assistance for meetings	145.9	0.8	0.5
Consultants	34.8	18.9	54.4
<i>Sub Total Other Staff Costs</i>	<i>3,874.9</i>	<i>1,741.0</i>	<i>44.9</i>
Travel	816.9	506.3	62.0
Training		2.9	
External translation	393.5	19.7	5.0
Counsel for defence	819.7	493.6	60.2
Counsel for victims	39.3	21.8	55.4
External printing	2.0		
Public Information & Production Costs	20.0	5.8	29.0
Outsourcing services	79.8	0.8	1.0
Other Contractual Services	151.0	113.8	75.4
<i>Sub Total Contractual Services</i>	<i>1,505.3</i>	<i>658.4</i>	<i>43.7</i>
Rental of Premises	25.0	10.7	42.7
Maintenance of Premises		16.8	
Rental of Furniture & Equipment		2.7	
Communications	28.9		
Maintenance of Equipment & Furniture	62.0	43.5	70.1
Other Miscellaneous Operating Costs	352.3	97.3	27.6
<i>Sub Total General Operating Expenses</i>	<i>468.2</i>	<i>171.0</i>	<i>36.5</i>
Supplies and Materials	25.0	31.7	126.9
Equipment including Furniture	222.9	361.5	162.2
Total	7,211.1	3,745.2	51.9

* Expenditure 2013 is based on preliminary, unaudited figures which are subject to change.

269. The budget performance for each contingency fund notification is detailed below in the order of the notifications to the Committee.

270. Table 8 below shows budget performance on the Contingency Fund notification to further extend the mandates of two judges, as well as a limited number of support staff and additional legal aid for defence teams for Mr Germain Katanga and Mr Mathieu Ngudjolo Chui, for four months (January to April) in the DRC situation. This notification was

followed by a further notification (iv) for the mandates to be extended by another five months. The actual implementation rate is 69.1 per cent, or €0.17 million against the revised notification of €0.24 million. The Counsel Support Section paid legal fees for defence for January and February 2013 from its approved budget, resulting in underspend in counsel for defence.

Table 8: Budget Performance of the Contingency Fund notification for the further extension of two judges and support staff and additional legal aid for the defence teams for Mr Germain Katanga and Mr Mathieu Ngudjolo Chui in the situation in the Democratic Republic of the Congo 2013 by item of expenditure (thousand euros)

<i>Expenditure Item</i>	<i>Revised Contingency Fund Notification</i>	<i>Actual Expenditure*</i>	<i>Implementation rate in %</i>
	[1]	[2]	[3]=[2]/[1]
Judges' Costs	129.9	122.0	94.0
Staff Costs			
General temporary assistance	31.1	26.4	84.8
Temporary assistance for meetings			
<i>Sub Total Other Staff Costs</i>	<i>31.1</i>	<i>26.4</i>	<i>84.8</i>
Travel			
Counsel for defence	83.9	20.8	24.9
Counsel for victims			
<i>Sub Total Contractual Services</i>	<i>83.9</i>	<i>20.8</i>	<i>24.9</i>
Other Miscellaneous Operating Costs			
<i>Sub Total General Operating Expenses</i>			
Supplies and Materials			
Equipment including Furniture			
Total	244.8	169.3	69.1

* Expenditure 2013 is based on preliminary, unaudited figures which are subject to change.

271. Table 9 below shows budget performance for the Contingency Fund notification for funds to continue the pre-trial proceedings in the case of *Mr Laurent Gbagbo* in the Côte d'Ivoire situation. At year-end, the revised notification of €0.37 million was almost fully implemented, with a 99.3 per cent implementation rate.

Table 9: Budget Performance of the Contingency Fund notification for the need to cater for the continuation of pre-trial proceedings in the case of Mr Laurent Gbagbo in the situation in Côte d'Ivoire 2013 by item of expenditure (thousand euros)

<i>Expenditure Item</i>	<i>Revised Contingency Fund Notification</i>	<i>Actual Expenditure*</i>	<i>Implementation rate in %</i>
	[1]	[2]	[3]=[2]/[1]
Judges' Costs			
Staff Costs			
<i>Sub Total Staff Costs</i>			
General temporary assistance	74.9	78.6	104.9
Temporary assistance for meetings			
<i>Sub Total Other Staff Costs</i>	<i>74.9</i>	<i>78.6</i>	<i>104.9</i>
Travel			
Counsel for defence	252.7	263.8	104.4

<i>Expenditure Item</i>	<i>Revised Contingency Fund Notification</i>	<i>Actual Expenditure*</i>	<i>Implementation rate in %</i>
	[1]	[2]	[3]=[2]/[1]
Counsel for victims	39.3	21.8	55.4
Other Contractual Services			
<i>Sub Total Contractual Services</i>	292.0	285.6	97.8
Other Miscellaneous Operating Costs			
<i>Sub Total General Operating Expenses</i>			
Supplies and Materials			
Equipment including Furniture			
Total	366.9	364.2	99.3

* Expenditure 2013 is based on preliminary, unaudited figures which are subject to change.

272. Table 10 below shows budget performance for the Contingency Fund notification for the new situation of Mali in which the OTP opened its investigation on 16 January 2013. The fund was under implemented at 50.9 per cent, or €1.65 million against the revised notification of €3.24 million.

273. Underspend in the GTA category is due, in the OTP, to: (i) delayed recruitment arising from an internal time gap between the formulation of needs and actual approvals; (ii) fewer recruitments completed due to candidates lacking the correct profile for the short-term contracts offered by the Court; and (iii) additional changes to profiles for the composition of staff following the consultation with external experts conducted between May and August. In the Registry, major items other than GTA, showing underspend, such as temporary assistance for meetings, travel, counsel for defence and general operating expenses, are due to uncertainties regarding activities and the lack of referrals for witness protection activities in the situation in Mali.

Table 10: Budget Performance of the Contingency Fund notification for the situation in Mali 2013 by item of expenditure (thousand euros)

<i>Expenditure Item</i>	<i>Revised Contingency Fund Notification</i>	<i>Actual Expenditure*</i>	<i>Implementation rate in %</i>
	[1]	[2]	[3]=[2]/[1]
Judges' Costs			
Staff Costs			
General temporary assistance	1,933.5	1,028.2	53.2
Temporary assistance for meetings	100.0		
Consultants	34.8	10.0	28.8
<i>Sub Total Other Staff Costs</i>	2,068.3	1,038.2	50.2
Travel	536.3	284.4	53.0
External translation	20.0		
Counsel for defence	56.5		
External printing	2.0		
Public Information & Production Costs	20.0	5.8	29.0
Outsourcing services	67.8		
Other Contractual Services	38.0	0.8	2.2
<i>Sub Total Contractual Services</i>	204.3	6.6	3.3
Rental of Premises	25.0	10.7	42.7

<i>Expenditure Item</i>	<i>Revised Contingency Fund Notification</i>	<i>Actual Expenditure*</i>	<i>Implementation rate in %</i>
	[1]	[2]	[3]=[2]/[1]
Maintenance of Premises		3.5	
Maintenance of Equipment & Furniture		21.4	
Other Miscellaneous Operating Costs	264.2	48.6	18.4
<i>Sub Total General Operating Expenses</i>	<i>289.2</i>	<i>84.2</i>	<i>29.1</i>
Supplies and Materials		9.5	
Equipment including Furniture	143.1	225.7	157.7
Total	3,241.2	1,648.6	50.9

* Expenditure 2013 is based on preliminary, unaudited figures which are subject to change.

274. Table 11 below shows budget performance for the Contingency Fund notification to further extend the mandates of two judges and a limited number of support staff, and additional legal aid for defence teams for Mr Germain Katanga for a further five months (May to September) in the DRC situation. The actual implementation rate is 64.0 per cent, or €0.27 million against the notification of €0.41 million. The Judiciary has experienced difficulties to recruiting which has resulted in an underspend in the GTA category. Counsel for defence underspent because the reduction in resources was applied by the Registrar after the closing statements.

Table 11: Budget Performance of the Contingency Fund notification for the further extension of two judges and support staff and additional legal aid for defence teams for Mr Germain Katanga in the situation in the Democratic Republic of the Congo 2013 by item of expenditure (thousand euros)

<i>Expenditure Item</i>	<i>Contingency Fund Notification</i>	<i>Actual Expenditure*</i>	<i>Implementation rate in %</i>
	[1]	[2]	[3]=[2]/[1]
Judges' Costs	168.0	153.2	91.2
Staff Costs			
General temporary assistance	116.5	41.8	35.8
Temporary assistance for meetings			
<i>Sub Total Other Staff Costs</i>	<i>116.5</i>	<i>41.8</i>	<i>35.8</i>
Travel			
Counsel for defence	130.0	70.1	53.9
Other Contractual Services			
<i>Sub Total Contractual Services</i>	<i>130.0</i>	<i>70.1</i>	<i>53.9</i>
Other Miscellaneous Operating Costs			
<i>Sub Total General Operating Expenses</i>			
Supplies and Materials			
Equipment including Furniture			
Total	414.5	265.1	64.0

* Expenditure 2013 is based on preliminary, unaudited figures which are subject to change.

275. Table 12 below shows budget performance for the Contingency Fund notification in the DRC situation to transfer Mr Bosco Ntaganda from Kigali, Rwanda, to the Court's Detention Centre in the Netherlands. On 13 January the Court submitted a letter to the Committee concerning unforeseen confidential developments and operations for

notifications for potential access to the Contingency Fund to meet expenses related to the transfer of suspects. The transfer operation took place on 22 March 2013.

276. The notification amount was almost fully utilized with a 94.3 per cent implementation rate. The major cost in other contractual services was for a private chartered flight from Rwanda to the Netherlands.

Table 12: Budget Performance of the Contingency Fund notification in the situation in the Democratic Republic of the Congo to transfer of Mr Bosco Ntaganda from Kigali, Rwanda, to the Court's Detention Centre in the Netherlands 2013 by item of expenditure (thousand euros)

<i>Expenditure Item</i>	<i>Contingency Fund Notification</i>	<i>Actual Expenditure*</i>	<i>Implementation rate in %</i>
	[1]	[2]	[3]=[2]/[1]
Judges' Costs			
Staff Costs			
General temporary assistance			
Temporary assistance for meetings	7.3	0.8	10.8
<i>Sub Total Other Staff Costs</i>	<i>7.3</i>	<i>0.8</i>	<i>10.8</i>
Travel	4.2	3.6	86.1
Other Contractual Services	113.0	113.0	100.0
<i>Sub Total Contractual Services</i>	<i>113.0</i>	<i>113.0</i>	<i>100.0</i>
Other Miscellaneous Operating Costs			
<i>Sub Total General Operating Expenses</i>			
Supplies and Materials			
Equipment including Furniture			
Total	124.6	117.4	94.3

* Expenditure 2013 is based on preliminary, unaudited figures which are subject to change.

277. Table 13 below shows budget performance for the Contingency Fund to continue to provide the Sango interpretation teams in the case of *Mr Jean-Pierre Bemba Gombo* in the CAR situation for the latter part of the year. Court Interpretation and Translation Section, as forecast earlier, almost fully utilized the notified amount of €0.23 million, with a 98.9 per cent implementation rate.

Table 13: Budget Performance of the Contingency Fund notification for the continuation of the Sango interpretation teams in the case of Mr Jean-Pierre Bemba Gombo in the situation in the Central African Republic 2013 by item of expenditure (thousand euros)

<i>Expenditure Item</i>	<i>Contingency Fund Notification</i>	<i>Actual Expenditure*</i>	<i>Implementation rate in %</i>
	[1]	[2]	[3]=[2]/[1]
Judges' Costs			
Staff Costs			
General temporary assistance	230.5	227.9	98.9
Temporary assistance for meetings			
<i>Sub Total Other Staff Costs</i>	<i>230.5</i>	<i>227.9</i>	<i>98.9</i>
Travel			
Other Contractual Services			
<i>Sub Total Contractual Services</i>			

<i>Expenditure Item</i>	<i>Contingency Fund Notification</i>	<i>Actual Expenditure*</i>	<i>Implementation rate in %</i>
	[1]	[2]	[3]=[2]/[1]
Other Miscellaneous Operating Costs			
<i>Sub Total General Operating Expenses</i>			
Supplies and Materials			
Equipment including Furniture			
Total	230.5	227.9	98.9

* Expenditure 2013 is based on preliminary, unaudited figures which are subject to change.

278. Table 14 below shows budget performance for the Contingency Fund to conduct new investigative efforts and cater for the continuation of charges hearing in the case of *Mr Bosco Ntaganda* in the DRC situation. This fund has under implemented, with a 36.8 per cent implementation rate, or €0.95 million against the notification of €2.59 million. Underspend in the GTA category in OTP is due to: (i) delayed recruitment arising from an internal time gap between the formulation of the needs and actual approvals; (ii) fewer recruitments completed due to candidates lacking the correct profile for the short-term contracts offered by the Court; and (iii) additional changes to profiles for the composition of the staff following the consultation with external experts conducted between May and August. External translation was not utilized as a result of developments in the situation not matching the assumption. In the Registry, travel and general operating expenses underspent due to the lack of referrals for witness protection activities and counsel for defence underspent because requested costs such as professional charges were not claimed by counsels and, as a result of holding a mandate to act in more than one case, the Legal Assistant has received half the fee for the additional mandate.

Table 14: Budget Performance of the Contingency Fund notification for the need to conduct new investigative efforts and cater for the confirmation of charges hearing in the case of *Mr Bosco Ntaganda* in the situation in the Democratic Republic of the Congo 2013 by item of expenditure (thousand euros)

<i>Expenditure Item</i>	<i>Contingency Fund Notification</i>	<i>Actual Expenditure*</i>	<i>Implementation rate in %</i>
	[1]	[2]	[3]=[2]/[1]
Judges' Costs			
Staff Costs			
General temporary assistance	1,307.7	318.5	24.4
Temporary assistance for meetings	38.6		
Consultants		8.9	
<i>Sub Total Other Staff Costs</i>	<i>1,346.3</i>	<i>327.4</i>	<i>24.3</i>
Travel	276.4	218.3	79.0
Training		2.9	
External translation	373.5	19.7	5.3
Counsel for defence	296.7	138.7	46.8
Outsourcing services	12.0	0.8	6.9
Other Contractual Services			
<i>Sub Total Contractual Services</i>	<i>682.2</i>	<i>162.2</i>	<i>23.8</i>
Maintenance of Premises		13.3	
Rental of Equipment & Furniture		2.7	
Communications	28.9		

<i>Expenditure Item</i>	<i>Contingency Fund Notification</i>	<i>Actual Expenditure*</i>	<i>Implementation rate in %</i>
	[1]	[2]	[3]=[2]/[1]
Maintenance of Furniture & Equipment	62.0	22.0	35.6
Other Miscellaneous Operating Costs	88.1	48.7	55.3
<i>Sub Total General Operating Expenses</i>	<i>179.0</i>	<i>86.8</i>	<i>48.5</i>
Supplies and Materials	25.0	22.2	89.0
Equipment including Furniture	79.7	135.8	170.3
Total	2,588.6	952.7	36.8

* Expenditure 2013 is based on preliminary, unaudited figures which are subject to change.

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

279. Table 15 below shows the Court's consolidated budget performance, taking together the programme budget and the total revised Contingency Fund notifications as referred to in paragraph 267. The Court's actual expenditure including Contingency Fund expenditure is €114.07 million against the consolidated budget of €122.33 million, including the revised Contingency Fund notification of €7.21 million. This represents a 93.2 per cent implementation rate. This would be 99.1 per cent against the approved budget of €115.12 million.

Table 15: ICC Consolidated budget Performance 2013 by item of expenditure (thousand euros)

<i>Items</i>	<i>Approved Budget 2013</i>	<i>Total Contingency Fund (CF) Notification 2013</i>	<i>Total Consolidated Budget and CF Notification 2013</i>	<i>Actual Expenditure * 2013</i>	<i>Actual Expenditure* for CF 2013</i>	<i>Total Actual Expenditure incl. CF 2013</i>	<i>Total Actual incl. CF Implementation rate 2013 against Approved Budget in %</i>	<i>Total Actual incl. CF Implementation rate 2013 against Total Consolidated Budget and CF Notification in %</i>
	[1]	[2]	[3]=[1]+[2]	[4]	[5]	[6]=[4]+[5]	[7]=[6]/[1]	[8]=[6]/[3]
Judges	4,689.4	297.9	4,987.3	4,154.1	275.2	4,429.3	94.5	88.8
Judges' travel				49.9		49.9		
<i>Sub-total judges</i>	<i>4,689.4</i>	<i>297.9</i>	<i>4,987.3</i>	<i>4,204.0</i>	<i>275.2</i>	<i>4,479.2</i>	<i>95.5</i>	<i>89.8</i>
Staff costs	63,141.6		63,141.6	60,576.2		60,576.2	95.9	95.9
General temporary assistance	11,186.3	3,694.2	14,880.5	10,670.2	1,721.3	12,391.5	110.8	83.3
Temporary assistance for meetings	813.2	145.9	959.1	809.5	0.8	810.3	99.6	84.5
Overtime	391.3		391.3	397.8		397.8	101.7	101.7
Consultants	318.1	34.8	352.9	632.1	18.9	651.0	204.6	184.5
<i>Sub-total staff costs</i>	<i>75,850.5</i>	<i>3,874.9</i>	<i>79,725.4</i>	<i>73,085.8</i>	<i>1,741.0</i>	<i>74,826.8</i>	<i>98.7</i>	<i>93.9</i>
Travel	4,394.1	816.9	5,211.0	4,550.8	506.3	5,057.2	115.1	97.0
Hospitality	31.0		31.0	24.2		24.2	78.1	78.1
Contractual services	4,423.1	575.6	4,998.7	4,124.1	143.1	4,267.2	96.5	85.4
Training	692.3		692.3	628.1		628.1	90.7	90.7
Counsel for defence	2,608.4	819.7	3,428.1	3,139.5	493.6	3,633.1	139.3	106.0
Counsel for victims	3,448.2	110.0	3,558.2	1,735.1	21.8	1,756.9	51.0	49.4
General operating expenses	16,908.0	468.2	17,376.2	16,653.8	171.0	16,824.8	99.5	96.8
Supplies and materials	1,035.6	25.0	1,060.6	798.7	31.7	830.4	80.2	78.3
Equipment incl. Furniture	1,039.7	222.9	1,262.6	1,384.1	361.5	1,745.6	167.9	138.3
<i>Sub-total non-staff costs</i>	<i>34,580.4</i>	<i>3,038.2</i>	<i>37,618.6</i>	<i>33,038.6</i>	<i>1,728.9</i>	<i>34,767.5</i>	<i>100.5</i>	<i>92.4</i>
Total ICC	115,120.3	7,211.1	122,331.4	110,328.3	3,745.2	114,073.5	99.1	93.2

* Actual Expenditure 2013 is based on preliminary, unaudited figures, which are subject to change.

280. Table 16 shows a summary of the status of trust funds at year-end 2013. It is followed by a brief description of each trust fund.

Table 16: Status of trust funds 2013 *

<i>2013</i>	<i>Trust Funds</i>	<i>Allotment</i>	<i>Actual Expenditure*</i>
T000	General Trust Fund	1,729	1,729
T002/3	Building legal expertise and fostering cooperation	1,267,329	1,260,044
T307	Special Fund for Relocations	199,062	199,062
T309	Family visits	60,000	51,514
T401	Least developed countries	143,626	120,031
	Total	1,671,746	1,632,380

* Expenditure 2013 is based on preliminary, unaudited figures which are subject to change.

281. T002/3 This trust fund supports legal tools, the counsel seminar and training as well as seminars for fostering cooperation.

282. 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.

283. T309 Based on a decision of the Assembly, this special fund was established to finance family visits for indigent detainees.

284. T401 Resolution ICC-ASP/2/Res.6 established this 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 for representatives of the least developed countries).

I. Judicial decisions with significant financial implications

285. Annex XV provides a detailed breakdown of judicial decisions with significant financial implications in 2013, amounting to approximately €1.3million.

Annex I

Major programme I: Judiciary

Programme 1100: Presidency

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2013</i>	<i>Achievements</i>
Objective 1 - Carry out its judicial functions under the Statute including the support of the Judiciary as efficiently and expeditiously as possible while maintaining high legal standards	-Provide administrative and legal support to the plenary of the judges	100%	The Presidency took all relevant decisions on assignments to Divisions and (re)constitution of Chambers. The Presidency also provided logistical and legal support to five plenary sessions, ten WGLL/SGG meetings and one meeting of judges. The Presidency also successfully coordinated and approved the amended Regulations of the Registry
	-Progress in the field of international cooperation and enforcement of sentences	Negotiate two agreements	Seven agreements were negotiated and one was concluded
	-Manage applications to the Presidency efficiently	All decisions issued within agreed timeline	The Presidency issued 37 decisions, some of which were confidential in nature
Objective 2 - Maintain and increase support for the Court	-Conduct high-level meetings with States, international organizations and civil society	100	106
	-Deliver speeches at major conferences	10	19
	-Participate in diplomatic and NGO briefings	2+2	2+2
	-Grant interviews and participate in press conferences	15 + 2	11+2
Objective 3 - Render efficient and transparent administrative and management support to the Judiciary; optimize internal and external governance structure and strengthen Presidency's strategic leadership within that framework	-Manage staffing structure of Judiciary under present budgetary constraints	100%	100%
	-Facilitate communication and information exchange between Judiciary and Working Groups of the Assembly		Successful facilitation of all requests to and from all HWG meetings and other external bodies and groups (Committee)
	-Strengthen Presidency's strategic leadership and oversight of the Registry		Presidency has further clarified and streamlined communication and reporting lines with the new Registrar
	-Optimize internal governance structure		Presidency has taken over management of Tricomm and monthly Coordination Council meetings
	-Assist and advise the President and Vice-Presidents comprehensively and effectively		100%
	-Improve consistent external governance structure		Enhanced communication and streamlining of processes with the President of the Assembly
	-Oversee finalization of the Management Control System		Presidency has established a monthly follow-up process

Programme 1200: Chambers

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2013</i>	<i>Achievements</i>
Pre-Trial Division	<ul style="list-style-type: none"> -Shorten timelines 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 a collective application process; -Prepare cases for trial in the most efficient way and, to this end: <ul style="list-style-type: none"> - define precisely the scope of the cases to be sent to trial so that charges not supported by sufficient evidence are not confirmed; - ensure case file is assembled in the best form to meet the needs of Trial Chambers; and - shorten timelines between confirmation of charges decision and transfer of case file to the Trial Chamber. -Enhance the sharing of information between the Pre-Trial Chambers in order to develop more efficient practices and common standards; -Positively affect proceedings at the trial stage by, where possible, resolving issues at the pre-trial stage; -Ensure that cases not supported by sufficient evidence are not sent to trial in order to achieve judicial economy; and -Support Court “lessons-learned” exercise based on pre-trial experience. 	Full implementation	<p>Pre-Trial Chambers have dealt expeditiously with extensive requests for redactions presented by the OTP</p> <p>Pre-Trial Chamber II has developed a simplified form for victims’ participation in the <i>Ntaganda</i> case</p> <p>Pre-Trial Chamber I has, in the <i>Gbagbo</i>, case undertaken to clarify the scope of its scrutiny</p> <p>The Pre-Trial Division has conducted extensive consultations both internally and with the Trial Division in order to improve the efficiency of proceedings through the lessons learned exercise</p>
Trial Division	<ul style="list-style-type: none"> -Related to the proceedings: -Issue decisions within agreed time-frame; -Streamline handling of victim applications for participation in cooperation with the Registry; -Support “lessons-learned” 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; -Related to the internal structure: -Maintain, as far as possible, flexible work patterns through multiple assignment of legal officers and other legal staff to different cases; -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; -Enhance sharing of practices between the Trial Chambers; -Ensure that the lines of communication with the relevant sections of the Registry are maintained; and -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. 	Full implementation	<p>100% of decisions issued within the agreed timeframe</p> <p>The handling of victims applications for participation has been streamlined</p> <p>Lessons-learned exercise conducted successfully and procedures of the Trial Division are being amended in accordance with findings</p> <p>Legal officers have been assigned flexibly</p> <p>Measures are continuously taken to increase the sharing of relevant practices within the Division</p> <p>Measures have been taken to enhance cooperation and communication with Pre-Trial Division</p>

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2013</i>	<i>Achievements</i>
Appeals Division	<ul style="list-style-type: none"> - Issue decisions and judgments on interlocutory appeals within agreed timeframe; - Progress on work on final appeals within agreed timeframe; - Apply and, where necessary, adapt working methods for the disposal of the first final appeals; - Prepare and anticipate procedural and administrative issues in order to guarantee time-efficiency while respecting the rights of the parties; - 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; - Use internal standard operating guidelines to ensure (time-)efficient disposal of interlocutory and final appeals; and - Use internal data bases to establish coherent Appeals Chamber jurisprudence on recurrent issues. 	<ul style="list-style-type: none"> - Decisions and judgments issued on time - Work progressed on time - Working methods for appeals monitored throughout the year 	<ul style="list-style-type: none"> - Decisions and judgments have generally been issued within the timeframe set by the Appeals Chamber - Work has generally been progressed on time - Working methods have been monitored and, where necessary, adjusted throughout the year

Programme 1300: Liaison Offices

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2013</i>	<i>Achievements</i>
Objectives 1 and 2 - Well-recognized and adequately supported institution	- Pursue all requests of the Court for cooperation with relevant interlocutors at United Nations Headquarters until completion of requests	100% implementation rate	80% completed. 20% are still subject to consultations between the Court and the UN
	- Organize briefings for States in New York	3 briefings	Six briefings were organized by the office
	- Provide support to visiting Court officials	6-10 visits	10 visits successfully facilitated and supported by the Office
	- Monitor and participate in relevant United Nations meetings, follow up on items bilaterally and provide regular reports to the Court	1-2 reports every fortnight	One to two reports provided every fortnight and situation specific reports provided whenever applicable
	- Provide input for United Nations reports and resolutions on Court-related subjects	Provide input for 5-8 resolutions	Input provided for four resolutions and three reports
	- Participate and intervene in seminars and discussions on Court-related subjects	5 seminars / workshops	Participated in over 10 seminars/ discussions
	- Provide logistical support to the Assembly, its Bureau and the New York Working Group	15-20 meetings	15 meetings

Annex II

Major programme II: Office of the Prosecutor

Programme 2100 – The Prosecutor

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2013</i>	<i>Achievements</i>
Objective 1 - 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
- At least 3 strategic policies developed	Number of policies created	At least 3	2 Strategic Plan Code of Conduct
- Operational Manual updated	Percentage of annual updates	> 70%	60% due to staff members having resigned

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2013</i>	<i>Achievements</i>
- Lessons Learned concept institutionalized and percentage of lessons implemented	Percentage of annual action points implemented	At least 90%	80% All action points for the year achieved except training of facilitators which will commence in March
- In liaison with HR, delivery of the annual OTP training plan for staff	Proportion of annual training plan implemented	At least 70%	85%
Objective 2	Actual proportion of improvements/developments implemented	>90%	90%
- All OTP-specific language, administrative, budgetary and technical development and improvement objectives for 2013 implemented			
- Implement strategies to further reduce costs of operations and administration of the Office	Level of efficiency gains	5% annual budget offset	Achieved: GAU managed to perform all the increased activities with the same staffing level
- No security incident with witness or staff resulting from misprocessing of evidence or disclosure by the Services Section	Number of security breaches	zero	Zero
- Increased compliance with all OTP regulations (Operations Manual) as result of training and compliance system	Level of compliance	Increasing year on year	Achieved

Programme 2200: Jurisdiction, Complementarity and Cooperation Division

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2013</i>	<i>Achievements</i>
Objective 1			
- Efficient and timely compliance with internal processes for requests for assistance	- Proportion of requests processed in accordance with material, formal and timely requirements: rate of compliance	> 95%	95%
- Further develop range of providers of information and other types of support including in particular cooperation for investigative/trial purposes and conclusion of agreements/arrangements where required	- Proportion of expected cooperation and support and cooperation arrangements concluded as required	100%	100%
- Provide the Executive Committee with periodic analytical reports on communications received, and issues of jurisdiction, admissibility and/or interests of justice in situations under preliminary examination or investigation	- Proportion of analytical reports delivered on time and substantiated by the Executive Committee	100%	All reports delivered on time and substantiated
Objective 3			
- Adequate progress made in the implementation of cooperation and arrest strategies developed for each situation	- Actual implementation versus planned implementation	100%	80%
Objective 4			
- Implementation of annual objectives contained within cooperation and external relations strategies directly involving the OTP	- Actual implementation rate of annual objectives	100%	All objectives were implemented as planned

Programme 2300: Investigation Division

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2013</i>	<i>Achievements</i>
Objective 1			
- Collection and analysis objectives set out in the investigation plan reached	- Planned versus actual collection/analysis	All investigation plans on track unless unforeseen circumstances	89% of collection and analysis objectives within ID's control reached on time. 10.9% achieved with a delay from the initial time line. 0.1% not achieved.
- Review and transcription of collected material in support of the case hypothesis and the disclosure performed as planned	- Quality standards met - Planned versus actual production of metadata, transcript and review - % of error	> 90% met > 90% on track Less than 10%	All 2013 targets met with regard to metadata completion (95% quality, 90% productivity), review and transcription requests (90%). Only delay in transcription of a situation language due to difficulty in identifying appropriate Jula linguists

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2013</i>	<i>Achievements</i>
Objective 2 - Implementation of quality control systems according to plan	- Planned versus actual	Quality control systems fully defined and scheduled parts implemented	All the planned systems have been sufficiently defined and implementation timelines have been aligned with possibilities in light of investigative priorities
Objective 3 - No security incident resulting from inadequate exposure or lack of OTP action	- Number of security incidents caused by inadequate exposure or lack of OTP action	Zero	There have been zero security incidents caused by inadequate exposure or lack of OTP action

Programme 2400: Prosecution Division

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2013</i>	<i>Achievements</i>
Objective 1 - High-quality and compact applications delivered within the stipulated timeframes	- Rate of acceptance of submissions and granting of requests by the Chambers	≥ 80%	Complex submissions, including documents containing the charges in two new cases, closing submissions in one case and final appeal briefs and responses thereto have been presented in conformity with the deadlines established by Court's Chambers. The quality of the briefs has been enhanced and the rate of acceptance is at appropriate levels
- Efficient presentation of evidence before the Pre-Trial and Trial Chambers	- Time in which Prosecution case is presented (actual court days) for each case	≤ 6 months	PD has striven to present its cases in the most effective manner. For instance, in the <i>Ruto</i> case it has managed to continue to present its case efficiently despite formidable obstacles and multiple documented instances of witness interference. In the CAR article 70 case, PD ensured a compact presentation of audio files and other electronic evidence and obtained warrants of arrest against five suspects
	- Number of witnesses per case maintained at lowest levels to minimize exposure	Minimum possible - at least comparable to current trial average (30-35)	PD has continued to keep witness numbers manageable. For instance, in <i>Ruto</i> , and despite the challenges referred above, it has managed to confine its presentation of evidence to around 35 witnesses

Annex III

Office of the Prosecutor: Information with regard to the number of missions, documents and pages filed in 2013

A. Number of missions

A total of 963 missions for all OTP staff and non-staff covered under 2013 regular budget and contingency funds for Mali and DRC VI.

- (a) Situation-related missions: 862 (for staff and non-staff)
- (b) Basic (non-situation-related) missions: 101 (for staff and non-staff)
- (c) IOP: 52 for staff, 19 for non-staff (TOTAL 71)
- (d) Services section: 38 for staff, 77 for non-staff (TOTAL 115)
- (e) ID: 504 for staff, 46 for non-staff (TOTAL 550)
- (f) PD: 92 for staff, 3 for non-staff (TOTAL 95)
- (g) JCCD: 132 for staff, 0 for non-staff (TOTAL 132)
- (h) JCCD preliminary examination-related missions: 14

B. Number of documents filed / 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>	16	446
ICC-01/04-01/07	<i>The Prosecutor v. Germain Katanga</i>	20	267
ICC-01/04-02/06	<i>The Prosecutor v. Bosco Ntaganda</i>	61	743
ICC-01/04-02/12	<i>The Prosecutor v. Mathieu Ngudjolo Chui</i>	20	456
ICC-01/05	CAR Situation Records Only	8	116
ICC-01/05-01/08	<i>The Prosecutor v. Jean-Pierre Bemba Gombo</i>	41	299
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>	7	85
ICC-01/09	Kenya Situation Records Only	1	9
ICC-01/09-01/11	<i>The Prosecutor v. William Samoei Ruto and Joshua Arap Sang</i>	250	1,941
ICC-01/09-01/13	<i>The Prosecutor v. Walter Barasa</i>	2	30
ICC-01/09-02/11	<i>The Prosecutor v. Uhuru Muigai Kenyatta</i>	142	1,184
ICC-01/11	Libya Situation Records Only	2	100
ICC-01/11-01/11	<i>The Prosecutor v. Saif Al-Islam Gaddafi and Abdullah Al-Sennusi</i>	34	785
ICC-02/05-01/09	<i>The Prosecutor v. Omar Hassan Ahmad al-Bashir</i>	7	35
ICC-02/05-01/12	<i>The Prosecutor v. Abdel Raheem Muhammad Hussein</i>	1	4
ICC-02/05-03/09	<i>The Prosecutor v. Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus</i>	28	226
ICC-02/11-01/11	<i>The Prosecutor v. Laurent Gbagbo</i>	84	614
ICC-02/11-01/12	<i>The Prosecutor v. Simone Gbagbo</i>	3	19
ICC-02/11-02/11	<i>The Prosecutor v. Charles Blé Goudé</i>	4	14
	Totals	731	7,373

(*) Does not include Annexes.

C. Submission by Situation

<i>Situation / Case Code</i>	<i>Situation / Case</i>	<i>Filings</i>	<i>Pages</i>
ICC-01/04	DRC Situation	117	1,912
ICC-01/05	CAR Situation	56	500
ICC-01/09	Kenya Situation	395	3,164
ICC-01/11	Libya Situation	36	885
ICC-02/05	DAR Situation	36	265
ICC-02/11	Republic of Côte d'Ivoire Situation	91	647

D. Additional activities performed by the Office

In 2013, the Office received 46,928 communications. The breakdown is as follows:

- (a) New article 15 communications: 627 new communications related to article 15 of the Rome Statute, of which 524 were manifestly outside the Court's jurisdiction; 29 were unrelated to current situations and warranted further analysis; 40 were linked to a situation already under analysis; and 34 were linked to an investigation or prosecution;

- (b) Additional Information (correspondence processed and added to existing article 15 communications): 2,674;
- (c) General Correspondence (information that does not meet the minimum requirements to be registered as an article 15 communication, or that is related to different topics): 43,627 (total number of emails: 41,910, number of postal mail items: 1,717).

Annex IV

Major programme III: Registry

Programme 3100: Office of the Registrar

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2013</i>	<i>Achievements</i>
Objective 1 - To protect the Court's legal interests	- Number of framework agreements concluded in support of the Court's operations (e.g. agreements with States; agreements with the United Nations; and relocation agreements)	4	4
	- Number of findings of non-cooperation made by Chambers	0%	Achieved
Objective 2 - To provide efficient and effective support to staff and legal teams	- Number of incidents involving serious injuries due to negligence of management	0%	0%
- To maintain a secure and safe environment at the Court	- Screening of all persons and items entering the Court's premises	100%	100%
- To provide field security in accordance with United Nations/ international standards	- Compliance with Minimum Operating Security Standards (MOSS)	90%	95% (2012, level of MOSS compliance will be reassessed in 2014)
Objective 3 - To minimize management and financial risks.	- Implementation of internal and external audit recommendations by management	60%	53%

Programme 3200: Common Administrative Services Division

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2013</i>	<i>Achievements</i>
Objective 1 - Become a non-bureaucratic administration focused on results rather than processes, relying on rules where necessary to guarantee rights or minimize risks	- To continue with the promulgation of policies and standard operating procedures aimed at streamlining internal processes and procedures as well as with the re-engineering of administrative processes	5	Achieved
Objective 2 - Submit sound, accurate and transparent budget proposals	- Adjustment to the proposed amount and distribution of resources within CASD	Maximum of 1 corrigendum linked to the CASD budget.	Achieved
Objective 3 - Attract, care for and offer career development to a diverse staff	- Number of staff achieving higher grades through competition	5	22

Programme 3300: Division of Court Services

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2013</i>	<i>Achievements</i>
Objective 1 - Support to Court sessions in accordance with the Regulations of the Court and the Regulations of the Registry. Support of 215 court days for 2013	- Number of trial days for which the Court Management Section successfully provided the required support	100%	100%

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2013</i>	<i>Achievements</i>
- Provision of efficient and effective services to requesting parties and to Chambers	- Number of requests responded to within a week	90%	90%
Objective 2 - A well-ordered detention community where the detained persons collectively feel safe from harm and are indeed safe	- Number of incidents involving serious injuries due to negligence of management	0%	0%
- Efficient and effective support, protection and operational/logistical services to victims, witnesses and others at risk, regardless of location, subject to assessment	- Number of successfully protected witnesses and victims	100%	100%
Objective 3 - Terminological accuracy and consistency in translated texts and interpreted events in all used languages	- Number of searches performed in language tools per month by active users	200 (min.)	400
- Comprehensive and resource-effective use of all translation services	- Number of duplicated requests in the workflow	4%	96% (the remaining 4% represent the number of duplicate requests identified and cancelled compared to the total number of translation requests received)
- Adequate number of staff and freelance interpreters and field interpreters available for assignments	- Number of fulfilled interpretation and field interpretation requests	90%	100% 69 requests for field and operational interpretation services received and fulfilled
- High standards regarding conditions of detention and management of the detention centre	- Number of positive reviews	100%	100%
Objective 4 - Successful arrest and transfer operations	- Number of actions undertaken by States as a result of a Court request	80%	80%
- Effective systems for processing applications from victims	- Number of applications received from victims registered and acknowledged within seven days of receipt	95%	90%
	- Number of applications from victims entered into the database within 30 days of receipt	95%	90%

Programme 3400: Public Information and Documentation Section

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2013</i>	<i>Achievements</i>
Objective 1 - To ensure that communities most affected by crimes of cases before the Court, in particular those at trial stage or under preparation for trial, have access to and understand the proceedings. In the course of 2013 special efforts will	In countries concerned: - Number of activities engaging only women	CAR, same as in 2012	Due to security situation in the CAR, all public activities were suspended in January 2013
		Kenya, five more than in 2012	In Kenya, due to security conditions, the capacity to travel and organize activities in certain areas with affected communities reduced drastically. As a consequence, the meetings that were specifically designed for women could not be held in 2013, while 7 were organised in 2012
		CIV, baseline to be collated	In CIV, activities with the organization of female lawyers started, constituting a baseline

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2013</i>	<i>Achievements</i>
be made to engage those most affected in the Central African Republic, Kenya, Côte d'Ivoire and Libya, in particular women, children and youth groups		Libya, baseline to be collated	In Libya, due to the impossibility of developing outreach in the field, activities were conducted through the Public Affairs Unit. The Unit used media relations and digital tools to ensure the publicity of judicial proceedings in the Libya situation and worked on enhancing the digital tools to disseminate information and on developing a strategy for Libya, Darfur and the Arab world to complement on-going public information efforts towards the region
	-Number of women participating in outreach sessions	CAR, same as in 2012	Due to security situation in the CAR, all public activities were suspended in January 2013
		Kenya, five more than in 2012	In Kenya, due to security conditions, the capacity to hold outreach meetings was very limited – 310 women attended sessions in 2013, compared to 2071 in 2012
		CIV, baseline to be collated	In CIV, 93 women participated in outreach sessions in 2013, compared to 51 in 2012.
	-Estimated population reached through radio and TV	Same as in 2012 for all situations except CIV; Libya baseline to be collated	Same audience estimates for all situations (estimated audience of 19,000,000 in Uganda; 25,000,000 in the DRC, 10,000,000 in Sudan, and 25,000,000 in Kenya) except the CAR, where due to security situation, all public activities were suspended in January 2013. The broadcast of AV programs resumed partially for a few months, but it is difficult to assess the audience due to the security situation in the field. In CIV, the audience evaluation is being undertaken by several media (Radio Côte d'Ivoire and ONUCI fm, the two radio stations with widest coverage)
	-Number of outreach sessions per situation	CAR, same as 2012; increased in Kenya, CIV and Libya; fewer in Sudan, Uganda and the DRC	Due to security situation in the CAR, all public activities were suspended in January 2013. In Kenya, there were fewer outreach sessions than last year (due to security conditions, the capacity to hold outreach meetings was very limited) down from 73 in 2012 to 47 in 2013. In CIV, more sessions were conducted (6 in 2012 compared to 10 in 2013). In the DRC, the number of outreach sessions conducted remained similar (185 in 2012 and 184 in 2013). In Uganda, activities decreased slightly from 46 in 2012 to 42 in 2013. In Sudan, due to the lack of judicial developments, the number dropped from 81 in 2012 to 36 in 2013
	-Number of participants during outreach sessions per situation	CAR, same as in 2012; increased in Kenya, CIV and Libya; fewer in Sudan, Uganda and the DRC	Due to security situation in the CAR, all public activities were suspended in January 2013. In Kenya, the number of participants dropped (due to security conditions, the capacity to hold outreach meetings was very limited) from 5,835 in 2012 to 1,164 in 2013. In CIV, the number of participants almost doubled (114 in 2012 to 213 in 2013). In the DRC, as well as in Sudan, there were slightly fewer participants (in the DRC 19,921 in 2012 and 17,856 in 2013; in Sudan, 352 in 2012 to 330 in 2013). In Uganda, participants were fewer (3,935 in 2012 and 2,628 in 2013)

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2013</i>	<i>Achievements</i>
Objective 2 - Increased access to the Court's judicial proceedings	- Increased level of satisfaction of journalists dealing with HQ and representing international media and agencies (survey)	80% of respondents to survey conducted	<i>Achieved:</i> 83% of survey respondents were satisfied with the media services provided by the ICC-PIDS
	- Increased level of visitors to the Court's website	10% more than 2012	<i>Beyond expectations:</i> 100% more than 2012 (the number of visitors to the Court's website doubled in 2013)
Objective 3 - Increased global awareness of the Court through media	- Increased number of interviews given by Court officials	10% more than 2012	<i>Not achieved:</i> Audiovisual products and Twitter were used to disseminate to media more quickly and in a more cost-effective way supplying the needs of journalists
	- Increased number of twitter followers	20% more than 2012	<i>Beyond expectations:</i> 300% more than 2012 (the number of Twitter followers tripled in 2013)
	- Number of visitors attending hearings	2,000 visitors during 215 hearing days (<i>Bemba and Kenya</i> hearings; key hearings in <i>Lubanga and Katanga/Chui</i>)	<i>Beyond expectations:</i> 6,500 during 143 hearing days, mainly due to the large interest in the Kenya case
	- Number of VIP/High-level visits to Court Officials	90 visits of Heads of State, Ministers (mainly Foreign Affairs and Justice), UN/EU Special Representatives, Supreme Court Magistrates, Prosecutor/Attorney-Generals and Parliamentarians	<i>Not achieved:</i> 51, PEU has no control over the number of such visits as they depend on external interest
	- Number of stakeholder visits	75 Stakeholder visits National/Regional Judges and Prosecutors, (young) diplomats, journalists, military, police and academia and 5 Moot Court Finals	<i>Beyond expectations:</i> 128 stakeholder visits were organized. 4 Moot Court Finals were organized. The French version was organized regionally, but without the final in The Hague
	- Number of events	15 events such as Welcoming Ceremonies for new States Parties, symbolic event to commemorate 17 July, Day of International Criminal Justice, as well as regular Court meetings such as Diplomatic Briefings, NGO round tables, the UN-ICC Round Table and other relevant seminars	<i>Beyond expectations:</i> 25 events organized, mainly due to a growth in seminars
	- Number of general information visits to be received	440 general information visits with 7,700 visitors in total	<i>Not achieved:</i> 238 general information visits received with 4,857 visitors in total, as a result of long-term sick leave of the PEU Assistants.

Annex V

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

Number of indigent defendants

	Actuals 2013	Budget 2013	Actuals 2012	Budget 2012	Actuals 2011	Budget 2011	Actuals 2010	Budget 2010	Actuals 2009	Budget 2009	Actuals 2008	Budget 2008
	assumptions		assumptions		assumptions		assumptions		assumptions		assumptions	
Number of indigent defendants	8	7	0 ^(*)	7	6	3	6	3	4	3	3	1

(*) In 2012 no defendants were found to be indigent. However, the Court serviced a total of nine indigent defendants during that year as they had been found to be indigent in previous years.

New victim participation applications

	2013	2012	2011	2010	2009	2008
Uganda	90	24	27	311	272	216
DRC	1,682	0	1,160	47	331	270
Darfur - Sudan	1	2	5	63	118	0
CAR	64	170	3,065	1,761	34	133
Kenya	416	882	2,513	57	2	0
Libya	0	6	1	-	-	-
Côte d'Ivoire	112	203	-	-	-	-
Comoros e.a.	137	-	-	-	-	-
Total	2,502	1,287	6,771	2,239	757	619

New victim reparation applications

	2013	2012	2011	2010	2009	2008
Uganda	9	24	25	381	24	0
DRC	1,593	0	1,160	36	107	4
Darfur - Sudan	1	2	54	76	7	0
CAR	188	206	2,936	321	23	1
Kenya	0	698	2,857	421	116	0
Libya	0	6	0	-	-	-
Côte d'Ivoire	113	210	-	-	-	-
Comoros e.a.	141	-	-	-	-	-
Total	2,045	1,146	7,032	1,235	277	5

Stay per witness at HQ

	Max. duration stay per witness at HQ 2013	Budget assumption	Max. duration stay per witness at HQ 2012	Budget assumption	Max. duration stay per witness at HQ 2011	Budget assumption	Max. duration stay per witness at HQ 2010	Budget assumption	Max. duration stay per witness at HQ 2009	Budget assumption	Max. duration stay per witness at HQ 2008	Budget assumption
DRC I	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	25	15	41	10	21	10	0	7
CAR	14	15	37	15	33	15	19	10	0	10	0	7
Ruto and Sang	18	15	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Annex VI

Procurement

Total amounts by country in 2013

	<i>Vendor country</i>	<i>Value</i>		<i>Percentage</i>
1	Afghanistan	8,000.00	EUR	0.01
2	Algeria	26,888.95	EUR	0.04
3	Amer. Virgin Is.	304.28	EUR	0.01
4	Argentina	193,521.86	EUR	0.026
5	Australia	64,643.25	EUR	0.09
6	Austria	16,749.75	EUR	0.02
7	Belgium	577,570.80	EUR	0.78
8	Burkina-Faso	10,446.60	EUR	0.01
9	Cambodia	5,123.78	EUR	0.01
10	Cameroon	19,052.75	EUR	0.03
11	Canada	289,918.06	EUR	0.39
12	Central Afr.Rep	125,697.02	EUR	0.17
13	Chad	1,029.03	EUR	0.01
14	Chile	324.70	EUR	0.00
15	China	52,366.19	EUR	0.07
16	Congo	24,805.39	EUR	0.03
17	Côte d'Ivoire	321,183.33	EUR	0.44
18	Croatia	1,018.00	EUR	0.00
19	DR Congo	2,107,881.02	EUR	2.86
20	Denmark	173,116.45	EUR	0.24
21	Egypt	42,194.66	EUR	0.06
22	Finland	8,424.00	EUR	0.01
23	France	447,957.61	EUR	0.61
24	Germany	361,492.99	EUR	0.49
25	Hungary	8,800.00	EUR	0.01
26	India	66,000.00	EUR	0.09
27	Iran	894.95	EUR	0.00
28	Ireland	12,294.69	EUR	0.02
29	Israel	6,740.00	EUR	0.01
30	Italy	26,039.78	EUR	0.04
31	Kenya	287,110.87	EUR	0.39
32	Morocco	11,819.00	EUR	0.02
33	Netherlands	62,839,808.00	EUR	87.98
34	Norway	65,213.92	EUR	0.09
35	Portugal	415.65	EUR	0.01
36	Romania	120.35	EUR	0.01

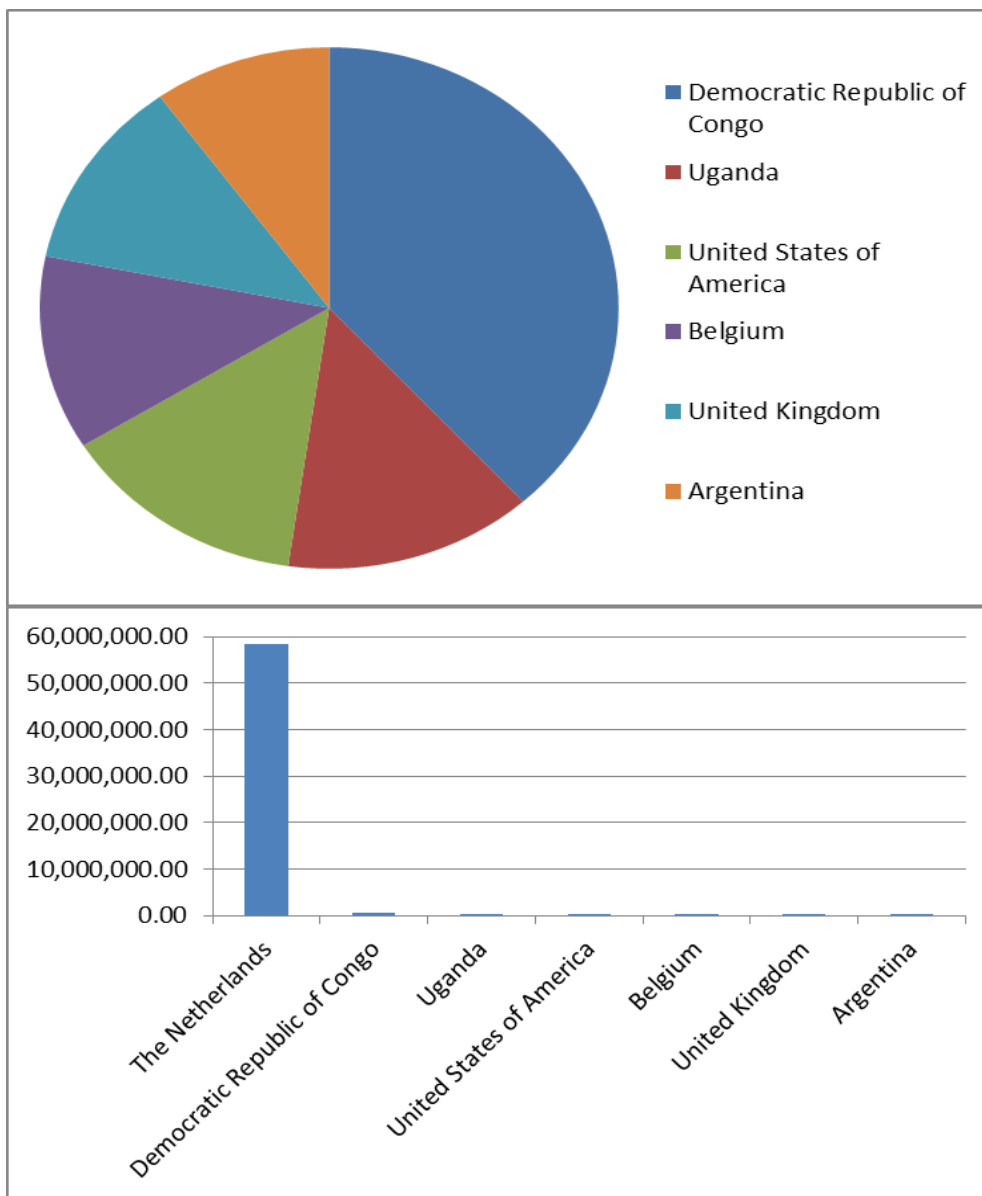
	<i>Vendor country</i>	<i>Value</i>	<i>Percentage</i>
37	Rwanda	563.08 EUR	0.01
38	Singapore	7,550.11 EUR	0.01
39	South Africa	106,480.94 EUR	0.14
40	Spain	102,118.23 EUR	0.14
41	Sweden	3,500.00 EUR	0.01
42	Switzerland	391,557.65 EUR	0.53
43	Tanzania	26,438.20 EUR	0.04
44	Uganda	602,786.31 EUR	0.82
45	Utd. Arab Emir.	15,899.50 EUR	0.02
46	United Kingdom	1,224,622.67 EUR	1.66
47	USA	945,418.53 EUR	1.28
48	Uruguay	16,727.53 EUR	0.02

Main Goods and Services Purchased (by Country of Origin)

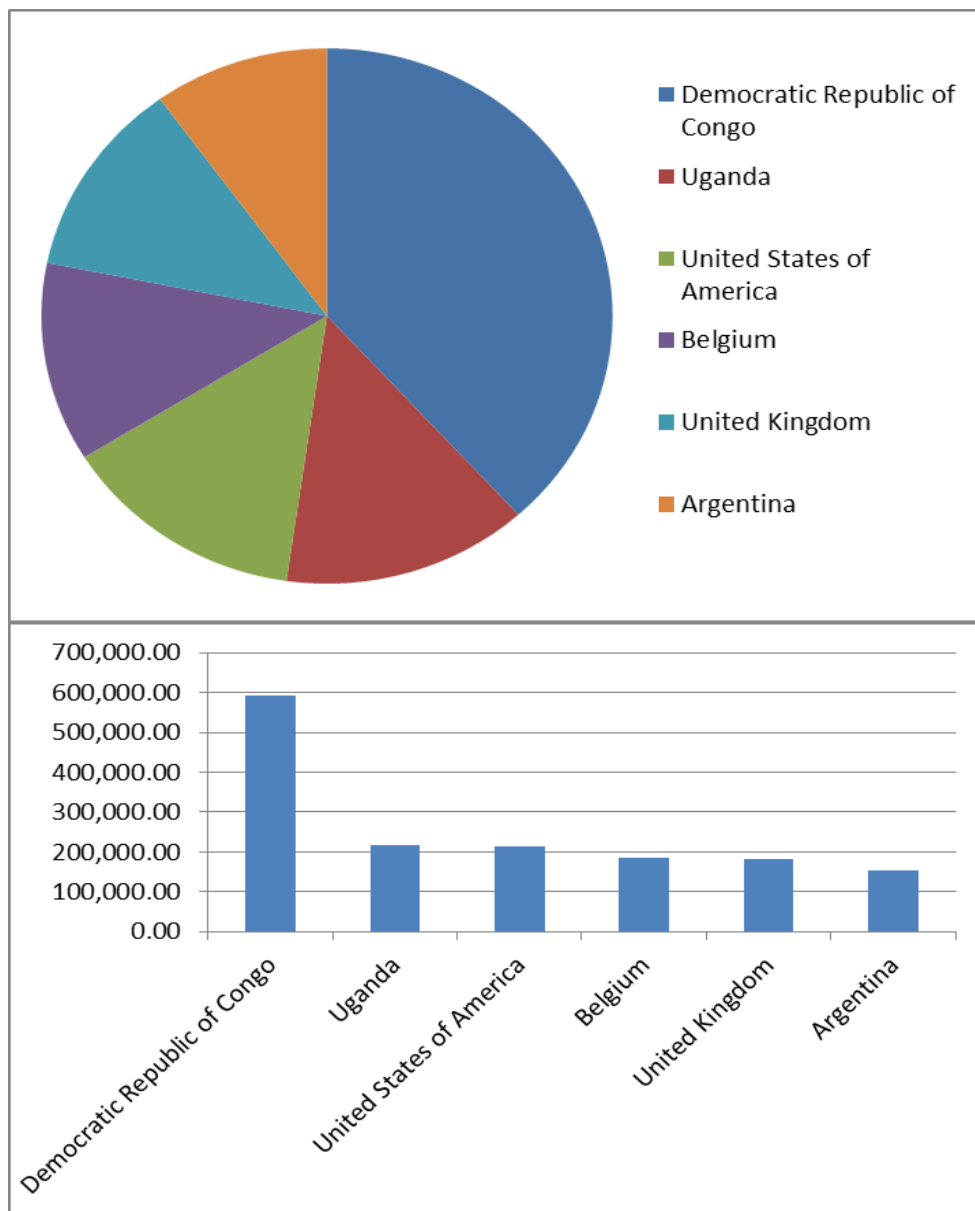
<i>Pos.</i>	<i>Description</i>	<i>Value</i>	<i>Country</i>
1	Building construction of the Permanent Premises	45,000,000.00	The Netherlands
2	Interim Premises maintenance	5,912,107.75	The Netherlands
3	Permanent Premises project management services	2,156,533.00	The Netherlands
4	Computer Hardware including SAN	1,297,224.00	The Netherlands
5	Gas and Electricity supply	782,551.00	The Netherlands
6	Detention Centre - Cell Rental in The Hague	554,700.00	The Netherlands
7	ASP Conference Services	500,354.73	The Netherlands
8	Office Cleaning at HQ	442,184.00	The Netherlands
9	Humanitarian Services	423,215.30	Democratic Republic of Congo
10	Mobile phone subscriptions and usage	310,350.00	The Netherlands
11	SAP Software Maintenance	291,688.25	The Netherlands
12	Voice Landlines	285,967.00	The Netherlands
13	Software Maintenance	513,613.00	The Netherlands
14	Maintenance of Security Systems	235,000.00	The Netherlands
15	Humanitarian Services	215,880.08	Uganda
16	UNHQ Satellite Communications	214,514.28	United States of America
17	Web Hosting Services	186,010.17	Belgium
18	Court Software support services	183,399.40	United Kingdom
19	Humanitarian Services	168,740.12	Democratic Republic of Congo
20	ECOS Software support Services	153,600.00	Argentina
	Total	59,827,632.08	
	<i>Country</i>	<i>Value</i>	
	The Netherlands	58,282,272.73	
	Democratic Republic of Congo	591,955.42	
	Uganda	215,880.08	

<i>Country</i>	<i>Value</i>
United States of America	214,514.28
Belgium	186,010.17
United Kingdom	183,399.40
Argentina	153,600.00
Total	59,827,632.08

Diagrammatic representation of expenditure for 2013 by country



Diagrammatic representation of expenditure for 2013 by country (except Netherlands)



Workload Indicators – Monthly activities 2013

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total (year)
Number of Procurement Staff	7	7	7	7	7	7	7	7	7	7	7	7	7
Procurement													
Purchase Orders													
No of Pos	244	142	134	109	112	103	101	74	114	162	197	139	1,631
No of Pos previous year	234	165	124	84	77	101	54	88	69	113	217	266	1,592
Value of Pos	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
Value of Pos previous year	4,170,426	1,976,595	2,356,757	1,561,794	801,929	849,789	751,236	1,722,318	1,322,503	1,483,671	2,678,483	7,544,979	27,220,480
Requisitions													
No of Requisitions	298	161	141	126	122	112	123	100	153	218	244	167	1,965
Previous year	251	170	124	81	85	120	97	101	84	172	227	171	1,683
PRC													
No of PRC	1	2	4	2	10	6	2	1	3	5	7	6	49
No of PRC previous year	4	2	3	2	3	4	5	8	1	9	13	4	58
Value of PRC	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
Value of PRC previous year	360,200	197,100	1,245,000	108,000	280,000	1,411,000	675,654	723,410	912,624	222,031	7,742,159	4,853,889	18,731,067

The expenditure for 2013 includes the first installment of the construction activities for the permanent premises (€45million).

Annex VII

Liquid funds

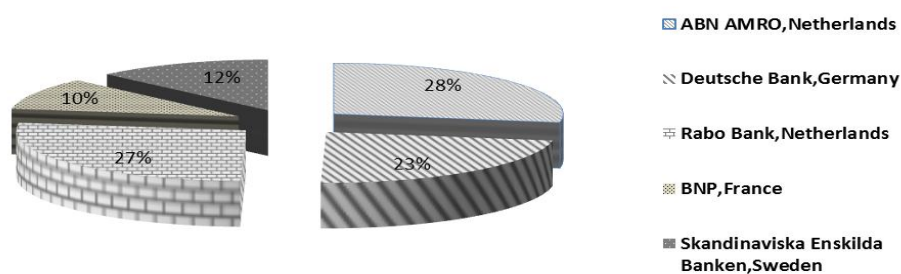
Sovereign Risk – Credit Ratings

	<i>Moody's</i>	<i>Standard & Poor's</i>	<i>Fitch</i>
Netherlands	AA+	AAA	AAA
Germany	AAA	AAA	AAA
France	AA1	AA-	AA+
United Kingdom	AA1	AAA	AA+
Sweden	AAA	AAA	AAA

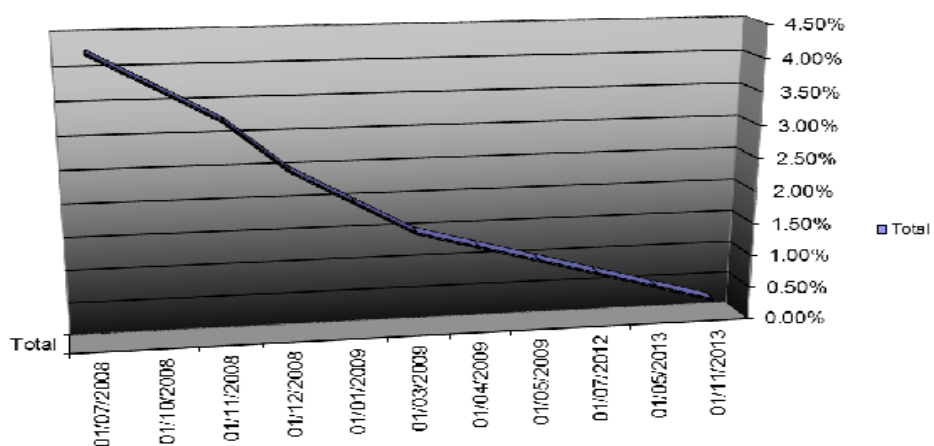
Banking Risk – Credit Ratings

<i>Bank</i>	<i>Short-term</i>			<i>Long-term</i>		
	<i>Moody's</i>	<i>S&P</i>	<i>Fitch</i>	<i>Moody's</i>	<i>S&P</i>	<i>Fitch</i>
ABN AMRO, NL	P-1	A-1	F1+	A2	A	A+
Rabo Bank, Netherlands	P-1	A-1+	F1+	AA2	AA-	AA
ING Bank, NL	P-1	A-1	F1+	A2	A+	A+
BNP Paribas, FR	P-1	A-1	F1+	A2	A+	A+
SEB, SE	P-1	A-1	F1	A1	A	A-
Deutsche Bank, DE	P-1	A-1	F1+	A2	A+	A+
HSBC, UK	P-1	A-1+	F1+	AA3	AA-	AA-

Breakdown Diversification by Bank & Country (excluding TFV)



European Central Bank Base Rates 2008 – 2013



Annex VIII

Major programme IV: Secretariat of the Assembly of States Parties

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2013</i>	<i>Achievements</i>
Objective 1 -Conference held as planned	-Meetings run smoothly, end on time and n/a adopt reports -All agenda items are considered -Participants are supported substantively and logistically at meetings, including with registration, provision of documentation and language services -Session participants are satisfied with the arrangements and information provided		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, despite the Assembly ending one day earlier than foreseen Positive feedback from participants was received
Objective 2 -Quality edited and translated documents released for processing, production and distribution in a timely manner	-States are provided and satisfied with quality conference services and with the editing, translation and timely issuance of documents, in four official languages, ¹ which fully support them in their functions -States are assisted as required, in particular with the provision of information and documentation regarding the Assembly and the Court	n/a	For the twentieth and twenty-first sessions of the Committee on Budget and Finance, the Secretariat processed the pre-session, in-session and post-session documents ² set out in the table below (5,092 pages). For the twelfth session of the Assembly, the Secretariat processed the pre-session, in-session and post-session documents ³ set out in the table below (7,114 pages)
Objective 3 -Quality legal advice provided to the Assembly and its subsidiary bodies	-States are provided with substantive legal services, especially in the form of documentation, which facilitate and support their work -Members of the Assembly and relevant bodies are satisfied with the sessions	n/a	All available information and documentation requested regarding the work of the Assembly and the Court was provided upon request. States and Committee members were thus facilitated in fulfilling their role Positive feedback from participants was received.
Objective 4 -Effective dissemination of documentation and information to States Parties via, <i>inter alia</i> , the Internet	-Website and Assembly, Committee on Budget and Finance and Oversight Committee Extranets are used frequently -Information and documentation can be accessed without delay	n/a	All official documents and useful information uploaded to the website. In addition, extranet is available for use at all times for Assembly and Committee members The Secretariat distributed to the delegations at the twelfth session of the Assembly USB flash drives that contained the majority of available pre-session documents, reducing the 5,764 pages of printed documents normally distributed. This resulted in savings of over €70,000. The Secretariat will continue to adopt all measures and ways to achieve efficiency in documentation As regards its recent mandate regarding complementarity, the Secretariat, <i>inter alia</i> , participated in relevant meetings; secured the engagement of stakeholders with each other; continued to develop an Extranet and posted relevant information Positive feedback from participants was received

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

² In two working languages.

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

Number of documents and pages, produced in 2013

	<i>English</i>		<i>French</i>		<i>Spanish</i>		<i>Arabic</i>		<i>Chinese</i>		<i>Russian</i>		<i>Total</i>		
	<i>Documents</i>	<i>Pages</i>	<i>Documents</i>	<i>Pages</i>	<i>Documents</i>	<i>Pages</i>	<i>Documents</i>	<i>Pages</i>	<i>Documents</i>	<i>Pages</i>	<i>Documents</i>	<i>Pages</i>	<i>Documents</i>	<i>Pages</i>	
CBF ⁴ 20 th session	162	1,207	139	1,010	1	5	0	0	0	0	0	0	0	301	2,222
CBF 21 st session	205	1,510	157	1,360	0	0	0	0	0	0	0	0	0	362	2,870
<i>CBF total</i>	<i>367</i>	<i>2,717</i>	<i>296</i>	<i>2,370</i>	<i>1</i>	<i>5</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>664</i>	<i>5,092</i>
ASP ⁵ twelfth session:															
Pre-session documentation	61	1,441	61	1,441	61	1,441	61	1,441	0	0	0	0	0	244	5,764
In-session documentation	51	204	33	149	30	143	30	143	0	0	0	0	0	144	639
Post-session documentation	3	520	3	520	3	520	2	473	1	39	1	39	13	2,111	
<i>ASP twelfth session: total</i>	<i>115</i>	<i>2,165</i>	<i>97</i>	<i>2,110</i>	<i>94</i>	<i>2,104</i>	<i>93</i>	<i>2,057</i>	<i>1</i>	<i>39</i>	<i>1</i>	<i>39</i>	<i>401</i>	<i>8,514</i>	
2013 total	482	4,882	393	4,480	95	2,109	93	2,057	1	39	1	39	1,065	13,606	

Annex IX**Major programme VII-1: Project Director's Office (permanent premises)**

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2013</i>	<i>Achievements</i>
Objective 1			
- 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	100%	The project performs better than the agreed budget: currently the project is €6.3million below budget.
	- Project in line with agreed timeline	100%	The project remains within the set timeline
	- Construction of the permanent premises continued and on schedule	100%	The construction activities are proceeding according to schedule

Annex X**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 scaling-down of TFV interventions	TFV effectively implements assistance programmes in 3-4 situation countries, supporting approx. 100,000 direct victim beneficiaries	Expansion dependent on strengthening of STFV and on revenue from voluntary contributions	Over 110,000 victims are supported in 2 situation countries. Programme implementation in CAR suspended for security reasons
	Reparations mandate: initiation and effective design and implementation of reparations awards	TFV develops and implements reparation plans related to 1-2 cases before the Court	Dependent on outcome of judicial proceedings, including reparations phase and eventual appeals, in <i>Lubanga, Katanga / Ngudjolo Chui and Bemba</i> cases	No action: reparations proceedings in <i>Lubanga</i> case have remained in appeals phase
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	Active participation in various high-level international events; media exposure resulting from high-level field visits and from launch of external evaluation report

⁴ Committee on Budget and Finance.⁵ Assembly of States Parties.

		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	No impact survey was carried out in view of implementation of external evaluation
		TFV benefits from in-kind donations and partnerships (public, civil society, private sector) to support visibility		TFV integrated in UK's Preventing Sexual Violence Initiative (PSVI) and highlighted in the related March 2013 G8 Ministerial Declaration. Joint TFV-ICRW donor luncheon in London with participation of key private donors (November 2013)
Financial sustainability	Core capacity STFV is sufficiently financed through assessed contributions	Safeguard of existing capacity, additional (financial) administrative capacity ensured	Non-attainment will risk STFV overload – or non-satisfaction of core functionality of STFV - in view of demands of both assistance and reparations mandates	Existing STFV capacity maintained with continued risk of organizational overload (primarily administration)
	Voluntary contributions: revenue from States is consolidated; diversification to private donors	States (Parties) will contribute €2million or more, in voluntary contributions	Dependent on economic and financial outlook of key donors	Revenue from voluntary contributions at €4.5 million exceeding expectations, with several substantial long term agreements in place
		TFV receives private donations from both institutional and individual donors	Dependent on capacity of STFV to develop marketing and fundraising capacity outside existing core capacity	Donation of USD 50,000 by private foundation. Partnership agreement with Netherlands based private initiative
		TFV benefits from in-kind donations and partnerships (public, civil society, private sector) to support marketing and fund-raising		Matching funds from implementing partners amount to €374,822
	Maximised results from awards, fines, forfeitures for use in the implementation of Court-ordered reparations	This type of revenue is established as core element of financing Court-ordered reparations; and TFV is included in Court protocol regarding seizure and freezing of assets	Dependent on ability of Court – in cooperation with States Parties - to seize, freeze assets for the purpose of reparations and to collect fines imposed on convicted persons	No achievement in view of state of proceedings

Annex XI

Major programme VII-5: Independent Oversight Mechanism

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2013</i>	<i>Achievements</i>
Objective 1 - To provide effective and efficient oversight of Court personnel whilst seeking to minimize security risks	- Completion of investigation reports	The IOM was operationalized at ASP 12 in November 2013. It was not anticipated that the IOM would undertake investigations during 2013	The investigative mandate of the IOM was not operationalized until the end of November 2013. There were no investigations undertaken during the year
Objective 2 - Ensure procedural fairness and transparency to guarantee rights in the execution of investigative function	- Compliance with the IOM Manual of Procedures to ensure fairness throughout the investigative process	The IOM was operationalized at ASP 12 in November 2013. It was not anticipated that the IOM would undertake investigations during 2013	The investigative mandate of the IOM was not operationalized until the end of November 2013. There were no investigations undertaken during the year

Annex XII

Realization of assumptions 2005-2013

Financial year	Approved budget (in million euros)	Budget performance (in %)	Assumptions	Realization of assumptions
2005	66.9	92.9	<ul style="list-style-type: none"> - Monitor eight situations - Two situations in the pre-trial, trial and appeals phase - Two situations in the investigation phase 	<ul style="list-style-type: none"> - Monitored/analyzed eight situations - Pre-trial proceedings and interlocutory appeals in three situations - Three situations in the investigation phase – Uganda, DRC I and Darfur (following referral from UNSC)
2006	80.4	80.4	<ul style="list-style-type: none"> - Monitor up to eight situations - Opening of fourth investigation - Start of two trials 	<ul style="list-style-type: none"> - Monitored/analyzed five situations - Opening of fourth investigation – DRC II - Pre-trial proceedings and interlocutory appeals in the case of <i>Lubanga Dyilo</i> (DRC I) - Pre-trial proceedings in the other three investigations
2007	88.9	87.2	<ul style="list-style-type: none"> - Monitor at least five situations - No opening of investigations into new situations - Within the four situations, investigation of at least six cases, including the two cases in which arrest warrants have been issued 	<ul style="list-style-type: none"> - Five situations under preliminary/advanced analysis - One new investigation into a new situation opened (CAR) - Seven cases within four situations under investigation (DRC I, DRC II, Darfur I, Darfur II, Uganda, CAR) - Continuation of pre-trial proceedings (Confirmation of charges hearing) in the case of <i>Lubanga Dyilo</i> (DRC I)
2008	90.4	92.6	<ul style="list-style-type: none"> - Monitor at least five situations - No opening of investigations into new situations - In four situations, pursue investigative steps, in a total of at least five cases, including the three cases in which arrest warrants have been issued - At least one trial 	<ul style="list-style-type: none"> - Six situations under preliminary/advanced analysis - No new situations opened - Seven cases within four situations under investigation (Uganda, DRC I, II, Darfur I, II, III, CAR) - <i>Lubanga Dyilo</i> case before the Trial Chamber; proceedings stayed (DRC I) - Pre-trial proceedings (Confirmation of charges hearing) in case of <i>Katanga and Ngudjolo Chui</i> (DRC II) - Pre-trial hearings (status conferences) in case of <i>Bemba</i> (CAR)
2009	101.2	92.5	<ul style="list-style-type: none"> - Five investigations in three existing situations - No opening of investigations into new situations - Analysis of up to eight other situations - Two trials. Not envisioned to start third trial in 2009 - Consecutive trials 	<ul style="list-style-type: none"> - Five active investigations conducted: DRC II (<i>Katanga/Ngudjolo</i>), DRC III (<i>Kivus</i>), CAR (<i>Bemba</i>), Darfur II (<i>Al Bashir</i>) and III (<i>Haskanita</i>) - One request for Judges' authorization to open an investigation in Kenya (<i>proprio motu</i>) - 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 - Two trials: <i>Lubanga</i> case, OTP presentation completed; <i>Katanga/Ngudjolo</i> case, OTP presentation commenced - Two confirmation of charges proceedings completed: <i>Bemba</i> case and <i>Abu Garda</i> case
2010	103.6	100.3	<ul style="list-style-type: none"> - Five active investigations in three situations currently before the Court - Five residual investigations where either trial proceedings on-going or where suspects are at large - No investigations in a new situation 	<ul style="list-style-type: none"> DRCIII, IV and V (Kivus); Darfur III; and Ken I and II Residual investigations/witness management in cases where suspects are at large: <ul style="list-style-type: none"> - Uganda - Darfur I and II Residual investigations in support of cases at trial: <ul style="list-style-type: none"> - DRC I and II - CAR - Investigation in the new situation of Kenya authorized by the Pre-trial Chamber on 31March 2010 - Active investigation of two cases: Ken I and Ken II - Applications for summons to appear made on 15th December 2010

<i>Financial year</i>	<i>Approved budget (in million euros)</i>	<i>Budget performance (in %)</i>	<i>Assumptions</i>	<i>Realization of assumptions</i>
			<ul style="list-style-type: none"> - Analyze up to eight potential situations 	<ul style="list-style-type: none"> - Nine situations under preliminary examination (phase 2b), including 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
			<ul style="list-style-type: none"> - Up to three trials consecutively (parallel hearings over several weeks may occur) 	<ul style="list-style-type: none"> - Confirmation of charges hearing completed for case of <i>Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus</i> – decision pending - Trials continued in <i>Thomas Lubanga Dyilo</i> case and <i>Germain Katanga/Mathieu Ngudjolo Chui</i> cases. Prosecution cases concluded in both - The trial in the <i>Jean Pierre Bemba Gombo</i> case commenced 22 November 2010 - Four months of parallel trials
2011	103.6	98.7% (programme budget) 60% for the contingency fund ¹	<ul style="list-style-type: none"> - Conduct 4 to 5 new investigations into cases, within existing or new situations, subject to external cooperation received - Maintain seven residual investigations (including providing support to three trials, subject to external cooperation received) - Analyze up to eight potential situations - Conduct at least four trials, subject to external cooperation received 	<ul style="list-style-type: none"> - DRCIII, IV; Darfur III; Ken I and II; Libya; Côte d'Ivoire Residual investigations/witness management in cases where suspects are at large: <ul style="list-style-type: none"> - Uganda - Darfur I and II Residual investigations in support of cases at trial: <ul style="list-style-type: none"> - DRC I and II - CAR - Ten situations were under preliminary examination (phase 2b or later), including Afghanistan, Colombia, Georgia, Guinea, Honduras, Nigeria, Republic of Korea, and Palestine, which were public and two, Côte d'Ivoire and Libya, were brought to the investigation stage in 2011 - 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 - Confirmation of charges hearing completed for case of <i>William Samoei Ruto, Henry Kiprono Kosgey and Joshua Arap Sang</i>, and for case of <i>Francis Kirimi Muthaura, Uhuru Muigai Kenyatta and Mohammed Hussein Ali</i> - Charges confirmed in case of <i>Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus</i> – trial date to be set - Charges declined in case of <i>Callixte Mbarushima</i> – OTP sought leave to appeal - Arrest warrants requested and issued and initial hearing completed for case of <i>Laurent Gbagbo</i> - Arrest warrants requested and issued in case of <i>Muammar Gaddafi, Saif Al-Islam Gaddafi and Abdullah Al Senussi</i>; case of <i>Muammar Gaddafi</i> terminated - Arrest warrant requested for Abdel Raheem Muhammad Hussein - Trials continued in <i>Thomas Lubanga Dyilo</i> case, <i>Germain Katanga/Mathieu Ngudjolo Chui</i> case and <i>Jean Pierre Bemba Gombo</i> case
2012	108.8	96.9	<ul style="list-style-type: none"> - Analyze up to eight potential situations 	<ul style="list-style-type: none"> - Nine situations were under preliminary examination (phase 2 or later), including Afghanistan, Colombia, Georgia, Guinea, Honduras, Mali, Nigeria, Republic of Korea, and Palestine, of which two were completed (Mali and Palestine) - 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) - The office has conducted eight active investigations during 2012. DRC IV, V & VI, Ken I & II, Libya & II and Cote d'Ivoire

¹ Subject to External Auditors' recommendations.

<i>Financial year</i>	<i>Approved budget (in million euros)</i>	<i>Budget performance (in %)</i>	<i>Assumptions</i>	<i>Realization of assumptions</i>
			- Maintain nine residual investigations (including providing support to three trials, subject to external cooperation received)	- Residual investigations/witness management in cases where suspects are at large or where there are witness management issues <ul style="list-style-type: none"> • Uganda • Darfur I, II, III & IV • DRC III - Residual investigations in support of cases at trial: <ul style="list-style-type: none"> • DRC and II • CAR
2013	115.1	95.8	- The Office of the Prosecutor projects that in 2013 it will conduct seven investigations in seven situation countries, including the recent situation in Côte d'Ivoire	- After the opening of an investigation in Mali, the Office of the Prosecutor is operating in eight situation countries. The Office was only able to conduct six active investigations. However, this was also due to the fact that the Office conducted three additional investigations related to art.70 offences
			- The Office of the Prosecutor will maintain the current case-load of nine residual investigations	- The Office maintained seven residual investigations (this figure does not include the investigative support given to on-going trials)
			- Preliminary examination of at least eight situations	Eight situations were under preliminary examination: Afghanistan, Colombia, Georgia, Guinea, Honduras, Nigeria, Republic of Korea and Registered Vessels of the Union of the Comoros, the Hellenic Republic and the Kingdom of Cambodia The Office 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

Annex XIII

2013 Efficiencies

Summary table

	<i>Estimated efficiency (in euro)</i>
Flexible use of resources	
Field operations transfer of assets (Registry)	80,000
Increasing recruitment requirements for bilingual staff interpreters (Registry)	24,000
Centralization of digital forensic services within one central location (OTP)	
Holistic approach to security support team build-up: 24/7 security (Registry)	343,000
Review and standardization of procedures	
Improving inter-organ cooperation (translators and interpreters, cooperation activities, external relations as well as evidence custody transfer prior to commencement of trial)	
Standard Operating Procedure development for field operations (Registry)	
Deployment of accredited field interpreters to missions (Registry)	
Increasing duration of missions to maximize use of travel resources	32,000
Change in article 15 visitors planning procedure	15,000
Implementation of changes to the legal aid system (average 2013)	430,000

	<i>Estimated efficiency (in euro)</i>
Cooperation from States and other international organizations	
Exchange of staff loans with Special Tribunal for Lebanon (Registry) and with ICTY (Judiciary)	34,500
Cooperation with UN Office in CAR to host staff and assets during evacuation	60,000
Discounted software licenses through cooperation with UN (Registry)	55,838
Review of services and operations	
Outsourcing of transcription services (OTP)	470,000
Use of local staff instead of missions from HQ (interpreters CIV) (Registry)	35,800
New system for recycling ICT equipment (Registry)	
Insourcing of forensic acquisition and processing of digital evidence (OTP)	20,000
Centralization of administrative assistance within one Division (OTP); reduction in number of staff required and improved services	74,000
Provision of standard documentation instead of team specific support (OPCD)	50,000
Possibilities created by technology	
New automated routine for verification of documents for disclosure (OTP).	
Introduction of the Nuix software (investigation related) and transition to digital recording for article 55(2) interviews	14,000
Automation of steps to prepare for disclosure (Registry)	-20% Staff time
Extended capabilities of e-filing (Court records): automatic stamping, TRIM insertion, security application and e-mail notification. (Registry)	-70% Processing time
Increased use of social media – increased exposure at minimal cost (Registry)	
Minimizing printing by increased digital media dissemination (Registry)	
Training and cross-training	
Avoided having to replace staff by using cross-trained staff to support activities when needs arise	42,000
Technical training of defence counsel teams to increase efficiency and quality of Court activities (OPCD)	
Language training for Chambers staff to increase flexibility of deployment to cases within Chambers, and also for Presidency staff to reduce reliance on translation	
Defensive driving training resulting in fewer accidents in Field Operations (Registry)	
Other short-term savings	
Pooling resources, substitutions and flexible scheduling to secure Court hearings (Registry)	351,500
Preparation for move to the permanent premises: flexible post assignment and team restructuring to allow for appropriate set-up at Permanent Premises (Registry). Also implementation of lower maintenance of Interim Premises	70,000
Redeployment of staff between sections to meet pressing demand for services in electronic evidence area (OTP)	
Use of residential accommodation instead of hotel rooms in CIV (OTP)	21,000
Taking advantage of presence of delegations in The Hague instead of travelling for cooperation activities	
Minimizing potential delays in proceedings by ensuring 100% of requests for assistance delivered in a timely manner (Registry)	
Staff sharing to avoid need for additional recruitment (Judiciary)	
Lower grade acting unit head during Special Leave Without Pay (Registry)	27,700
Total	2,250,338

Annex XIV

Unliquidated obligations

Table 1: Unliquidated obligations as at 31 December 2013 - unaudited figures (thousand euros)

Major Programme / Programme	Open purchase orders		Open trips		Total unliquidated obligations
	Number of POs	Amount of POs	Number of trips	Amount of trips	
	[1]	[2]	[3]	[4]	[5]=[2]+[4]
Major Programme I					
Judiciary	23	93.6	42	99.9	193.4
The Presidency	6	39.5	11	39.8	79.3
Chambers	15	51.8	29	56.4	108.3
Liaison Offices	2	2.3	2	3.6	5.9
Major Programme II					
Office of the Prosecutor	91	406.3	251	595.2	1,001.5
The Prosecutor	37	126.2	59	138.7	264.9
Jurisdiction, Complementarity & Cooperation Division	1	8.0	32	76.1	84.1
Investigation Division	39	178.2	122	292.4	470.6
Prosecution Division	14	93.8	38	88.0	181.8
Major Programme III					
Registry	321	3,198.2	367	849.3	4047.5
Office of the Registrar	112	1,208.3	170	331.8	1,540.1
Common Administrative Services Division	140	1,217.8	32	114.3	1,332.1
Division of Court Services	37	658.7	110	340.9	999.6
Public Information and Documentation Section	26	96.7	50	48.1	144.8
Independent Offices and Special Projects	6	16.6	5	14.2	30.9
Major Programme IV					
Secretariat of the Assembly of States Parties	22	134.7	45	168.0	302.7
Major Programme V					
Interim Premises	1	127.0			127.0
Major Programme VI					
Secretariat of the Trust Fund for Victims	12	101.5	10	20.8	122.3
Major Programme VII-1					
Project Director's Office	8	75.3	1	0.2	75.5
Major Programme VII-5					
Independent Oversight Mechanism	1	7.1	1	2.3	9.5
Total ICC	479	4,143.6	717	1,735.8	5,879.4

Table 2: Unliquidated obligations as at 31 December 2012 (thousand euros)

Major Programme / Programme	Open purchase orders		Open trips		Total unliquidated obligations	Disbursed during 2013*	Savings on ULO _s
	Number of POs	Amount of POs	Number of trips	Amount of trips			
	[1]	[2]	[3]	[4]	[5]=[2]+[4]	[6]	[7]=[5]-[6]
Major Programme I							
Judiciary	5	11.1	26	82.1	93.3	72.8	20.5
The Presidency	1	1.0	14	30.2	31.2	28.9	2.3
Chambers	3	8.5	10	48.5	56.9	40.8	16.1
Liaison Offices	1	1.7	2	3.5	5.1	3.1	2.1
Major Programme II							
Office of the Prosecutor	47	249.7	222	581.9	831.7	667.7	163.9
The Prosecutor	21	127.8	31	119.7	247.5	213.6	33.9
Jurisdiction, Complementarity & Cooperation Division			29	66.0	66.0	51.5	14.5
Investigation Division	23	116.6	137	321.1	437.8	334.3	103.5
Prosecution Division	3	5.2	25	75.2	80.4	68.4	12.0
Major Programme III							
Registry	335	4,903.4	341	791.4	5,694.9	3,752.6	1,942.2
Office of the Registrar	103	1,858.4	159	335.6	2,194.0	963.5	1,230.5
Common Administrative Services Division	152	1,845.9	43	113.3	1,959.2	1,637.1	322.1
Division of Court Services	56	887.5	108	287.5	1,174.9	829.4	345.5
Public Information and Documentation Section	24	311.7	31	55.1	366.8	322.6	44.1
Major Programme IV							
Secretariat of the Assembly of States Parties	40	162.8	32	88.8	251.6	152.4	99.2
Major Programme VI							
Secretariat of the Trust Fund for Victims	11	148.9	14	27.7	176.6	157.0	19.6
Major Programme VII-1							
Project Director's Office	16	75.6	2	2.4	78.0	55.8	22.2
Major Programme VII-5							
Independent Oversight Mechanism	1	18.8	3	6.5	25.3	14.8	10.5
Total ICC	455	5,570.4	640	1,580.8	7,151.2	4,873.2	2,278.1

*Disbursements relating to open trips amounted to €1,301 thousand out of total amount of €4,873 thousand.

Annex XV

Judicial decisions with significant financial implications in 2013

<i>Judicial decision</i>	<i>Financial implication in €</i>	<i>Comments</i>
Katanga and Ngudjolo Case (ICC-01/04-01/07)		
ICC-01/04-01/07-2660-Red3 – “Version publique expurgée de « Décision relative à la requête de la Défense de Germain Katanga tendant à l'amendement de la décision sur sa requête visant à obtenir la coopération de la République démocratique du Congo en vue de la comparution de témoins détenus” dated 3 May 2011	€372,000	Trial Chamber II instructed the Registry to send a request for cooperation to the authorities of the Democratic Republic of the Congo (DRC) for the transfer of two detained defence witnesses to The Hague for their testimony. The DRC authorities subsequently complied with the cooperation request. The financial implication of this decision for 2013 was €372,000, comprising the cost of cell rental and other costs directly related to the detention of the witnesses in the Netherlands.
ICC-01/04-01/07-T-341 dated 18 June 2012 and ICC-01/04-01/07-3388 – <i>Decision on the Defence requests set forth in observations 3379 and 3386 of 3 and 17 June 2013</i> dated 26 June 2013	€151,915.00 (total fees for the legal assistant for 2013 and the legal fees for associate counsel, one legal assistant and one case manager following the second decision of 2013).	On 18 June 2012, Trial Chamber II issued an Oral Decision (ICC-01/04-01/07-T-341) with the financial impact of remunerating one legal assistant for the Defence. The Registry continued to provide funds for the remuneration of one legal assistant in 2013. The financial impact for this decision in 2013 was €73,356.00. Furthermore on 26 June 2013, Trial Chamber II issued the <i>Decision on the Defence requests set forth in observations 3379 and 3386 of 3 and 17 June 2013</i> (ICC-01/04-01/07-3388) and subsequent to this decision, the Registrar restored the full composition of the defence team during trial (one counsel, one associate counsel, two legal assistants and one case manager) from July to end of October 2013. The total cost arising from the second decision was €78,559.00.
Bosco Ntaganda Case (ICC-01/04-02/06)		
ICC-01/04-02/06-2 – <i>Warrant of Arrest</i> dated 22 August 2006 and ICC-01/04-02/06-36-Red - Public redacted version <i>Decision on the Prosecutor's Application under Article 58</i> dated 13 July 2012	€113,000	Mr Bosco Ntaganda voluntarily surrendered himself to the Court on 22 March 2013 and was transferred to the Court's Detention Centre on 23 March 2013. Given Mr Bosco Ntaganga's profile, it was decided for security reasons to use a private jet for his safe transfer to the seat of the Court. The cost of Mr Bosco Ntaganda's transfer to the Court amounted to €113,000.
ICC-01/04-02/06-67 - <i>Decision Establishing Principles on the Victims' Application Process</i> dated 28 May 2013	€24,000	This decision set out the framework for organizing victim participation for the confirmation of charges hearing and involved a number of orders directed at the Victims Participation and Reparations Section (VPRS). In order to implement the decision, VPRS conducted several missions to Bunia involving staff from different field offices as well as HQ, deployed most of the Section's staff at HQ to the case for several months to process victims' applications, and hired six special contractors for six months (four months in 2013), paid €1,000 per month (total €24,000 in 2013), also to process victims' applications.
ICC-01/04-02/06-160 - <i>Decision concerning the organization of common Legal representation of Victims</i> dated 2 December 2013	0 costs	On 28 May 2013, the Single Judge issued the <i>Decision Establishing Principles on the Victims' Application Process</i> (ICC-01/04-02/06-67). Following this decision, VPRS provided information to the Chamber on the legal representation of victims. On 2 December 2013, the Chamber appointed two counsels from the Office of Public Counsel for Victims (OPCV) as common legal representatives for victims to be assisted by two assistants based in the field (ICC-01/04-02/06-160). The OPCV counsels appointed the assistants to start work on 2 January 2014. No payment was therefore made in 2013 and accordingly, there is no financial information to report for 2013. The judicial implication is favourable since the costs of legal assistants are lower than those of external counsel.

<i>Judicial decision</i>	<i>Financial implication in €</i>	<i>Comments</i>
Laurent Gbagbo Case (ICC-02/11-01/11)		
ICC-02/11-01/11-432 - <i>Decision adjourning the hearing on the confirmation of charges pursuant to article 61(7)(c)(i) of the Rome Statute dated 3 June 2013</i>	€16,658	Expenses for missions undertaken to consult with victims (travel, DSA, rental of premises and costs for transportation of victims)
Simone Gbagbo Case (ICC-02/11-01/12)		
ICC-02/11-01/12-15 - <i>Decision on the conduct of the proceedings following Côte d'Ivoire's challenge to the admissibility of the case against Simone Gbagbo dated 15 November 2013</i>	€6,100	Expenses for missions undertaken to consult with victims (travel, DSA, rental of premises and costs for transportation of victims)
Saif Al-Islam Gaddafi and Abdullah Al-Sennusi Case (ICC-01/11-01/11)		
ICC-01/11-01/11-311-Red - <i>Decision on the "Request to Withdraw" dated 17 April 2013</i>	€117,594.65 (legal fees and professional charges paid or due to the counsel and the €3,000.00 monthly allotment to cover expenses)	As elaborated in paragraph 4 of the <i>Decision on the "Request to Withdraw"</i> , in a filing of 4 March 2013, the Principal Counsel of the Office of Public Counsel for Defence (OPCD) asked to withdraw from representing Mr Saif-Al- Islam. The OPCD proposed an external counsel to assume Mr Gaddafi's representation. On 17 April 2013, Pre-Trial Chamber I granted the OPCD's request to withdraw from Mr Saif Al-Islam Gaddafi's representation and appointed an external Counsel pursuant to regulation 76.1 of the Regulations of the Court (ICC-01/11-01/11-311-Red). Following that decision, and in response to a request by external Counsel for legal assistance paid by the Court, the Registry provisionally decided to agree to cover the costs of the legal representation in accordance with the specific parameters as set by the Court's legal aid system.
Situation in the Central African Republic (ICC-01/05)		
ICC-01/05-52-Red – <i>Decision on the Prosecutor's "Request for judicial order to obtain evidence for investigation under Article 70" dated 28 July 2013</i>	Legal fees of the independent counsel appointed by the Chamber and the associated costs (€49,067.30).	On 29 July 2013, the Single Judge of Pre-Trial Chamber II appointed an independent counsel in the situation in Central African Republic. The independent counsel was remunerated, along with costs associated with the intervention, under the legal aid scheme. The total cost of this appointment was €49,067.30.
Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba et al art 70 Case (ICC-01/05-01/13)		
ICC-01/05-01/13-1-Red2 <i>Warrant of arrest for Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido dated 20 November 2013</i>	€117,900	Mr Fidèle Babala Wandu was arrested by the authorities of the Democratic Republic of the Congo on 24 November 2013, surrendered to the Court on the same day and arrived at the Court's detention centre on 25 November 2013. Given the security situation (e.g. Mr Babala being the Deputy Secretary General of the main opposition party in the DRC) and given that the arrest took place the day after that party's 15 th anniversary, it was considered necessary to use a private jet to facilitate a safe transfer. The cost associated with the transfer of Mr Fidèle Babala Wandu was €117,900.

<i>Judicial decision</i>	<i>Financial implication in €</i>	<i>Comments</i>
	Three counsels remunerated under the legal aid system for the article 70 case €36,613.80 (per month, incl. professional charges)	The implementation of the warrants of arrest for five persons in the situation in Central African Republic triggered the use of legal aid funds to remunerate counsels for the suspects who have been found indigent. Three suspects submitted their request on 25 November 2013, 9 and 13 December 2013 and were found provisionally indigent and are currently benefiting from the legal aid system. One suspect was found not to be indigent and is currently appealing the Registrar's decision.
ICC-01/05-01/13-41-Red - <i>Decision appointing an Independent Counsel and taking additional measures for the purposes of the forensic acquisition of material seized in the proceedings dated 13 December 2013</i>	Legal fees of the independent counsel appointed by the Chamber and the associated costs (€13,665.50).	Subsequent to the arrest of the five suspects in the article 70 case, the Single Judge of Pre-Trial Chamber II appointed an independent counsel on 13 December 2013 for the purposes of the forensic acquisition of material seized in the proceedings. The cost associated with this appointment for December 2013 was €13,665.50.
Jean-Pierre Bemba Case (ICC-01/05-01/08)		
Several decisions issued by Trial Chamber III ordering testimony via video link in the <i>Bemba</i> case in 2013	€238,779.49	21 witnesses testified via video link in 2013. An additional €102,279.49 has been incurred over and above the average cost of arranging for witnesses to testify at the seat of the Court, for facilitating that video link testimony. This additional cost involves, <i>inter alia</i> , travel and accommodation for staff in the field, the cost of escorting witnesses in the field and other additional costs in relation to the need to provide witnesses with operational support.
Banda and Jerbo Case (ICC-02/05-03/09)		
ICC-02/05-03/09-512 Red- <i>Public redacted Decision terminating the proceedings against Mr Jerbo dated 4 October 2014</i>	0 costs from 13 October 2013	On 23 April 2013, the Defence for Mr Jerbo notified the Chamber that they had received information that Mr Jerbo had died. In light of that information, the Registry, parties and participants made observations to the Chamber on whether to sever or terminate proceedings against Mr Jerbo. On 4 October 2013, the Trial Chamber issued the <i>Decision terminating the proceedings against Mr Jerbo</i> (ICC-02/05-03/09-512). The decision was favourable for legal aid purposes in that the Registry closed the case and payments to the Jerbo Defence team ceased on 13 October 2013.
General		
Change to the court calendar	Approximately €80,200	Not many hearings were held in the first half of 2013. In June 2013, it was decided that simultaneous hearings would be conducted for the period from September to December 2013. Even though simultaneous hearings did not materialize, additional resources were required at short notice.

* The OPCV optimized the use of resources planning missions to CIV with different staff in order to be able to meet the victims involved in both cases during the same mission(s).