



**Strategy on Gender Equality
and Workplace Culture
for the International
Criminal Court**



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EXECUTIVE SUMMARY

The present Strategy on Gender Equality and Workplace Culture for the International Criminal Court (“ICC” or “the Court”) is aimed to address recent challenges regarding gender equality and workplace culture. The ICC Gender Equality and Workplace Culture Strategy (“GEWC Strategy”) addresses the two topics in a planned, comprehensive and strategic way, as part of the overall ICC Strategic Plan as well as the Strategic Plans of the Office of the Prosecutor (“OTP”) and the Registry, respectively. It takes into account internal ICC needs, as well as recent evolutions across work environments around the world.

While this Strategy is the first of its kind adopted by an international court or tribunal, it is in line with contemporaneous similar efforts undertaken by many organisations, including the International, Impartial and Independent Mechanism (IIIM)¹ or the United Nations Office on Drugs and Crime (UNODC)².

The GEWC Strategy provides a way forward to address part of the findings and recommendations made by the Independent Experts Review (“IER”) in their Report, as well as the relevant gaps and needs identified in the ICC Staff Engagement Surveys in 2018 and 2021, which had been incorporated in the ICC Strategic Plan (2019-2021), the OTP Strategic Plan (2018-2021), and the Strategic Plan of the Registry (2019-2021).

Finally, the development, adoption and implementation of the GEWC Strategy by 2025 reflects the Court’s commitment, as part of the many organisations engaged in the [Generation Equality movement](#), to catalyse tangible progress towards gender equality during the [UN Decade of Action](#) (2020-2030) to deliver the Sustainable Development Goals, including Sustainable Development Goal 5, on Gender Equality.

The final version of this Strategy draws on good practices and successes achieved in other international organisations (such as the United Nations), as well as in States’ national entities (such as Ministries of Foreign Affairs); it also reflects the input and comments gathered during the extensive internal and external consultations carried out by the Court between December 2021 and March 2022, which included:

- Eight internal information and consultations sessions for ICC personnel, in headquarters and in the country offices, in English and in French;
- Experts consultative sessions, including with the Staff Union Council, civil society organisations and the Executive Council of the ICC Bar Association;
- Written and oral input received from ICC staff, interns and visiting professionals, Counsel and members of external teams, as well as States Parties, international and regional intergovernmental organisations, civil society and academia.

¹ [IIIM Gender Strategy and Implementation Plan](#), September 2022.

² UNODC [Strategy for Gender Equality and the Empowerment of Women](#) (2022-2026).

The GEWC Strategy fits within the body of existing strategic documents that lay out concrete actions that will be undertaken within the organisation in the coming years.

The Court-wide and organ-specific Strategic Plans for 2023-2025 set out strategic goals and key performance indicators (“KPIs”), which are relevant to gender equality and the workplace culture at the Court, such as:

- The relevant IER recommendations, as well as their assessment and implementation;
- The strengthening of the Court’s disciplinary framework, including through the adoption and review of relevant Administrative Instructions and Presidential Directives;
- The review and adoption of a recruitment policy;
- The Court-wide exercise regarding the organisation’s core values;
- The Judiciary and the Office of the Prosecutor’s work culture exercises;
- The priorities and actions identified regarding gender equality and workplace culture following the Staff Engagement Survey of November 2021.

Once adopted, the GEWC Strategy will be widely shared internally and externally with the Court’s stakeholders. Information sessions will be organized in order to ensure it is widely known and understood by ICC personnel.

The Strategy will be monitored regularly via the Court’s Focal Point for Gender Equality and the ICC’s Staff Wellbeing and Engagement Committee (“SWEC”), notably thanks to the annexed [Implementation Checklist](#) and in full coordination with the monitoring of the ICC Strategic Plan and the organ specific strategic plans and their KPIs, with which the GEWC Strategy is aligned. A final report on its implementation will be issued in 2025, when it will also be reviewed for the next cycle.

SECTION 1 Principles

Adopting and implementing a Strategy to address gender equality and workplace culture at the ICC

Background

In the last 15 years many organisations have reviewed their workplace and leadership values; these include inter alia the United Nations, several intergovernmental organisations, and also countries who adopted feminist frameworks for foreign and development policies. Reference is made inter alia to the UN Secretary-General's System-wide Strategy on Gender Parity³ and the Enabling Environment Guidelines⁴, as well as legislative mandates around improving gender parity, including the Convention on the Elimination of all forms of Discrimination Against Women⁵, the Beijing Declaration and Platform for Action⁶, the International Labour Organization's Violence and Harassment Convention (C190)⁷, and General Assembly Resolutions (most recently A/C.3/76/L.65⁸).

As per an intersectional approach, reference is also made to the International Convention on the Elimination of All Forms of Racial Discrimination⁹, as well as the Convention on the Rights of Persons with Disabilities¹⁰. In doing so, these organisations have sought to develop good practices.

³ UN Secretary-General's [System-wide Strategy on Gender Parity](#), 6 October 2017.

⁴ UN Women [Enabling environment guidelines for the UN system](#), 2019.

⁵ UN General Assembly [Convention on the Elimination of All Forms of Discrimination against Women](#), 18 December 1979.

⁶ [Beijing Declaration and Platform for Action](#), 1995.

⁷ ILO [C190 - Violence and Harassment Convention](#), 2019 (No. 190).

⁸ [Follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly \(A/RES/64/141\) | UN Women – Headquarters](#).

⁹ UN General Assembly [International Convention on the Elimination of All Forms of Racial Discrimination](#), 1965.

¹⁰ UN [Convention on the Rights of Persons with Disabilities \(CRPD\)](#), 2006.

This Strategy is the ICC’s concrete operative framework to bring some of these tested good practices on board and use them as a roadmap for change; this process would complement and reinforce the efforts already underway since 2018 and the ongoing work led by the Court Principals, the Staff Wellbeing Framework, the Staff Wellbeing and Engagement Committee (“SWEC”), and the COVID Crisis Management Team Sub-Committee on Wellbeing and Resilience.

It is recalled that the IER Experts¹¹ review found very serious findings across their report on gender-related and work culture aspects.

In paragraph 64 of the Report, the IER Experts detailed their findings on the working culture of the Court.



Decisive action needs to follow the ASP’s and Court’s commitment to ensuring gender equality and providing a welcoming environment for all individuals affiliated with the Court.

The Experts make a number of findings and recommendations throughout the Report addressing gender inequality, particularly in senior positions, through measures relating to elections, recruitment, working environment, training and professional development.

Targeted interventions for gender equality should be complemented by gender mainstreaming.

Furthermore, attention is drawn to paragraphs 205 to 214, which touch upon the working environment and culture, staff engagement and staff welfare, and which illustrate severe gaps regarding bullying and harassment, including sexual harassment, the inadequacy of existing internal justice mechanisms, the overrepresentation of males in managerial positions, and the impact on leadership, managerial approaches and the culture in the workplace.

¹¹ [Independent Expert Review of the International Criminal Court and the Rome Statute System](#), 30 September 2020.

Several of the IER recommendations linked to working culture at the Court and internal grievances procedures were identified for prioritization by the Experts, and the Court agreed with this prioritization, as reflected in paragraphs 197 to 202, 255 and 258 of the Court's Overall Response to the IER Final Report. Furthermore, the Review Mechanism identified work culture and gender equality as priority areas in its Comprehensive Action Plan, which was adopted by the Bureau of the Assembly of States Parties ("ASP") on 28 July 2021.

Additionally, these key areas where more work is needed are reflected in the [High-Level Statement on Gender Equality](#) adopted by the Principals of the Court on 30 April 2021. In the same year, the ICC joined the [Generation Equality movement](#), becoming one of its commitment makers under Action Coalition 6 ("Feminist movements and leadership"); the development, implementation and review of this Strategy by 2025 is part of its engagement, and is also the joint commitment of the three Principals of the Court as [International Gender Champions](#). Overall, this reflects a strong commitment from the Principals of the organisation, under the One Court principle, to enact concrete changes towards gender mainstreaming and improving the Court's workplace culture across the ICC as a means to reinforce gender mainstreaming and gender equality.

Finally, the ICC conducted its triannual Staff Engagement Survey at end of 2021; with a staff participation of 73%, the data collected and analyzed allowed the Court to identify that gender equality remains a key priority for the organisation to address, together with connected topics such as ethics and standards of conduct, leadership with emphasis on values, engagement and internal communication, wellbeing (including stress prevention), and staff selection and career development.

In order to implement effective efforts to continue to improve in these key priority areas for staff engagement, the Court has strengthened the mandate and composition of the Court's Staff Wellbeing and Engagement Committee ("SWEC"): the Principals have decided to incorporate the Focal Point for Gender Equality as a permanent member of the committee in an effort to embed gender matters across the whole set of actions that will be implemented.

Additionally, the SWEC has appointed Action Sponsors, who will act as focal points with the main role of driving and supporting the development and implementation of the actions to tackle key priority initiatives.

PRIORITY #1

Ethics and Standards of Conduct

PRIORITY #2

Leadership with emphasis on values, engagement and internal communication

PRIORITY #3

Well-being including stress prevention

PRIORITY #4

Staff selection and career development

PRIORITY #5

Promoting gender equality by addressing gender gaps, including in the previous four priority topics, as well as other relevant key topics.

Key overarching principles

The GEWC Strategy concerns all individuals working at the Court, whether in headquarters or in one of its country or liaison offices, as it recognizes that all have an impact on the culture and the enabling environment that are needed for the ICC to fully implement its mandate. In this way, for instance, individuals not employed by the Court can make formal reports of suspected prohibited conduct to the Independent Oversight Mechanism (“IOM”) under the current disciplinary framework provided by the 2022 Administrative Instruction on “Addressing discrimination, harassment, including sexual harassment, and abuse of authority”¹². The actions or components that concern specific categories of personnel will otherwise identify them explicitly.

When looking at the experience of the United Nations and States’ feminist foreign policies when dealing with gender equality, it is clear that the answer is not only about more representation of women in

¹² ICC [Administrative Instruction on Addressing discrimination, harassment, including sexual harassment, and abuse of authority](#), 2022.

senior positions (although it is critical and needs to remain a priority); these organisations and State entities have found that gender equality within an organisation is as much about safe and inclusive culture and work environment as it is about equal representation.

That is why the strategies and action plans they developed also focus on an enabling work environment, life-work balance and a harassment-free workplace. The goals identified in this Strategy will therefore be achieved through comprehensive gender mainstreaming and targeted actions across the organisation, including by addressing structural, procedural and cultural inequalities, and applying an intersectional gender analysis when planning and developing activities and policies.

The Court has initiated reflections on the adoption of gender responsive budgeting as a methodological and practical tool to further support the implementation of this Strategy, and will continue to consult with relevant partners, including States and civil society, as it develops efforts in this area.

Structure

The Strategic Plans of the Court and organ-specific Strategic Plans for 2023-2025 set out overall and high-level strategic goals, activities and performance indicators. The GEWC Strategy further develops the Strategic Plans by focusing on the issues and action points related to gender equality and workplace culture.

Thirty components, articulated in three key pillars, have been identified by the gender assessment conducted by the Focal Point for Gender Equality at the ICC in March/May 2021 and the extensive internal and external consultations undertaken between December 2021 and March 2022.

Three key pillars

- Safe and inclusive workplace culture and processes;
- Personal and professional life integration;
- Gender parity & equal opportunities.

Additionally, the components are organised in two parts¹³:

Short-term deliverables and pilot projects

For each pillar, some components are already underway at the ICC, and based on good examples identified from practices by other actors;

Mid- to long-term actions

Following the momentum supported by the short-term deliverables and the results that will start to appear, these components will be leading towards more sustainable and comprehensive progress across the organisation.

Monitoring

Reference is made to the annexed Implementation Checklist, which identifies, for each component, the relevant timeline, the ICC entities in the lead for implementation, and the reporting mechanisms. Monitoring will be done in full coordination with the monitoring of the ICC Strategic Plan and the organ specific Strategic Plans and their KPIs, with which the GEWC Strategy is aligned.

¹³ The categorization of the short-term and mid-to long-term deliverables and actions is inspired by the thirty key recommendations identified by UN Women in their "[Supplementary Guidance on the Enabling Environment Guidelines](#)" of 2019.

SECTION 2 Key terms

Gender and Sex

“Sex” refers to the different biological and physiological characteristics used to define the understanding females and males¹⁴.

Under article 7(3) of the Rome Statute (“Statute”), “gender” is understood as the two sexes, male and female, within the context of society. Gender refers to sex characteristics and social constructs and criteria used to define maleness and femaleness, including roles, behaviours, activities and attributes¹⁵. As a social construct, gender varies within societies and from society to society and can change over time. This understanding of gender is in accordance with article 21 of the Statute.

Intersectional approach

Gender is only one element that allows for a proper understanding of the broader socio-cultural context being analysed. Intersectionality recognises that people’s identities and social positions are shaped by several factors, the intersection of which can lead to unique forms of discrimination or oppression. In addition to gender, these factors can include: race, ethnicity, religion, sexual orientation, gender expression and sex characteristics, socio-economic background, age, disability, etc. Intersectionality allows for a more in-depth and complex understanding of the different experiences and challenges that are at play for specific groups of individuals in a given context and at a specific time, and further allows for the identification of specific actions that can be taken in order to counteract and eliminate these challenges.

Gender equality vs gender equity

Gender equality refers to equal rights, opportunities and socio-economic resources available to all genders and sexes in a specific

¹⁴ World Health Organization, “[Sex and Gender](#)”; ICC OTP [Policy Paper on Sexual and Gender-Based Crimes](#), page 3.

¹⁵ ICC OTP [Policy Paper on Sexual and Gender-Based Crimes](#), page 3; World Health Organization, “[Sex and Gender](#)”.

context or society. Gender equality at the ICC is understood as encompassing matters related to gender identity, sexual orientation, gender expression and sex characteristics, and therefore also covers all the dimensions of the LGBTQI+ communities.

Where gender or sex-based inequality exists, it often is because women, LGBTQI+ persons and gender diverse individuals are excluded or disadvantaged in relation to decision-making, career development and other opportunities.

Gender equity is the process of being fair to the genders and sexes that are disadvantaged in a specific context; equity thus requires strategies and actions to compensate for historically and socially imprinted disadvantages, in order to establish substantive equality. Equity is therefore the intentional movement that leads to equality.

Diversity¹⁶

Diversity in the workplace refers to the similarities and differences that exist between people and that can impact employment and business opportunities and outcomes. Diversity refers not only to similarities and differences linked to personal characteristics such as gender, race, ethnicity, religion, sexual orientation, gender expression and sex characteristics, socio-economic background, age, disability, but also similarities and differences such as values, workstyles, caring responsibilities and work roles. Based on an intersectional approach, each person has multiple groups they identify with or of which they have lived experience, which can change over time.

Inclusion¹⁷

Inclusion refers to the experiences people have in the workplace with others, and the extent to which they feel valued for who they are, the skills and experience they bring, and whether they feel engaged with others at work. A person's feeling of inclusion at work can be influenced by their personal characteristics, their own behaviour and that of others, and the environment they are in. Creating an inclusive

¹⁶ ILO [Transforming enterprises through diversity and inclusion report](#), 2022.

¹⁷ ILO [Transforming enterprises through diversity and inclusion report](#), 2022.

workplace culture and environment seeks to enable all employees to experience equality, supports empowerment, increases employee engagement and positively influences business performance.

Safe workplace

Safety at the workplace comprises all the values, attitudes, rules, managerial systems and practices, participatory principles and working behaviours that are conducive to creating a safe and healthy working environment – a place where people can produce with a high degree of quality and productivity¹⁸.

Discrimination¹⁹

Discrimination is any unfair treatment or arbitrary distinction based on a person's race, sex, gender, sexual orientation, gender identity, gender expression, religion, nationality, ethnic origin, disability, age, language, social origin or other similar shared characteristic or trait. Discrimination may be an isolated event affecting one person or a group of persons similarly situated, or may manifest itself through harassment or abuse of authority.

Harassment²⁰

Harassment is any unwelcome conduct that might reasonably be expected or be perceived to cause offence or humiliation to another person, when such conduct interferes with work, is made a condition of employment, or creates an intimidating, hostile or offensive work environment. Harassing behaviour may be an isolated incident or may occur repeatedly. It need not be habitual. It is not the intention of the harasser that defines whether a particular type of conduct constitutes harassment. Harassment may take many forms, including but not limited to words, gestures or actions which tend to annoy, alarm, abuse, demean, intimidate, belittle, humiliate or embarrass another. Harassment may be directed at one or more persons based on a shared characteristic or trait as set out in the "Discrimination" definition.

¹⁸ ILO definition from "[Facts on SafeWork](#)"

¹⁹ ICC [Administrative Instruction on Addressing discrimination, harassment, including sexual harassment, and abuse of authority](#), 2022.

²⁰ ICC [Administrative Instruction on Addressing discrimination, harassment, including sexual harassment, and abuse of authority](#), 2022.

Sexual harassment²¹

Sexual harassment is any unwelcome conduct of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment. Sexual harassment may occur in the workplace or in connection with work. (i) While typically involving a pattern of conduct, sexual harassment may take the form of a single incident. In assessing the reasonableness of expectations or perceptions, the perspective of the person who is the target of the conduct shall be considered. (ii) Sexual harassment is the manifestation of a culture of discrimination and privilege based on unequal gender relations and other power dynamics. Sexual harassment may involve any conduct of a verbal or non-verbal and physical or non-physical nature, including written and electronic communications. Sexual harassment may occur between persons of the same or different genders, and individuals of any gender can be either the affected individuals or the alleged offenders. Sexual harassment may occur outside the workplace and outside working hours, including during official travel or social functions related to work. Sexual harassment may be perpetrated by any colleague, including a supervisor, a peer or a subordinate. An offender's status as a supervisor or a senior official may be treated as an aggravating circumstance. Sexual harassment may also constitute sexual exploitation or abuse under the provisions of the Court's policy on prevention of sexual exploitation and sexual abuse, when available.

Abuse of authority²²

Abuse of authority is the improper use of a position of influence, power or authority against another person. This is particularly serious when a person uses his or her influence, power or authority to improperly influence the career or employment conditions of another, including, but not limited to, appointment, assignment, contract renewal, performance evaluation, recruitment, selection, working conditions or promotion. Abuse of authority may also include conduct that creates a hostile or offensive work environment which includes, but is not limited to, the use of intimidation, threats, blackmail or coercion.

²¹ ICC [Administrative Instruction on Addressing discrimination, harassment, including sexual harassment, and abuse of authority](#), 2022.

²² ICC [Administrative Instruction on Addressing discrimination, harassment, including sexual harassment, and abuse of authority](#), 2022.

Gender responsive budgeting²³

Gender responsive budgeting is a method that analyzes budget allocations, public spending and taxation from a gender perspective and can be subsequently used to advocate for the proper allocation of budget line items to better respond to women’s priorities as well as men’s, making them, as the name suggests, gender-responsive.

ICC personnel

For the purpose of this Strategy, “ICC personnel” will refer to staff and non-staff members of the ICC, i.e. any person holding a letter of appointment under the Staff Rules and/or Regulations, Counsel (defined in article 1 of the Code of Professional Conduct for counsel, legal advisers pursuant to rule 74(10) of the Rules of Procedure and Evidence, and members of their teams), as well as individuals, other than elected officials, staff members and counsel, that are performing services in a direct or other agreed relationship with the Court and other than through a letter of appointment under the Staff Rules and/or Regulations, and which include consultants, individual contractors, interns and visiting professionals.

(Reference is also made here to the informative set of brochures to raise awareness on various topics relating to gender and sexism developed by the ICC Focal Point on Gender Equality, available on the ICC’s internal website, and which provide information on gender and sex, feminist theories, masculinities and queer theories, as well as a list of resources to further explore these subjects).

²³ UN Women Training Center.

SECTION 3

The three pillars and concrete actions

PILLAR I: SAFE AND INCLUSIVE WORKPLACE CULTURE AND PROCESSES²⁴

This Pillar includes 4 rubrics:

- Create and support a culture of respect and accountability for any form of discrimination, harassment, including sexual harassment and abuse of authority, including with early options for conflict resolution;
- Define and re-shape the Court's culture and core values through a bottom-up approach;
- Reinforce a culture of leadership and accountability;
- Collect data to track and report misconduct prevalence and accountability measures.

²⁴ Pillar I is connected to:

- ICC Strategic Plan (2023-2025) Goal 6: Further strengthen professionalism, dedication and integrity in all of the Court's operations;
- OTP Strategic Plan (2023-2025) Goal 8: Improve the working environment of the Office and ensure a respectful working culture;
- Registry Strategic Plan (2023-2025) Goal 2: Staff in the Registry are more engaged through the promotion of desired organizational culture and values and the improvement of geographical representation and gender balance (GRGB).



Create and support a culture of respect and accountability for any form of discrimination, harassment, including sexual harassment and abuse of authority, including with early options for conflict resolution



Ensure full and consistent implementation of the strengthened ICC regulatory and disciplinary framework to address prohibited misconduct related to any form of perceived discrimination, harassment, including sexual harassment, and abuse of authority.

To that effect, the ICC adopted three Administrative Instructions (“AIs”) in early 2022:

- on Unsatisfactory Conduct and Disciplinary Proceedings²⁵ on 14 March 2022,
- on Investigations of Unsatisfactory Conduct²⁶ on 14 March 2022, and
- on Addressing Discrimination, Harassment, including Sexual Harassment, and Abuse of Authority²⁷ on 6 April 2022.

This robust legal framework ensures a clear, comprehensive and meaningful system that allows the Court to properly protect individuals that bring forward complaints and to address them with a variety of tools, from the actions of the Ombudsperson to the role of the Independent Oversight Mechanism (“IOM”). The AI further specifies that its scope of application covers “reports of prohibited conduct which occur at or away from the workplace of the Court, during or outside working hours, [and] can be submitted by any person against any person, irrespective of whether such persons have a contractual status with the Court”. The AI further ensures that “Formal reports of suspected prohibited conduct, including any suspected prohibited conduct having taken place prior to the entry

²⁵ ICC Administrative Instruction on [Unsatisfactory Conduct and Disciplinary Proceedings](#), 2022.

²⁶ ICC Administrative Instruction on [Investigations of Unsatisfactory Conduct](#), 2022.

²⁷ ICC [Administrative Instruction on Addressing discrimination, harassment, including sexual harassment, and abuse of authority](#), 2022.

into force of the present Administrative Instruction, are not subject to time limits”, and that “Formal reports of suspected prohibited conduct may be made anonymously”. Formal complaints can be made by any person, including staff, former staff, non-staff personnel (including interns and visiting professionals), Counsel and members of their teams, as well as individuals without a contractual relation with the Court²⁸. Finally, the AI also introduces the Court’s enhanced focus on prevention and deterrence, mandatory training, as well as on informal mechanisms for conflict resolution through the establishment of the mandate of the Ombudsperson.

Short-term deliverable

2.

In line with the revised AI on Addressing Discrimination, Harassment, including Sexual Harassment, and Abuse of Authority, develop an internal service for alternative dispute resolution mechanisms, including the establishment of an Ombudsperson.

Mid- to long-term actions

3.

Adopt and implement a gender training programme for the ICC, including the mandatory anti-harassment training foreseen in the new AI on Addressing Discrimination, Harassment, including Sexual Harassment, and Abuse of Authority.

Short-term deliverable

4.

Ensure that onboarding / induction sessions are provided for all ICC staff, as well as interns and visiting professionals, including sessions on gender awareness, harassment and disciplinary proceedings policies, and rights and duties and mechanisms of internal justice.

Short-term deliverable

²⁸ See Section 2 of the AI.



Define and re-shape the Court's culture and core values through a bottom-up approach

5.

Develop and conduct a thorough and consultative process to define, re-shape and implement the common core values of the ICC. This Court-wide project was launched in July 2022, with the aim of creating a positive workplace culture that will represent the Court's values internally and externally. It is based on the premise that a positive culture in the workplace is essential for fostering a sense of pride and ownership amongst staff and persons at the Court; they are key elements for the ICC to succeed. This project is grounded on the notion that values cannot be imposed if they are meant to be effective and operational; therefore, the ICC core values project is driven with a consultative, bottom-up approach, involving ICC staff not only in identifying and developing organisational values, but also in the roll out, communication and ongoing activities, so that the values are owned by those using them. Finally, the project will include regular refreshment of core values training, as well as monitoring of the respect of the values through staff performance appraisal.

Short-term deliverable

6.

Develop and implement an internal campaign for all staff on "Let's Set the Tone against Everyday Sexism at the Workplace"; more than 30 members of ICC staff and interns of all genders have become Champions under this campaign, have received training on sexism and unconscious bias, as well as made concrete commitments on how they will contribute to further visibility on the issue and on shifting the organisational culture on unacceptable behaviours. The campaign was also accompanied by a series of lectures by external and internal experts on different relevant topics, as well as brochures and resources on topics such as sex and gender, masculinities, feminist theories and queer theories. Training on sexism and unconscious bias was also expanded to teams and groups also interested in receiving this information, both in headquarters and in the country offices, in English and in French.

Short-term deliverable



Reinforce a culture of leadership and accountability

7.

Strengthen internal communication and inclusion, including through regular townhall meetings to inform personnel on key developments, decisions and outcomes, managers being encouraged to diffuse in a transparent manner internal information to their supervisees, and organizing information sessions about new policies and their implementation.

Mid- to long-term actions

8.

Instill a culture of accountability and responsibility across ICC staff, including through actions such as 360 reviews for staff with supervisory responsibilities at all levels, internal communication campaigns on organisational ethical standards, mandatory feedback sessions after institutional projects, and clear definition, articulation and understanding of managerial decisions across personnel and supervisors.

Mid- to long-term actions

9.

Ensure all staff and non staff members leaving the organisation provide feedback on their experience at the Court, including on how management and human resources can improve the workplace culture and environment through exit interviews and handover notes.

Mid- to long-term actions



Collect data to track and report misconduct prevalence and accountability measures

10.

Develop and adopt a data collection process to collect information on matters of alleged prohibited misconduct related to any form of perceived discrimination, harassment, including sexual harassment, and abuse of authority; create a central repository of this data that can report regularly on disaggregated data and evolution, ensuring full respect for the Court’s legal framework and for confidentiality obligations. In the context of its Staff Engagement Survey of 2021, and for the first time, the Court gathered data on alleged instances of discrimination, harassment, including sexual harassment, and abuse of authority at the ICC; this data will serve as benchmark going forward.

Mid- to long-term actions

PILLAR II: PERSONAL AND PROFESSIONAL LIFE INTEGRATION

This Pillar includes 5 rubrics:

- Respect core hours and encourage personnel to be offline after working hours and while on leave, unless there is a valid justification;
- Cultivate a culture supportive of work-life balance and flexibility;
- Offer part-time employment options;
- Standardize parental leave;
- Take concrete measures to improve the conditions of service of Counsel, members of defence teams, legal representatives of victims and members of their teams as part of the reform of the legal aid policy.



Respect core hours and encourage personnel to be offline after working hours and while on leave, unless there is a valid justification

11.

Develop and adopt a Court-wide guide on work communication, as well as email and meeting etiquette guidelines.

Short-term deliverable



Cultivate a culture supportive of work-life balance and flexibility

12.

Ensure consistent implementation of the Administrative Instruction on Flexible Working Arrangements²⁹, adopted on 14 September 2022, in which the ICC recognizes the importance of flexible working arrangements in balancing the demands on staff while at work with life outside the office, and ensure its review in two years' time.

Short-term deliverable

13.

Provide ICC managers with a practical guide on how to best implement these arrangements within their teams.

Short-term deliverable

²⁹ ICC Administrative Instruction on [Flexible Working Arrangements](#), 2022.



Offer part-time employment options

14.

Assess the experiences of staff when requesting for part-time work via a survey with disaggregated data.

Mid- to long-term actions

15.

Factor the survey results in the revision of the AI on Flexible Working Arrangements.

Mid- to long-term actions



Standardize parental leave

16.

Implement the recent ICSC Decision on Parental Leave Policy within the UN Common System, to align the ICC Staff Regulations and Rules and the ICC maternity leave policy with modern standards, taking into account UN Organisations practice, regarding parental leave, to afford all parents, gestational and non-gestational, an equal post-birth paid leave entitlement; further consider the duties of care beyond parental duties that may concern ICC staff including but not limited to care for the elderly and for persons with disabilities, and how this can be combined with staff's work obligations.

Mid- to long-term actions



Take concrete measures to improve the conditions of service of Counsel, members of defence teams, legal representatives of victims and members of their teams as part of the reform of the legal aid policy

17.

In line with the mandate given by the Assembly of States Parties (“ASP”) during its twentieth session, and on the basis of the outcome of consultations with all relevant stakeholders, including States Parties, the legal profession, other international criminal tribunals and civil society, which is reflected in the ICC Report on Proposed Concepts of a Draft Legal Aid Policy of 21 June 2022, on 31 August 2022, the Registry has proposed a reform of the ICC Legal Aid Policy. The reform proposal is currently pending the approval by the ASP. In the reform proposal and during further consultations with stakeholders, concrete options aimed inter alia at improving the conditions of service of counsel, members of defence teams, legal representatives of victims and members of their teams, notably concerning leave and compensation structures, as well as protection regarding discrimination, harassment, including sexual harassment, and dispute resolution, were discussed.

Mid- to long-term actions

PILLAR III: GENDER PARITY AND EQUAL OPPORTUNITIES³⁰

This Pillar includes 6 rubrics:

- Strengthen recruitment outreach by advertising diversity and inclusion;
- Mitigate bias in the selection process;
- Strengthen accountability for selection decisions and compliance with diversity targets;
- Redesign job descriptions and vacancy announcements, application forms and processes to maximize diverse candidate pools;
- Provide a consistent culture of growth and development for all staff;
- Utilize temporary special measures, when applicable.

³⁰ Pillar III is connected to:

- ICC Strategic Plan (2023-2025) Goal 8: Achieve more equitable GRGB, particularly at higher level posts;
- Registry Strategic Plan (2023-2025) Goal 2: Staff in the Registry are more engaged through the promotion of desired organizational culture and values and the improvement of geographical representation and gender balance (GRGB).



Strengthen recruitment outreach by advertising diversity and inclusion

18.

Enhance ongoing efforts regarding workforce planning, including targeted outreach for specific job profiles and proactive and creative sourcing initiatives, as part of the new ICC recruitment policy.

Mid- to long-term actions



Mitigate bias in the selection process

19.

Continue mandatory trainings on unconscious bias for all hiring managers and recruitment panel members ahead of a recruitment.

Short-term deliverable

20.

Continue to ensure all recruitment panels are gender and geographically balanced.

Short-term deliverable



Strengthen accountability for selection decisions and compliance with diversity targets

21.

Work with the Assembly of States Parties, to identify attainable diversity targets in terms of gender balance, ensuring it is also reflective of diversity / geographical representation goals.

Mid- to long-term actions



Redesign job descriptions and vacancy announcements, application forms and processes to maximize diverse candidate pools

22.

Enhance ongoing efforts regarding language and key components of job descriptions and vacancy announcements (including by ensuring that vacancy announcements are drafted without language bias and by removing any unnecessary criteria that might discourage women from applying); further examine recruitment software's options when it comes to gender and diversity aspects.

Mid- to long-term actions

23.

Promote the ICC workforce through branding and outreach efforts around values and benefits that are appealing to today's job market, based on the frequently asked questions by candidates in the current process (notably regarding flexible working arrangements, workplace culture, etc.).

Mid- to long-term actions

24.

Ensure appropriate levels of scrutiny for ICC staff, including by using existing tools to avoid the hiring of individuals whose file includes a determination that they perpetrated sexual harassment or sexual exploitation and abuse.

Mid- to long-term actions



Provide a consistent culture of growth and development for all staff

25.

Implement the second cycle of the ICC mentoring programme.

Short-term deliverable

26.

Enhance possibilities for ICC staff at all levels to access training and learning programmes, including by ensuring access to continuous learning for all staff and formalizing training and development plans.

Mid- to long-term actions

27.

Continue to pursue efforts regarding external staff mobility through the consistent operationalization of the Inter-Organisation Agreement concerning Transfer, Secondment or Loan of Staff among the Organisations applying the United Nations Common System of Salaries and Allowances, thus allowing staff the possibility to gain experience in another organisation.

Short-term deliverable

28

Develop an internal job mobility framework for the Court across all organs.

Mid- to long-term actions

29

Develop and implement the second cycle of the ICC Leadership framework programme.

Mid- to long-term actions



Utilize temporary special measures, when applicable

30

Study the applicability of temporary special measures³¹ at the ICC.

Mid- to long-term actions

³¹ According to the UN ST/AI/1999/9 “Special Measures for the Achievement of Gender Equality”, to achieve the most direct impact on progress towards gender parity, vacancies in the Professional category and above (where gender parity has not been met) are mandated to “be filled when there are one or more women candidates, by one of those candidates”, when “her qualifications are substantially equal or superior to those of competing male candidates.” (para 1.8) Special measures have been repeatedly upheld through UN Tribunal jurisprudence in cases of both male and female complainants (Among a few of these examples of jurisprudence are: UN Administrative Tribunal Judgments Nos. 671 (1994), 765 (1996), 958 (2000), 1056 (2002), 1302 (2006); and UNDT/2011/098, UNDT/2011/099, UNDT/2012/080, UNDT/2012/125, UNDT/2014/068). In its seminal judgment on the use of special measures, “the Tribunal conclude[d] that Article 8 permits the adoption of reasonable affirmative action measures for the improvement of the status of women” (United Nations Administrative Tribunal (1994). Judgment No. 671, Grinblat. 4 November, para. XVII).

ANNEX

Strategy Implementation Checklist

List of Abbreviations

CSS | Counsel Support Section (ICC Registry)

FPGE | ICC Focal Point for Gender Equality

HR | Human Resources

IER | Independent Experts Review

IOM | Independent Oversight Mechanism

IOR | Immediate Office of the Registrar

RM | Review Mechanism

SSS | Security and Safety Section (ICC Registry)

SUC | ICC Staff Union Council

Based on the Checklist, monitoring of the components is to be facilitated by the entities in the lead.

The timeline indicated is provided as a guidance to the entities in the lead.

COMPONENT**TIMELINE****ICC ENTITIES
IN THE LEAD****REPORTING
MECHANISMS****1**

Ensure full and consistent implementation of the strengthened ICC regulatory and disciplinary framework to address prohibited misconduct related to any form of perceived discrimination, harassment, including sexual harassment, and abuse of authority

Regulatory and disciplinary framework implemented | **April 2022**
First review | **April 2024**

IOR and Registry Legal Office, with the support of Presidency and Immediate Office of the Prosecutor
IOM

IOM annual reports
HR annual reports
RM reporting on IER recommendations' implementation (recommendation 106)

2

Develop an internal service for alternative dispute resolution mechanisms, including the establishment of an Ombudsperson

1Q 2023
Establishment of the Ombudsperson

IOR
Ombudsperson's office

HR annual reports
RM reporting on IER recommendations' implementation
Periodic report of Ombudsperson

3

Adopt and implement a gender training programme for the ICC

By end of 2023

FPGE (for gender training programme)
HR (for anti-harassment training)

HR annual reports
RM reporting on IER recommendations' implementation

4

Ensure that onboarding / induction sessions are provided for all ICC staff, as well as interns and visiting professionals, including sessions on gender awareness, harassment and disciplinary proceedings policies, and rights and duties and mechanisms of internal justice

Implemented

HR

HR annual reports
RM reporting on IER recommendations' implementation

COMPONENT**TIMELINE****ICC ENTITIES
IN THE LEAD****REPORTING
MECHANISMS****5**

Develop and conduct a thorough and consultative process to define, re-shape and implement the common core values of the ICC

By 2Q 2023
Launch of
Court-wide Values

Principals (with
their immediate
offices)
HR

HR annual reports
RM reporting on IER
recommendations'
implementation
Audit Committee
Report

6

Develop and implement an internal campaign for all ICC staff on "Let's Set the Tone against Everyday Sexism at the Workplace"

Ongoing

FPGE

FPGE periodic report
HR annual reports

7

Strengthen internal communication and inclusion

By end of 2023

Principals
Managers

HR annual reports

8

Instill a culture of accountability and responsibility across ICC staff

By end of 2024

HR
Principals
Managers

HR annual reports

9

Ensure all staff and non staff members leaving the organisation provide feedback on their experience at the Court

By end of 2023

HR

HR annual reports

10

Develop and adopt a data collection process to collect information on matters of alleged prohibited misconduct related to any form of perceived discrimination, harassment, including sexual harassment, and abuse of authority

By end of 2024

IOM

IOM annual reports

COMPONENT**TIMELINE****ICC ENTITIES
IN THE LEAD****REPORTING
MECHANISMS****11**

Develop and adopt a Court-wide guide on work communication, as well as email and meeting etiquette guidelines

By end of 2023

Immediate offices
of Principals

HR annual report
(one-off)

12

Ensure consistent implementation of the AI on Flexible Working Arrangements

AI adopted on 14
September 2022
| first review by
September 2024

Principals
Managers

HR annual reports

13

Provide ICC managers with a practical guide on how to best implement these arrangements within their teams

By end of 2023

HR
SUC
FPGE

HR annual reports

14

Assess the experiences of staff when requesting for part-time working arrangements via a survey with disaggregated data

By end of 2024

SUC
FPGE

SUC reports
FPGE reports

15

Factor in the survey results in the revision of the AI on Flexible Working Arrangements

AI adopted on 14
September 2022
| first review by
September 2024

Principals
Managers

HR annual reports

COMPONENT

TIMELINE

**ICC ENTITIES
IN THE LEAD**

**REPORTING
MECHANISMS**

16

Implement the recent ICSC Decision on Parental Leave Policy within the UN Common System, to align the ICC Staff Regulations and Rules and the ICC maternity leave policy with modern standards

By end of 2023

HR

HR annual reports

17

Take concrete measures to improve the conditions of service of Counsel, members of defence teams, legal representatives of victims and members of their teams as part of the reform of the legal aid policy

Reform of the legal aid policy to be adopted at ASP 21 – measures to be further developed and implemented in 2023-2024

Registrar
CSS
Legal offices

Legal aid reform reports
HR annual reports
RM reporting on IER recommendations' implementation

18

Enhance ongoing efforts regarding workforce planning, including targeted outreach for specific job profiles and proactive and creative sourcing initiatives, as part of the new ICC recruitment policy

By end of 2024

HR
FPGE

HR annual reports

19

Continue mandatory trainings on unconscious bias for all hiring managers and recruitment panel members ahead of a recruitment

**Implemented
| Ongoing**

HR
FPGE

HR annual reports

20

Continue to ensure all recruitment panels are gender and geographically balanced

**Implemented
| Ongoing**

HR

HR annual reports

COMPONENT**TIMELINE****ICC ENTITIES
IN THE LEAD****REPORTING
MECHANISMS****21**

Work with the Assembly of States Parties, to identify attainable diversity targets in terms of gender balance, ensuring it is also reflective of diversity / geographical representation goals

By end of 2023

Principals

HR annual reports

22

Enhance ongoing efforts regarding language and key components of job descriptions and vacancy announcements

By end of 2024HR
FPGE

HR annual reports

23

Promote the ICC workforce through branding and outreach efforts around values and benefits that are appealing to today's job market, based on the frequently asked questions by candidates in the current process

By end of 2025HR
FPGE

HR annual reports

24

Ensure appropriate levels of scrutiny for ICC staff

By end of 2024

SSS

HR annual reports

25

Implement the second cycle of the ICC mentoring programme

By end of 2023

HR

HR annual reports

COMPONENT**TIMELINE****ICC ENTITIES
IN THE LEAD****REPORTING
MECHANISMS****26**

Enhance possibilities for ICC staff at all levels to access training and learning programmes

Ongoing

HR

HR annual reports

27

Continue to pursue efforts regarding external staff mobility through the consistent operationalization of the Inter-Organisation Agreement concerning Transfer, Secondment or Loan of Staff among the Organisations applying the United Nations Common System of Salaries and Allowances

Implemented

HR

HR annual reports

28

Develop an internal mobility framework for the Court across all organs

By end of 2025

HR

HR annual reports

29

Develop and implement the second cycle of the ICC Leadership framework programme

By end of 2024

HR

HR annual reports

30

Study the applicability of temporary special measures at the ICC

By end of 2024Principals
HR

HR annual reports



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