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International
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Court

International Criminal Court

2022 Report of the Court on Key Performance Indicators

2 June 2023

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I. INTRODUCTION

1. The Report of the Court on Key Performance Indicators (“KPIs”) presents the performance results of the International Criminal Court (“Court” or “ICC”) for 2022.
2. This report is an integral part of the Court’s ongoing efforts to demonstrate the achievement of strategic goals and objectives. The need to improve performance management within the Court was initially discussed during the 13th session of the Assembly of States Parties (“ASP”) in 2014¹. In its 2014 report, the States Parties called for the Court to “[...] intensify its efforts to develop qualitative and quantitative indicators that would allow the Court to demonstrate better its achievements and needs, as well as allowing States Parties to assess the Court’s performance in a more strategic manner”.
3. In response to the request, the Court has published annual reports on KPIs since 2015. The 2018 report was not published due to the leadership changes at the Court that year. In 2020, the Independent Expert Review of the International Criminal Court and the Rome Statute System (IER) also emphasized the importance of developing concrete and measurable performance indicators, as highlighted in Recommendation 146 of their report, which was assessed positively in 2021:

“To assess the Court’s efficiency, a report presenting raw data based on quantitative indicators should be compiled. The data should be presented in a coherent, consistent and reader-friendly manner. The document should be available to the oversight bodies and the States Parties. Data collection and presentation should be standardized, to enable comparison across several years. Review of KPIs based on lessons learnt should take into account this need for stability in data.”
4. As the ICC Strategic Plan 2019-2021 was extended to 2022, the present report focuses on presenting key performance results through quantitative indicators in three main categories identified in the 2019-2022 plan: (i) judicial and prosecutorial performance, (ii) cooperation and complementarity, and (iii) organizational performance.

II. IMPROVEMENTS

5. In comparison to the previous year’s report, the present report incorporates several improvements.
6. A notable change was made to section “B. judicial activity by key phases (pages 16 - 28),” which presents data related to the Court’s judicial activities by case. The previous presentation of the data was experienced as difficult to read due to the large volume of information condensed onto a single page, while it was also challenging to make case-by-case comparisons. Addressing this observation, the Court has made further progress in presenting the data on judicial activities in a more reader-friendly and digestible manner. The revised version aims to highlight five to six key performance data points on judicial activities, with the help of various visual tools.
7. Various other chapters have undergone improvements in terms of visualization, including on victims and witness-related services within the judicial and prosecutorial performance goals, on request of assistance and request for information within the cooperation and complementarity goals, and on geographical representation (status of non-represented States Parties) within the organizational performance goals. These improvements aim to provide readers with a clearer and more accessible representation of the relevant information.
8. Finally, the overall narrative supporting performance data has been strengthened. The report now offers more comprehensive background information on both increased and decreased performance results, with references to underlying causes and possible implications. This will hopefully enable a deeper understanding of the main factors influencing the observed performance trends.

¹ ICC-ASP/13/Res.5, Annex I, para. 7(b), 17 December 2014.

III. SUMMARY OF KEY PERFORMANCE

Judicial and Prosecutorial Goals

9. The following significant developments have occurred in 2022:
10. Trial Proceedings were ongoing in Al Hassan, Yekatom and Ngaïssona, Abd-Al-Rahman, and Said (phase 3). The Al Hassan trial opened on 14 and 15 July 2020. The Yekatom and Ngaïssona trial opened on 16 -18 February 2021. The Prosecution's presentation of evidence started on 15 March 2021 and is currently ongoing. On 5 April 2022, the trial of Abd-Al-Rahman opened and is currently ongoing. The Said trial opened on 26 September 2022.
 11. The implementation phase of reparations was ongoing in the Lubanga, Katanga, Al Mahdi and Ntaganda cases. The reparations phase in the Ongwen case (phase 6) commenced in 2021 and was ongoing in 2022.
 12. The Appeals Chamber issued its judgments confirming the conviction and sentence in the Ongwen case as well as its judgment partly reversing the reparations order in the Ntaganda case.
 13. **Pre-Trial Division:** In 2022, there were two Pre-Trial Chambers, composed of six of the seven judges assigned to the Pre-Trial Division. Owing to the current workload of the Court, six of the seven pre-trial judges continue to be temporarily attached to the Trial Division. The two Pre-Trial Chambers were seized of twenty-two situations. Requests to resume investigations in the Situation in the Republic of the Philippines and the Situation in the Bolivarian Republic of Venezuela I were filed and the Prosecution opened a new investigation in the Situation in Ukraine, which was assigned to Pre-Trial Chamber II.
 14. **Trial Division:** In 2022, there were five trial proceedings in the presentation of evidence phase, in addition to other Trial Chambers seized with reparations proceedings and other procedural matters. Trial Chambers, dealing with various stages of trial proceedings, issued a total of 1023 decisions, held 268 trial hearings and heard the live testimony of 125 witnesses.
 15. **Appeals Division:** In 2022, the Appeals Division was seized of nine interlocutory appeals. The Appeals Chamber issued three public judgments on final appeals, and seven public judgments on interlocutory appeals.
 16. **Situation in the Islamic Republic of Afghanistan:** On 31 October 2022, Pre-Trial Chamber II authorised the Prosecutor to resume its investigation in the Afghanistan situation.
 17. **Situation in Georgia:** On 24 June 2022, Pre-Trial Chamber I issued warrants of arrest for Messrs Mikhail Mayramovich Mindzaev and Gamlet Guchmazov for their alleged responsibility for war crimes (unlawful confinement, torture and inhuman treatment, outrages upon personal dignity, hostage taking, and unlawful transfer of civilians) committed between 8 and 27 August 2008; and a warrant of arrest for Mr David Georgiyevich Sanakoev for war crimes (hostage taking and unlawful transfer of civilians) committed between 8 and 27 August 2008.
 18. **Situation in Libya:** On 15 June and 7 September 2022, Pre-Trial Chamber I withdrew the warrant of arrest for Mr Mahmoud Mustafa Busayf Al-Werfalli and Mr Al-Tuhamy Mohamed Khaled, respectively.
 19. **The Prosecutor v. Thomas Lubanga Dyilo:** Trial Chamber II remained seized of the implementation plan for symbolic collective reparations and service-based collective reparations approved in 2016 and 2017, respectively.
 20. **The Prosecutor v. Germain Katanga:** Trial Chamber II remained seized of the implementation of its reparations order handed down on 24 March 2017.

- 21. *The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé*:** On 10 February 2022, the Article 85 Chamber issued its decision rejecting Mr Blé Goudé's request for compensation. On 1 March 2022, the Presidency constituted Trial Chamber VII and referred to it two requests on the publicity of proceedings filed by Mr Gbagbo on 19 July 2021 and 3 September 2021. Trial Chamber VII issued its decision on Mr Gbagbo's requests in relation to the publicity of the case record on 13 April 2022.
- 22. *The Prosecutor v. Bosco Ntaganda*:** On 12 September 2022, the Appeals Chamber unanimously delivered its judgment partially reversing the reparations order, remanded the matter to Trial Chamber II and directed it to issue a revised order for reparations, taking into account the terms of the Appeals Chamber's judgment. Trial Chamber II issued a series of decisions implementing the Appeals Judgment.
- 23. *The Prosecutor v. Ahmad Al Faqi Al Mahdi*:** Trial Chamber VIII remained seized of the implementation of its reparations order, which continued during the reporting period and is projected to continue in 2023.
- 24. *The Prosecutor v. Dominic Ongwen*:** On 15 December 2022, the Appeals Chamber unanimously confirmed the conviction decision and, by majority, confirmed the sentencing decision. Trial Chamber IX is seized of reparations proceedings.
- 25. *The Prosecutor v. Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud*:** On 13 May 2022, the Appeals Chamber, by majority, confirmed the Trial Chamber's decision rejecting the Prosecutor's request for the introduction of a witness' prior recorded testimony, pursuant to rule 68(2)(b) of the Rules of procedure and evidence, taken by majority. The final viva voce witness called by the Defence testified on 3 November 2022. In total, the Chamber heard the testimony of 52 Prosecution witnesses (including 22 Rule 68(3) witnesses), 2 LRVs witnesses and 22 Defence witnesses (including 8 Rule 68(3) witnesses). As at the end of 2022, the Chamber had issued over 1150 decisions, including those authorising the introduction into evidence of the prior recorded testimony of 17 Prosecution witnesses and 18 Defence witnesses pursuant to Rule 68(2).
- 26. *The Prosecutor v. Alfred Yekatom and Patrice-Edouard Ngaïssona*:** The Prosecution's presentation of evidence, which began on 15 March 2021, was ongoing throughout 2022. As at the end of 2022, the Chamber had issued over 750 decisions, heard the testimony of 53 Prosecution witnesses (including 29 in 2022) and authorised the introduction into evidence of the prior recorded testimony of 50 witnesses pursuant to Rule 68(3).
- 27. *The Prosecutor v. Paul Gicheru*:** The trial commenced on 15 February 2022 and the Chamber heard the testimony of 8 witnesses and authorised the introduction into evidence of the prior recorded testimony of 6 witnesses pursuant to Rule 68(2) and 4 witnesses pursuant to Rule 68(3). On 12 May 2022, Trial Chamber III declared the presentation of evidence to be closed. On 14 October 2022, the Chamber terminated the proceedings, following confirmation of Mr Gicheru's passing.
- 28. *The Prosecutor v. Ali Muhammad Ali Abd-Al-Rahman ("Ali Kushayb")*:** On 14 March 2022, Pre-Trial Chamber II rejected the Prosecution's application to amend the charges pursuant to article 61(9) of the Statute. The trial commenced on 5 April 2022. As at the end of 2022, Trial Chamber I had issued over 200 decisions, heard the testimony of 50 Prosecution witnesses and authorised the introduction into evidence of the prior recorded testimony of 27 witnesses pursuant to Rule 68(2) and 68 witnesses pursuant to Rule 68(3).
- 29. *The Prosecutor v. Mahamat Said Abdel Kani*:** On 8 July 2022, Pre-Trial Chamber II rejected the Prosecution's application to amend the charges against Mr Said pursuant to article 61(9) of the Statute. The trial commenced on 26 September 2022. As at the end of 2022, Trial Chamber VI had issued over 150 decisions, heard the testimony of 14 Prosecution witnesses and authorised the introduction into evidence of the prior recorded testimony of 24 witnesses pursuant to Rule 68(2) and 33 witnesses pursuant to Rule 68(3).

30. *The Prosecutor v. Maxime Jeoffroy Eli Mokom Gawaka*: On 22 March 2022 Mr Mokom made his first appearance before Pre-Trial Chamber II. On 25 March 2022, Pre-Trial Chamber II ordered the Registry to revoke its appointment of Mr Kaufman as Mr Mokom’s counsel, finding that Mr Kaufman’s representation of other clients in the Situation in the Central African Republic II constituted a conflict of interest. On 19 July 2022, the Appeals Chamber issued a judgment, by majority, reversing the Pre-Trial Chamber’s decision and remanding the issue to the Pre-Trial Chamber to provide further reasons for its decision. On 19 August 2022, the Pre-Trial Chamber issued a new decision on Mr Mokom’s legal representation, providing further reasons as instructed by the Appeals Chamber. On 19 December 2022, the Appeals Chamber issued a judgment in which it confirmed, by majority, the Pre-Trial Chamber’s decision removing Mr Kaufman as counsel for Mr Mokom.

Cooperation and Complementarity Goals

Cooperation

31. In the context of its investigations and prosecutions, cooperation with the Office of the Prosecutor (“OTP”) has been largely forthcoming and positive, while there remains scope for improvement. In line with the OTP’s upcoming Strategic Plan 2023-2025, the OTP is seeking to take a dynamic approach to cooperation, through robust engagement with States Parties, States not Party, international organisations, and other stakeholders to enhance the effective delivery of justice, at the ICC, and in other fora including at the domestic level.
32. One example of the novel approach and engagement in this regard, is the joining, on 25 April 2022, by the OTP of the Joint Investigation Team (JIT) under the auspices of Eurojust in relation to the situation in Ukraine, with the aim of enhancing the OTP’s ability to access and collect information relevant to its independent investigations, and conduct rapid and real time coordination and cooperation with the JIT partner countries. Also in the Libya situation, the OTP became a formal member of the Joint Team aimed at supporting investigations into crimes against migrants and refugees in Libya, joining relevant national authorities from Italy, the Netherlands, the United Kingdom, and Spain.
33. On the technical-operational level, with regard to some of its requests for assistance, the OTP continues to experience challenges in the execution, particularly when seeking to obtain large pools of information, or certain technical or sensitive information. The OTP continues to dedicate time and efforts to consult with the relevant authorities and identify suitable procedures that would allow for a diligent execution of its requests, pursuant to Part 9 of the Rome Statute and applicable national legislations, for all its various types of requests.
34. The OTP continues to observe in particular that gaining access to information collected by military or law enforcement personnel, information from social media and telecommunication companies and entities, financial, property and assets related information, and information on the location of suspects remains challenging. Meaningful progress has been observed as regards States’ willingness to share immigration and asylum related information with the OTP. The OTP continues to emphasize the importance of the efficient and timely execution of requests aimed at interviewing witnesses in secure environments, through a procedure that ensures the expeditiousness of the investigations. |

Complementarity

35. The OTP Strategic Plan for 2016-2018 already included a “coordinated investigative and prosecutorial strategy to close the impunity gap” (goal 9), which was followed by goal 6 in its current strategic plan 2019-2021, to “further strengthen the ability of the Office and of its partners to close the impunity gap” and also informed the Court’s strategic goal 5, which aims to “[d]iscuss and devise with States and other stakeholders new strategies to increase the ability of the Rome Statute System to address the shared responsibility to close the impunity gap, including through encouraging the domestic implementation of the Rome Statute and other measures of complementarity by States Parties (including providing support and assistance to victims), as well as developing a strategy for the completion of situations under investigation.”

36. In the coming year, the OTP is planning to launch a new initiative aimed at increasing the provision of support by the OTP to national authorities in line with the Rome Statute. It is envisioned that technological innovation in the OTP's evidence management and review systems will allow it to collect and process substantially increased volumes and diverse nature of information. This is expected to not only increase the speed of processing incoming RFAs but also allow the OTP to positively identify information due to broader nature of information available to the OTP, from witness statements to satellite imagery, call data records, open source intelligence and other modern digital evidence. The use of technological innovations to triage and identify key materials amidst increasingly large digital data sets stemming from the situations it addresses will then present a significant opportunity for the Office to increase its relevance to domestic authorities globally. The Office's ability to assist other investigative and prosecutorial bodies will thus expand considerably, increasing its ability to identify and share information for use in domestic proceedings.
37. All the same the OTP is planning to expand the range of indices that will form its indicators of performance in this field. With an additional breakdown of the relevant data, two main goals will continue to be measured under this aspect including the current Ratio of incoming RFAs and OTP's response capacity on one hand; and on the other, the Number of external initiatives or projects towards enhancing efforts by others to fight impunity (contributions to investigations/prosecutions by national jurisdictions and other judicial entities such as the Special Criminal Court for the Central African Republic; establishment of external partnerships and working arrangements; complementarity programmes).
38. As regards the Ratio of incoming RFAs and the Office response and its timeline, it has been envisioned that part of the measured indices will include the number of documents shared pursuant to a single request, potential numbers of witness statements and witnesses including with a breakdown of their various status, the variety of sources whose consents are sought before the exchange of their information with the requesting partners, as well as the nature of request – requests for technical assistance or forensic expertise. Such an expansion of the analysed indices will better inform on the Office's use of its resources in this field while assisting to clarify the timeline of response to such requests.
39. In terms of projects to enhance efforts by other actors to fight impunity, during the reporting period, Prosecutor, Mr Karim A. A. Khan QC has engaged in a number of activities in the complementarity framework. Although impact of these initiatives can be difficult to measure at the current stage, these activities are in line with the approach proposed in the 2020 KPI report,² as measurable qualitative performance indicators in this area of the Court's activities.
40. In both the situations in the Central African Republic (CAR)² and Georgia³, when concluding the investigation phase, the Prosecutor reiterated that such a completion provided a renewed opportunity to work collaboratively with competent national criminal jurisdictions to help reduce remaining impunity gaps and ultimately advance the goal of supporting new cases that might, through working in collaboration, be brought before domestic courts. Such a step is even more concrete in the extent of the situation in CAR where the OTP has been working extensively with the authorities of the CAR's Special Court in identifying and sharing relevant evidence at the OTP's possession; partnering with national authorities and international experts in the forensic analysis of remains of victims, and providing assistance on mobile phone data extraction; to assist that jurisdiction's cases.
41. In the context of the situation in Libya, in his address to the UN Security Council in April 2022, the Prosecutor expressed his desire to look at ways in which his Office can assist technically and also improve communications regarding what is needed, what are the gaps to help national proceedings take the strain of responsibility ever more effectively. In October 2022, Prosecutor Khan QC, welcomed the arrests in Ethiopia and the extradition to Italy and the Netherlands of two key suspects of crimes against victims of human trafficking and human smuggling in Libya. Those arrests and extradition took place in the context of a Joint Investigation conducted by the authorities from Italy, the Netherlands, the United Kingdom, Spain, as well as Europol, in partnership with the OTP.

² See The Prosecutor of the International Criminal Court, Karim A.A. Khan KC, announces conclusion of the investigation phase in the Situation in the Central African Republic | International Criminal Court (icc-cpi.int).

³ See The Prosecutor of the International Criminal Court, Karim A.A. Khan KC, announces conclusion of the investigation phase in the Situation in Georgia | International Criminal Court (icc-cpi.int).

42. In the spirit of October 2021's Cooperation Agreement between the OTP and the Government of Colombia⁴ concluded at the closure of the preliminary examination in that situation, and the OTP's commitment to support Colombia's accountability efforts, the OTP conducted a follow-up technical visit in Bogotá in October 2022. The mission aimed at receiving further updates on the progress on investigations and prosecutions undertaken by national authorities since the signature of the Cooperation Agreement; identifying common ways in which the OTP could continue supporting the work of national judicial authorities and obtaining a comprehensive view on relevant accountability actions being undertaken in Colombia. This also served to develop a complementarity plan which will inform a broader renewal of the OTP's complementarity policy.
43. In the situation in Guinea, the Prosecutor attended the opening of the trial related to events of 28 September 2009 in Guinea. In his speech, the Prosecutor emphasized that the situation in Guinea was an example of complementarity in action. A total of 11 accused were brought before national justice in Conakry and charged for the alleged killing or disappearance of between 156-200 people and the rape or infliction of sexual violence against 109 women.
44. In the situation in Venezuela, at the completion of his second visit in the country in March 2022, the Prosecutor emphasized that contingent on the progress made in the implementation of the 3 November 2021's MoU⁵ signed with the Government of Venezuela, the OTP and the Government agreed to work towards the organisation of meetings and conferences on international criminal justice in Caracas in 2023 aimed at promoting the exchange of experiences and best practices among States of the region. More recently in November 2022, in his statement following the application for an order under article 18(2) seeking authorisation to resume investigations in the Situation in Venezuela I, the Prosecutor reiterated his OTP's commitment to fulfil its statutory mandate while continuing to cooperate in good faith in supporting the efforts of the Venezuelan authorities to conduct domestic proceedings that satisfy the Rome Statute's complementarity requirements.
45. In the situation in Nigeria, in his discussions with the Nigerian authorities during his April 2022's visit, the Prosecutor recalled that legal criteria to open an investigation into the Situation in Nigeria were met in relation to allegations of crimes committed in the course of the non-international armed conflict between the Nigerian security forces and Boko Haram. The prosecutor agreed with those authorities that the Rome Statute required such crimes to be addressed through domestic proceedings, or failing that, by his Office. The authorities and the Prosecutor explored avenues to close the impunity gap and deliver on the legitimate expectations of justice from victims and survivors on all sides.

⁴ See <https://www.icc-cpi.int/news/icc-prosecutor-mr-karim-khan-qc-concludes-preliminary-examination-situation-colombia>.

⁵ See [acuerdo-eng \(icc-cpi.int\)](https://www.icc-cpi.int/news/acuerdo-eng).

Organisational Performance Goals

47. Overall, the Court's organizational performance in 2022 reflected positive developments in terms of attendance, information dissemination, media engagement, compliance, and efforts to improve geographical representation.
48. The Court's performance in providing access to information showed positive trends. In-person visits to court hearings significantly increased in 2022. Live streaming views data for 2022 is unavailable but will be reported with a new measurement system in 2023. Website visits and page views increased, indicating growing interest in the Court's activities. Social media followers slightly declined but still reflect strong engagement. The Court experienced more visits from the media and the public, attributed to significant judicial developments and collaborations with media outlets. Overall, the Court improved information dissemination and transparency.
49. Improvements were made in the Court's outreach performance. Various outreach activities were conducted, inviting a wider group of stakeholders with an aim to provide a firsthand exposure to the Court's operations and facilitated constructive dialogue. Furthermore, a series of online information sessions were conducted for civil society representatives in Palestine, enabling them to gain a deeper understanding of the Court's mandate and activities.
50. The Court's effective implementation of performance appraisals and performance objective setting continue to record a high compliance rate, indicating a structured and systematic approach to evaluating employee performance. The Court also made efforts to improve geographical representation, with a decrease in over-represented States Parties and an increase in under-represented States.
51. The Court's security measures focus on minimizing harm and reducing the risk of security breaches. Swift response to incidents has successfully limited the impact and prevented unauthorized access, reflecting the Court's commitment to safeguarding information and maintaining stakeholder trust. The decrease in average response time, from 60 minutes in 2021 to 12 minutes in 2022 for priority level 1 incidents, indicates improved operational efficiency through streamlined processes, enhanced coordination, and technology utilization. These improvements contribute to minimizing disruption, ensuring business continuity, and reducing financial losses from security incidents.

IV. PROPOSED WAY FORWARD

52. The proposed way forward aims to bring significant enhancement to the way the Court reports on its performance, subject to the feedback received from the Court's States Parties.

Transition to KPIs for the Strategic Plans 2023-2025

53. As part of the "ICC Strategic Plan 2023-2025", the Court has introduced a new set of ICC KPIs, comprising 27 indicators for the 10 ICC strategic goals. Furthermore, the Strategic Plans of the OTP, the Registry and the Trust Fund for Victims have also adopted organ-specific KPIs in their respective plans. These KPIs have been designed to align more closely with the high-level strategic goals, moving away from solely measuring operational performance. They will also be included in the Court's budget proposal. As outlined in the Strategic Plans, the Court will regularly monitor and report on its progress through relevant internal mechanisms.
54. Subject to the feedback received from its States Parties, the Court intends to present in next year's report on KPIs the results of the KPIs included in the 2023-2025 Strategic Plans of the Court, the OTP, the Registry, and the Trust Fund for Victims. If the proposed change is accepted, an assessment will be conducted as well to determine which of the indicators included in the present report still provide valuable insights into the Court's performance, which would justify their inclusion in future reports.

Streamline reporting on Court's KPIs

55. The Court has been submitting its KPIs report to the Study Group on Governance. At the same time, the Court has also been submitting several other reports related to the Court's performance to the ASP, through the CBF, such as the report on activities and programme performance, as well as the report on human resources management. In some instances these different reports are not coordinated in their dates of issuance, content, as well as consistency in the data provided.
56. The Court believes that greater synergy can be achieved between its KPI report and other performance reports in order to convey a better and more cohesive understanding of the Court's overall performance. The Court will work on a proposal to achieve this goal in 2023.

Annex I

JUDICIAL AND PROSECUTORIAL PERFORMANCE GOALS

A. Elapsed Time: Key Judicial Decisions and Activities

The Chambers Practice Manual represents the general recommendations and guidelines reflecting best practices, based on the experience and expertise of judges across divisions at the Court. With a view to enhancing the efficiency of the proceedings, Chambers have strived to follow the recommendations contained therein at all stages of the proceedings.

Nevertheless, the Chambers Practice Manual is not a binding instrument designed to have the same force and effect as the statutory instruments. A few of the recommended deadlines were not met due to the specific circumstances of the relevant cases or challenges related to the COVID-19 pandemic.

I. Issues Related to Pre-Trial Proceedings

Authorisation of an investigation

(para. 2) With due regard to the need for efficiency, the written decision of the Pre-Trial Chamber under Article 15, paragraph 4 shall be delivered **within 120 days** from the date the Prosecutor's request for authorisation of an investigation is filed with the Court. Any extension must be limited to exceptional circumstances and explained in detail in a public decision.

Elapsed Time

N/A

(no decision)

The First Appearance

Timing of the first appearance

(para. 7) The person's first appearance before the Chamber or the Single Judge, in accordance with Article 60(1) of the Statute and Rule 121(1) of the Rules, should normally take place **within 48 to 96 hours** after arrival at the seat of the Court upon surrender, or on the date specified in the summons to appear.

Mokom Case
9 DAYS

The right to apply for interim release

(para. 11) The Pre-Trial Chamber should specifically inform the person of this right. This is important because periodic review of detention does not start unless the Defence makes its first application for interim release (i.e. the 120-day time limit under Rule 118(2) runs from the Chamber's ruling on any such application). Applications for interim release should be disposed of as a matter of urgency and, ordinarily, decided **within 30 days**.

Mokom Case
4 MONTHS

(The decision was exceptionally issued after the recommended 30-day time frame, in order to allow the Registry to consult with the relevant States Parties.

The date of the confirmation hearing

(para. 12) According to Rule 121(1) of the Rules, at the first appearance, the Pre-Trial Chamber shall set the date of the confirmation hearing. The typical target date for the confirmation hearing should be around **four to six months** from the first appearance. Efforts should be made to reduce the average time that passes between the first appearance and the commencement of the confirmation of charges hearing.

Mokom Case
10 MONTHS

Proceedings leading to the confirmation of charges hearing

Time limit for responses under Regulation 24 of the Regulations of the Court

(para. 16) The general 21-day time limit for responses (see Regulation 34(b) of the Regulations of the Court) is incompatible with the fast pace of pre-trial proceedings. In order to avoid delay and to pre-empt the need to issue numerous procedural orders shortening the general time limit, the Pre-Trial Chamber should order that, throughout the entire proceedings leading to the confirmation hearing, any responses shall be filed **within five days**, or within another appropriately short time limit. The power to make such order stems from the chapeau of Regulation 34.

N/A

(no decision)

The charges

Elapsed Time

The factual basis of the charges

(para. 32) However, the Pre-Trial Chamber must ensure that the Defence be given adequate time to prepare (cf. Article 67(1)(b) of the Statute providing that the person has the right '[t]o have adequate time and facilities for the preparation of the defence'). While Rule 121(3) of the Rules establishes the presumption that 30 days between the presentation of the detailed description of the charges and the commencement of the confirmation hearing are sufficient, the Pre-Trial Chamber may order, in light of the particular circumstances of each case, that the Defence be informed, by way of a formal notification in the record of the case, of the intended expanded factual basis of the charges in order not to be confronted at the last possible moment with unforeseen factual allegations in respect of which the Defence could not reasonably prepare.

N/A

(no decision)

The decision on the confirmation of charges

Issuance of the decision in a timely manner

(para. 55) Pursuant to Regulation 53 of the Regulations, the Pre-Trial Chamber shall issue its decision on the confirmation of charges within 60 days after the confirmation hearing.

N/A

(no decision)

II. Deadlines Regarding Decisions of the Trial Chamber

Issuance of the Judgment

(para. 88) The written decision under Article 74 of the Statute shall be delivered within 10 months from the date the closing statements end.

N/A

(no decision)

(para. 89) In order to assist the timely issuance of the judgment, the closing statements shall begin within 90 days from the date the Presiding Judge declares the submission of evidence to be closed under Rule 141, sub-rule 1.

Gicheru Case
47 DAYS

Issuance of the Sentencing Decision

(para. 90) The written decision under Article 76 (sentencing) shall be delivered within four months of the date of the decision on conviction.

N/A

(no decision)

III. Deadlines Regarding Judgments of the Appeals Chamber

Decision to hold an oral hearing

(para. 91) In respect of appeals against conviction, acquittal or reparations orders, the Appeals Chamber shall determine, within one month of the filing of the response to the appeal brief, whether an oral hearing will be held. If no oral hearing is to be held, the written judgment shall be delivered within 10 months of the date of the filing of the response to the appeal brief, thus creating a consistent deadline with that applicable at the trial level. [...]

Ntaganda Case
10 MONTHS 18 DAYS

Elapsed Time

Issuance of Judgments on appeals against the conviction, acquittal or reparations orders

(para. 91) In respect of appeals against conviction, acquittal or reparations orders, the Appeals Chamber shall determine, within **one month** of the filing of the response to the appeal brief, whether an oral hearing will be held. If an oral hearing is to occur, this shall take place within **three months** of the filing of the response to the appeal brief. In such cases, the written judgment shall be rendered within **10 months** of the closing of the oral hearing.

Ongwen Case
3 MONTHS 24 DAYS
(Oral hearing, after the filing of the appeal brief/ judgment issued 10 months after the hearing)

Issuance of Judgments on appeals against the sentencing decision

(para. 92) As concerns the written judgment on appeals against a decision on sentencing, it shall be rendered together with the final appeal on conviction. Where there is only an appeal from sentencing without a conviction appeal, the Appeals Chamber shall determine, within **one month** of the filing of the response to the appeal brief, whether an oral hearing will be held.

N/A
(no decision)

Issuance of Judgments on interlocutory appeals

(para. 93) In respect of interlocutory appeals filed under Article 82(1)(a), (c) and (d) and Article 82(2), the Appeals Chamber shall render its judgments within **four months** from the date of the filing of the response to the appeal brief.

Al Hassan Case
4 MONTHS 6 DAYS

Mokom Case
2 MONTHS

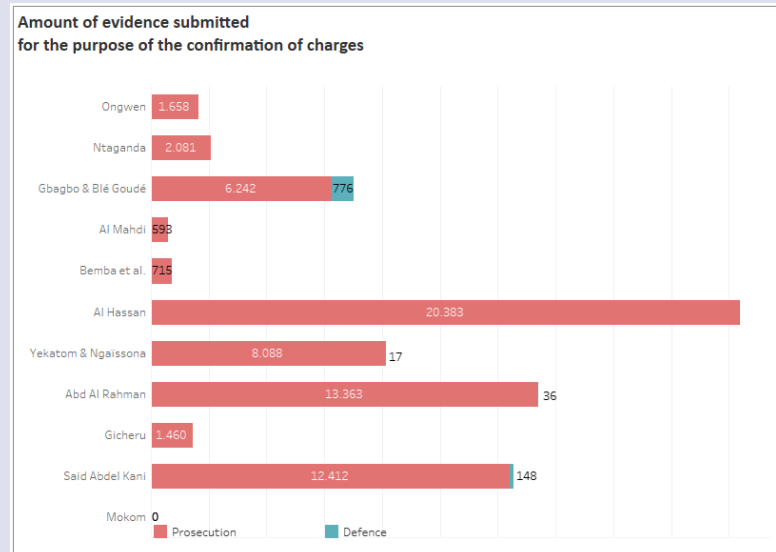
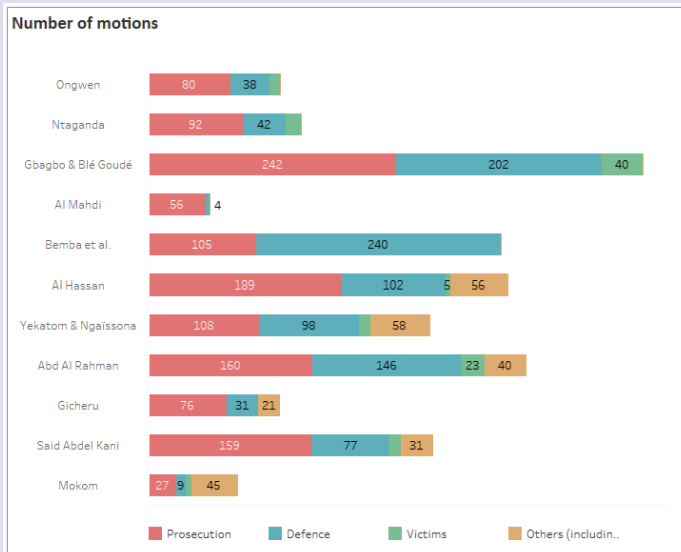
Said Case
1 MONTH 9 DAYS

B. Judicial Activity by Key Phases

1. PHASE 1 – CONFIRMATION

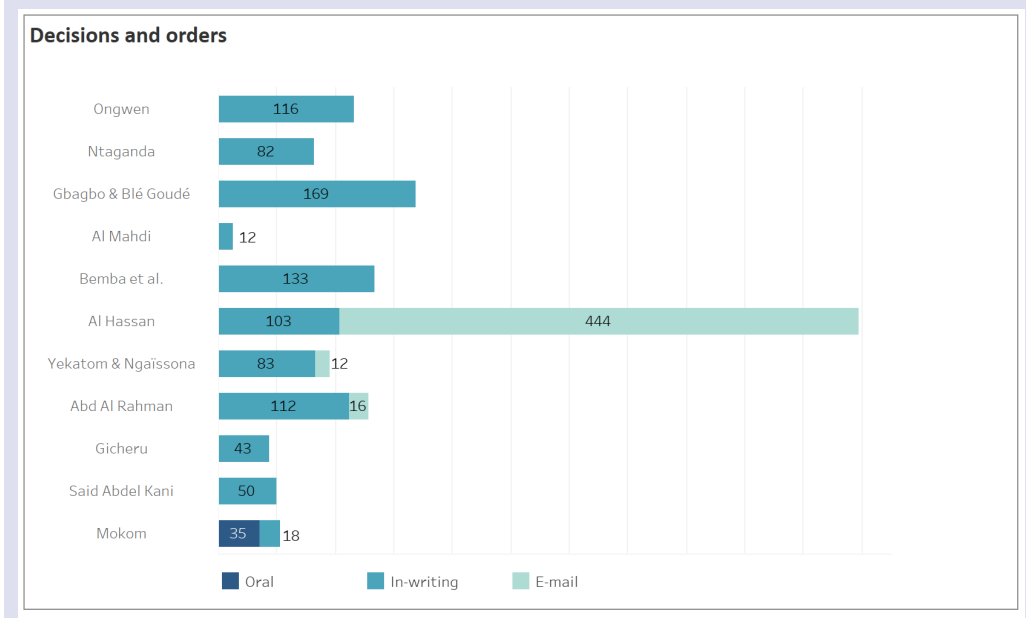
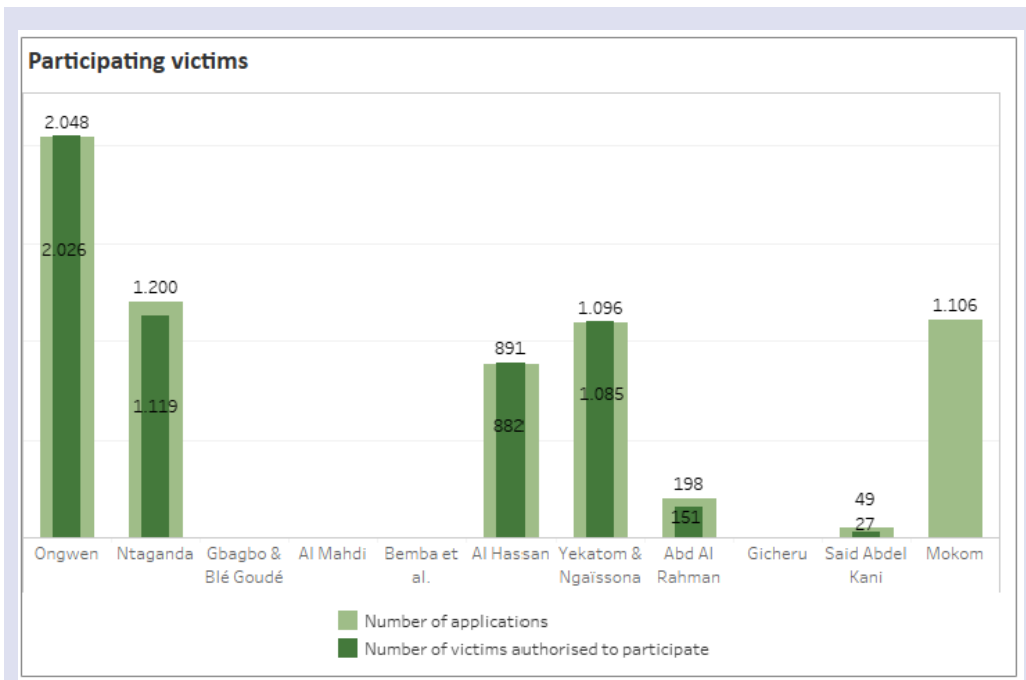
Between the first appearance and the decision on the confirmation of charges

		Time lapse between transfer of suspect in ICC custody - appointment of permanent counsel (days)	Number of charges confirmed	Number of hearing days used
Ongwen	1	16	70	21
Ntaganda	1	27	18	9
Gbagbo & Blé Goudé	2	4	4	21
Al Mahdi	1	5	1	2
Bemba et al.	5	35	42	6
Al Hassan	1	16	13	7
Yekatom & Ngaissona	2	3	42	9
Abd Al Rahman	1	10	31	10
Gicheru	1	15	8	2
Said Abdel Kani	1	32	7	6
Mokom	1	3		4



1. PHASE 1 – CONFIRMATION

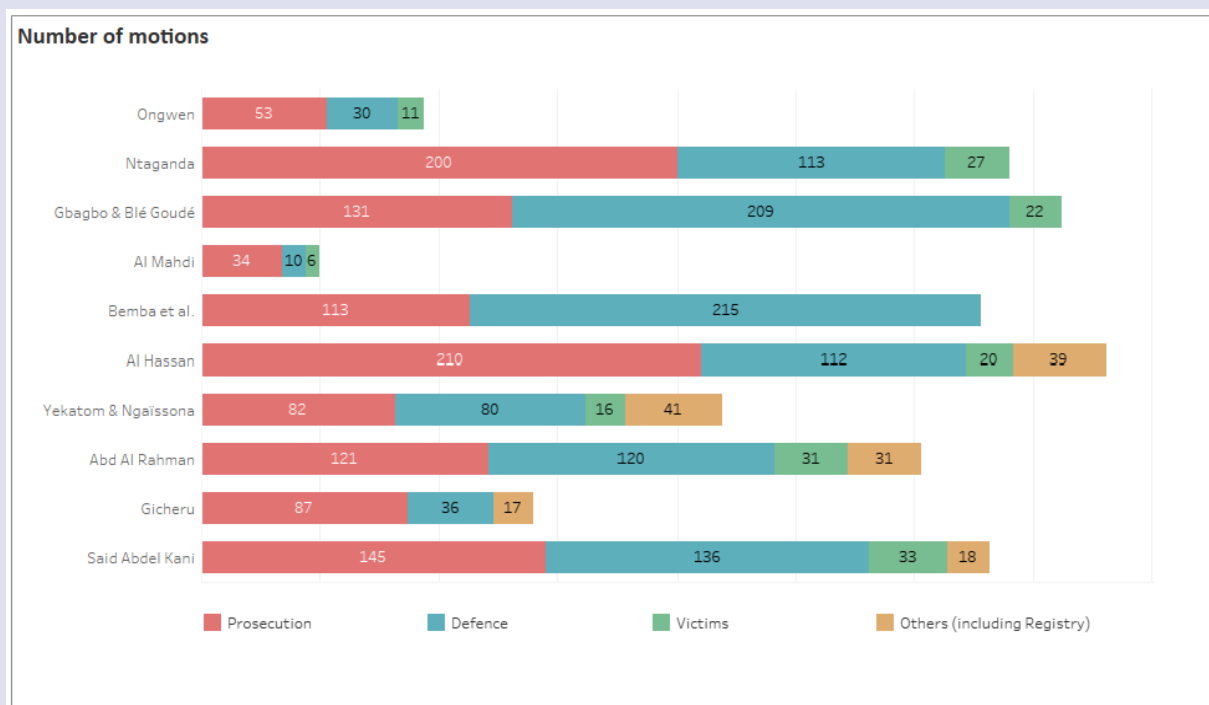
Between the first appearance and the decision on the confirmation of charges



2. PHASE 2 – TRIAL PREPARATION

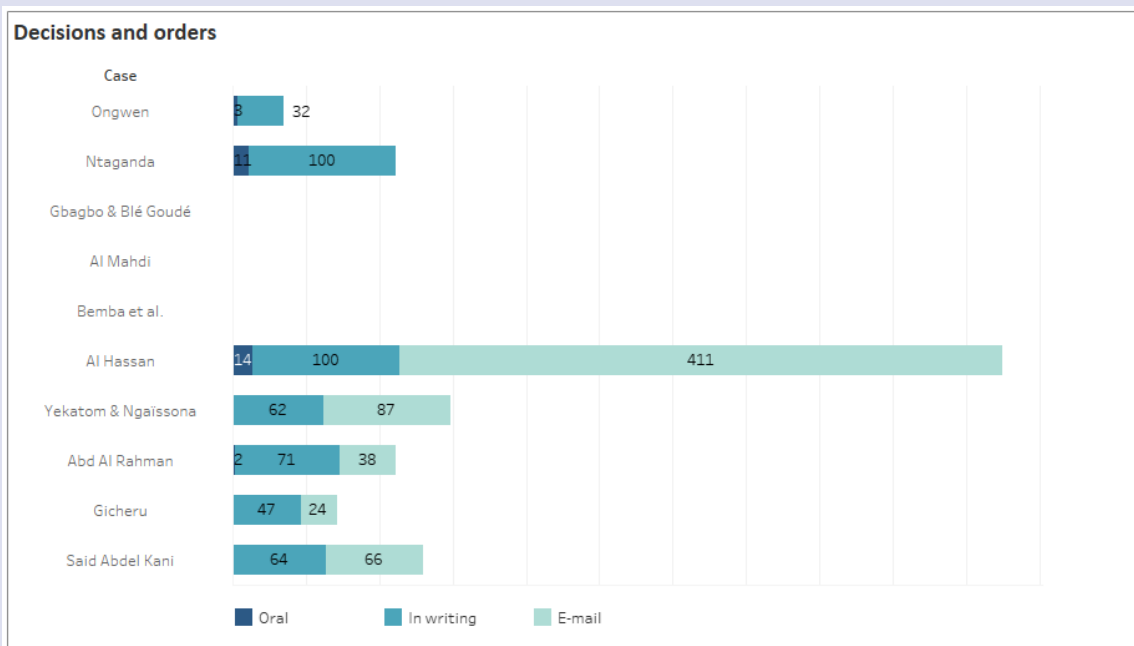
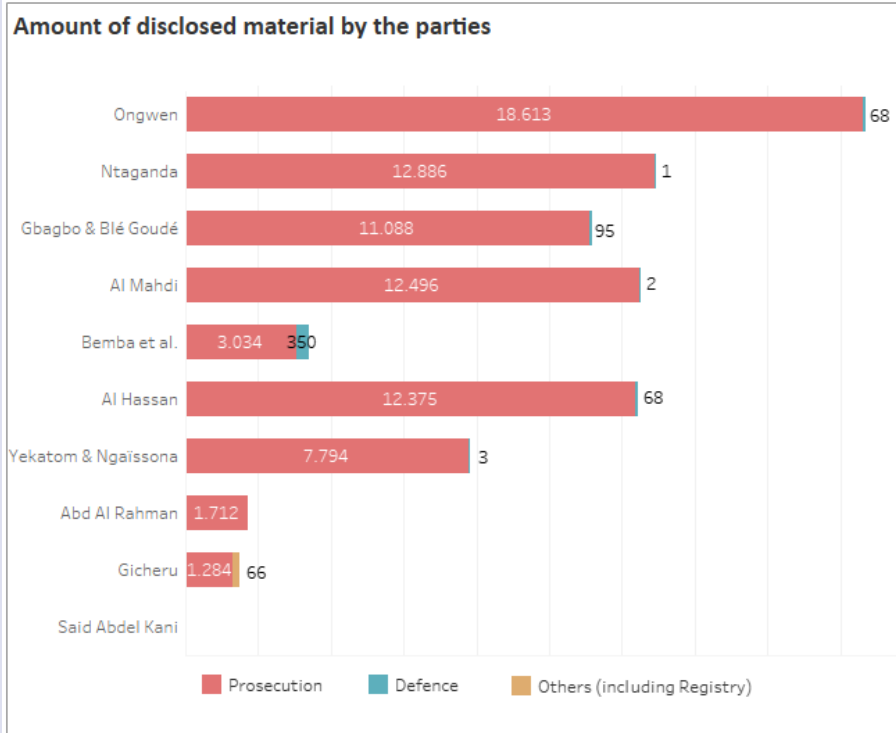
Between the decision on the confirmation of charges and the first day of the opening statements

	Number of accused persons	Number of charges
Ongwen	1	70
Ntaganda	1	18
Gbagbo & Blé Goudé	2	4
Al Mahdi	1	1
Bemba et al.	1	42
Al Hassan	1	13
Yekatom & Ngaïssona	2	42
Abd Al Rahman	1	31
Gicheru	1	8
Said Abdel Kani	1	7



2. PHASE 2 – TRIAL PREPARATION

Between the decision on the confirmation of charges and the first day of the opening statements

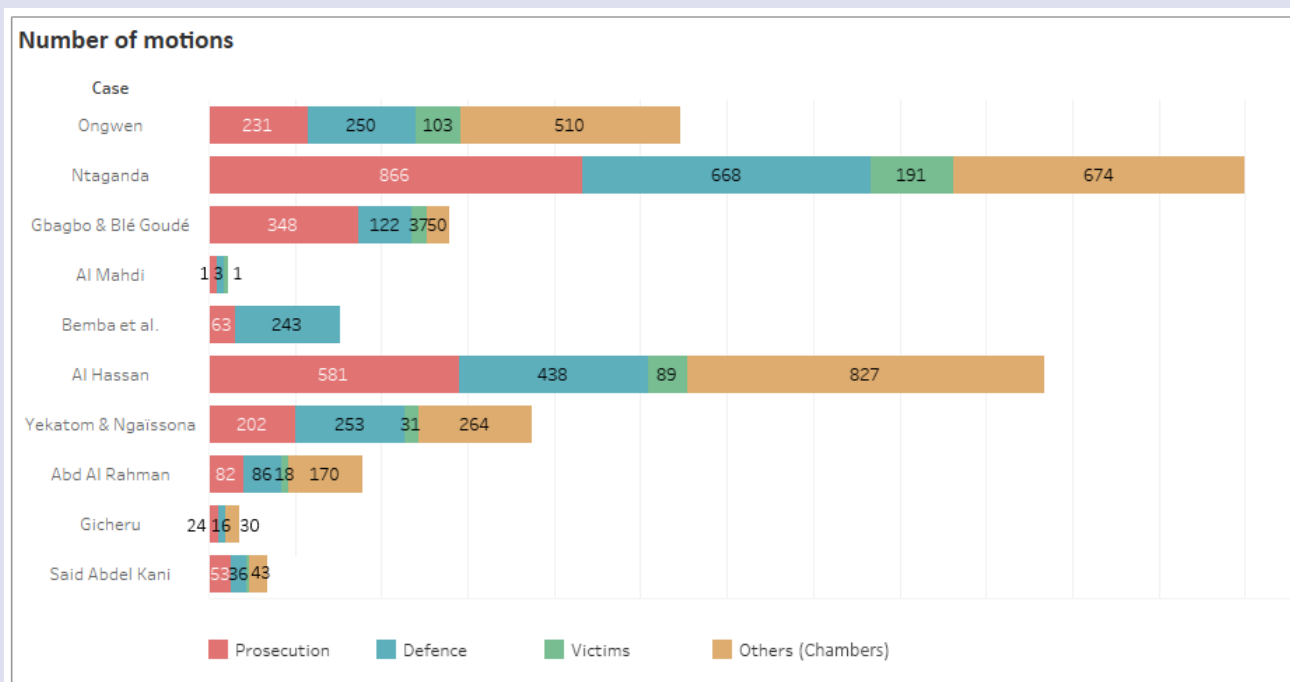


3. PHASE 3 – TRIAL

Between the first day of the opening statements and the last day of the closing submissions

	Number of accused persons	Number of charges	Time allocated for opening statements / closing submissions (days)	
Ongwen	1	70	12	11
Ntaganda	1	18	9	15
Gbagbo & Blé Goudé	2	4	8	34
Al Mahdi	1	1		
Bemba et al.	1	42	9	14
Al Hassan	1	13	6	10
Yekatom & Ngaïssona	2	42	9	
Abd Al Rahman	1	31	4	
Gicheru	1	8		2
Said Abdel Kani	1	7	8	

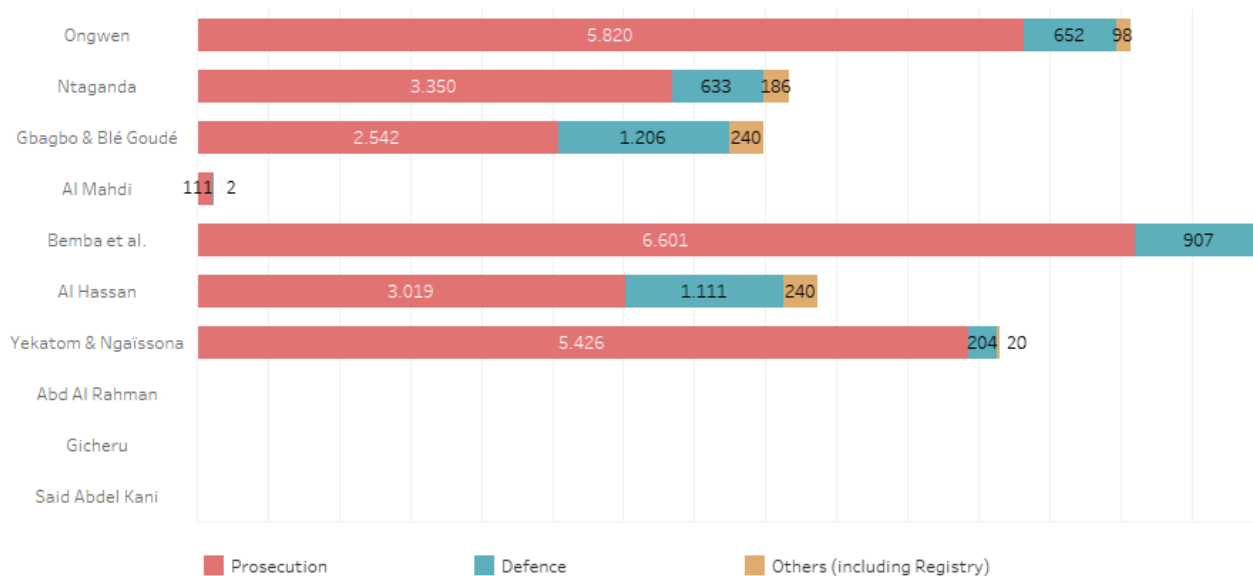
■ Time allocated for opening statements
 ■ Time allocated for closing submissions



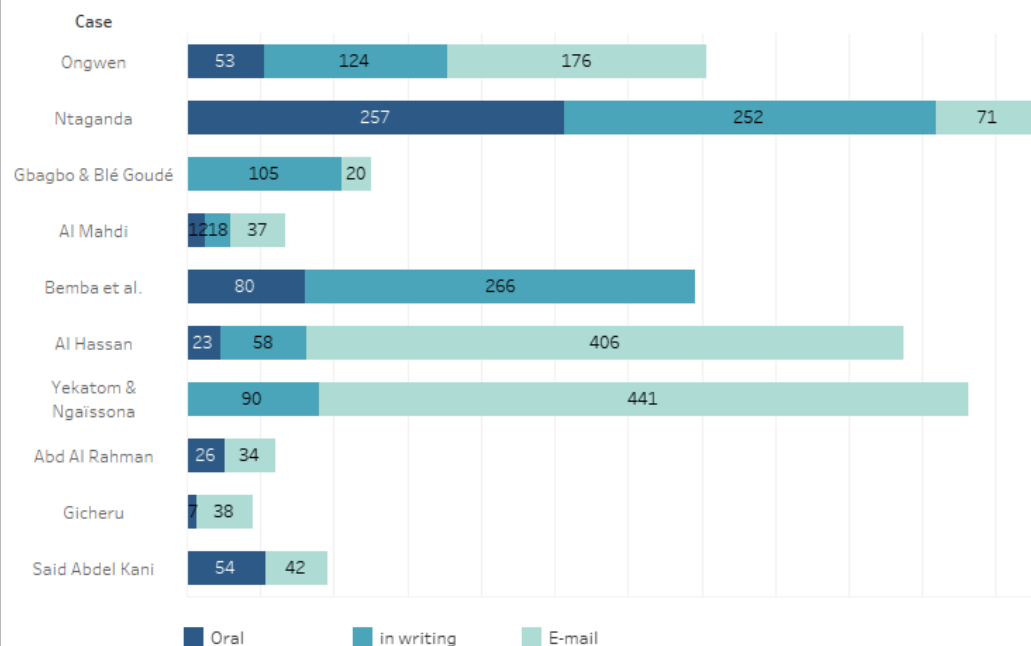
3. PHASE 3 – TRIAL

Between the first day of the opening statements and the last day of the closing submissions

Amount of disclosed material by the parties



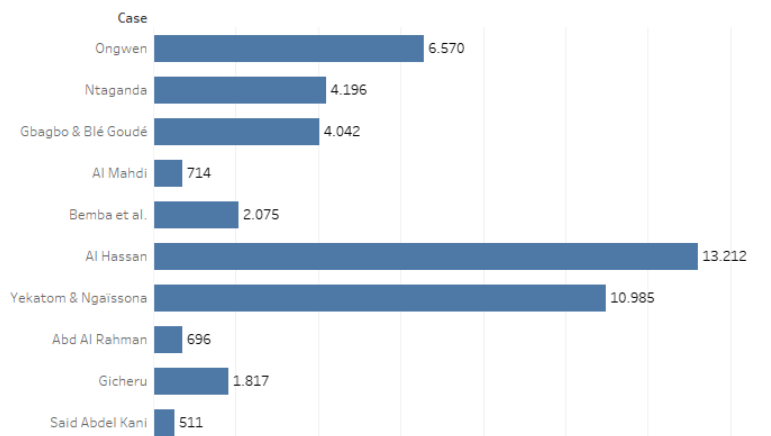
Decisions and orders



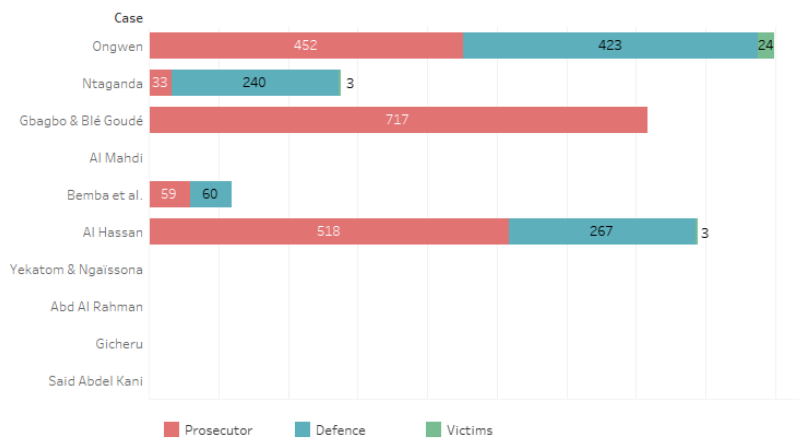
3. PHASE 3 – TRIAL

Between the first day of the opening statements and the last day of the closing submissions

Amount of evidence submitted



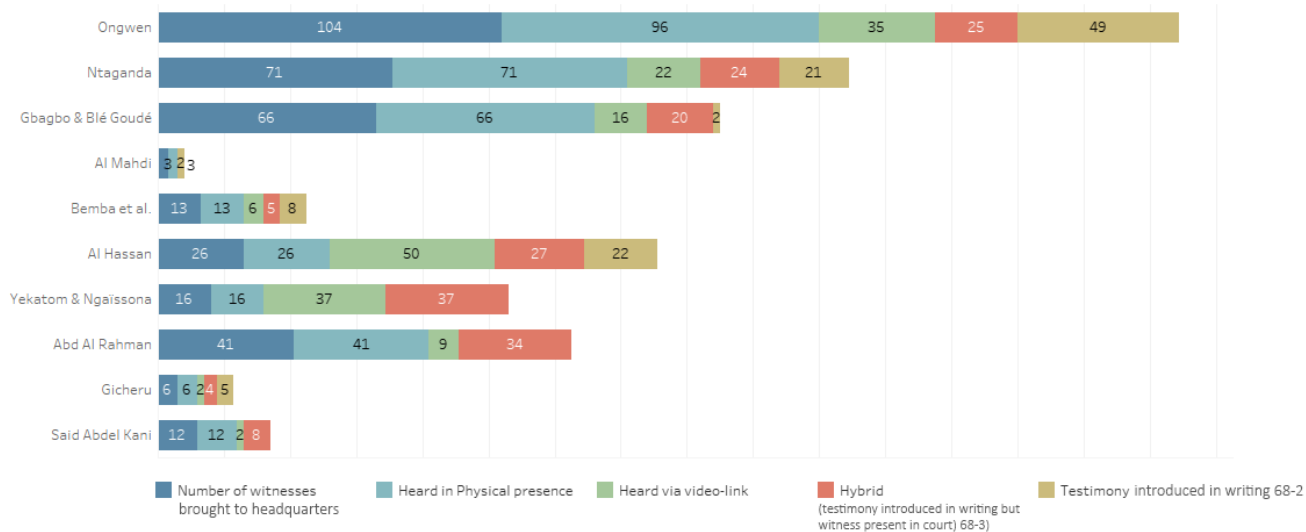
Length of the evidentiary phase



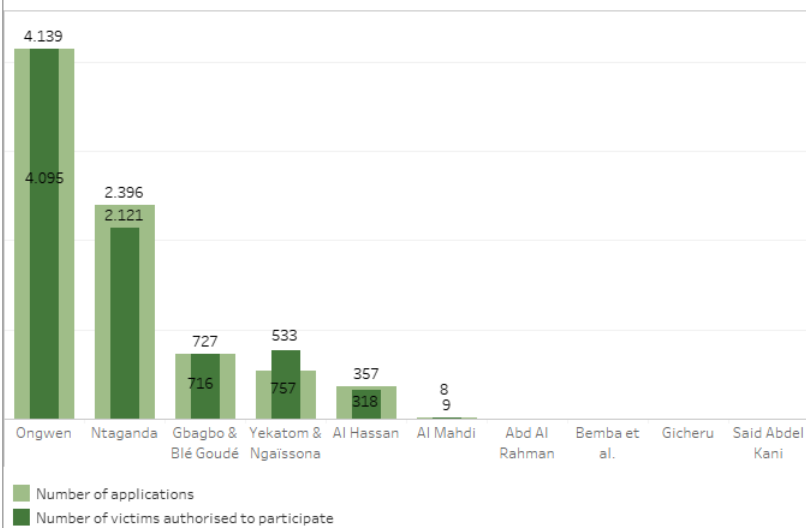
3. PHASE 3 – TRIAL

Between the first day of the opening statements and the last day of the closing submissions

Number of witnesses

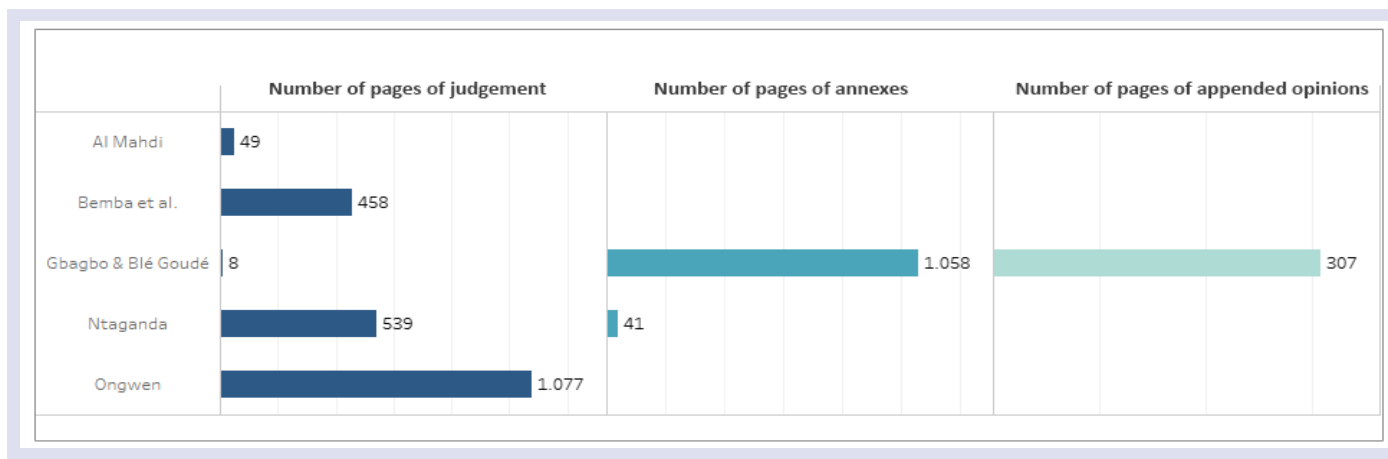


Participating victims



4. PHASE 4 – TRIAL DELIBERATIONS

Between the last day of the closing submissions and the issuance of the judgement on conviction

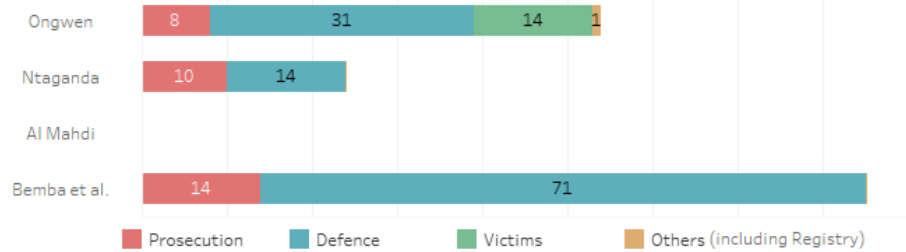


5. PHASE 5 – SENTENCING

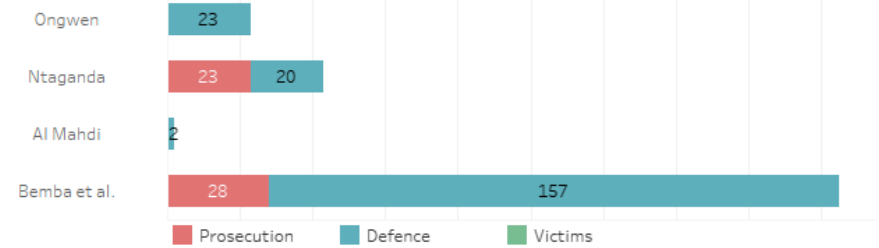
Between the issuance of the judgement on conviction and the issuance of the sentencing decision

	Number of hearing days used	Number of witnesses heard	Sentencing decision - Number of pages
Ongwen	3	0	139
Ntaganda	3	3	117
Al Mahdi	1	0	49
Bemba et al.	4	1	100

Number of motions



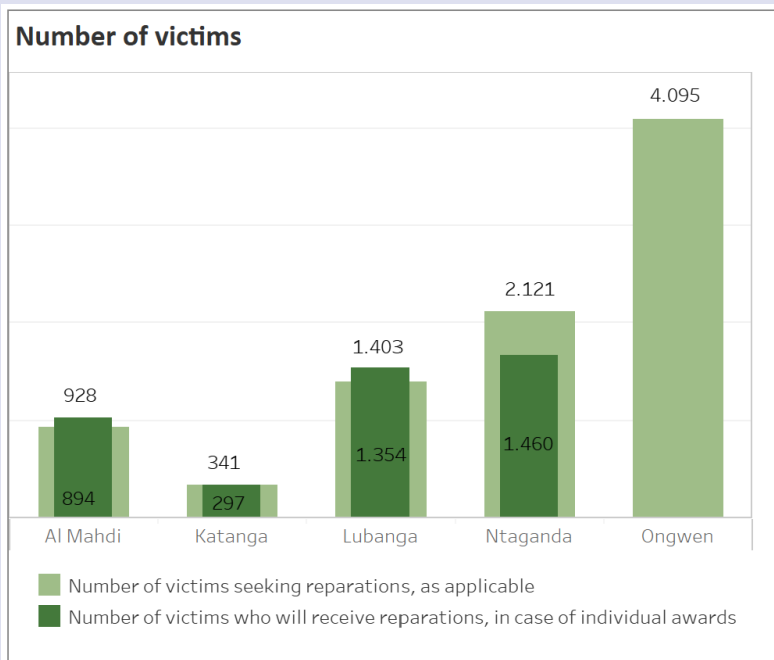
Amount of evidence submitted for the purpose of sentencing



6. PHASE 6 – REPARATIONS

Between the issuance of the judgement on conviction and the implementation of a reparations award or the approval of an implementation plan, as appropriate

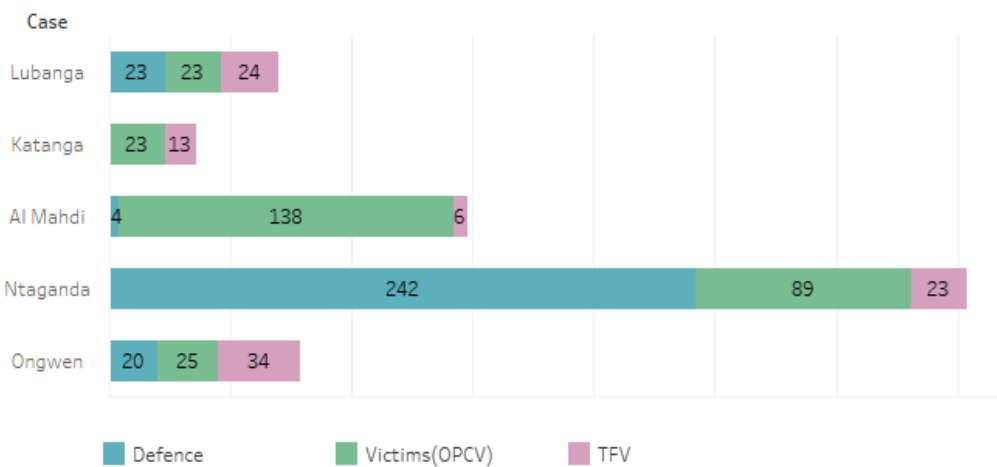
Number of hearing days used		Time lapse between Issuance of judgement on conviction and reparations decision/order	Time lapse between Issuance of reparations decision order - approval of implementation plan	
			[Symbolic reparations]	[Collective reparations]
Lubanga	2	7y4m4d	1y7m19d	5y9m114d
Katanga	2	4y1d	6m19d*	1y6m
Al Mahdi	2	1y5m9d	1y6m16d	
Ntaganda	1	11m11d	4m15d	
Ongwen	N/A	(ongoing)		



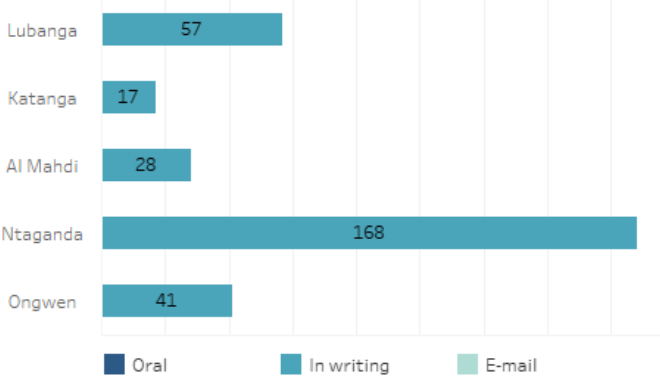
6. PHASE 6 – REPARATIONS

Between the issuance of the judgement on conviction and the implementation of a reparations award or the approval of an implementation plan, as appropriate

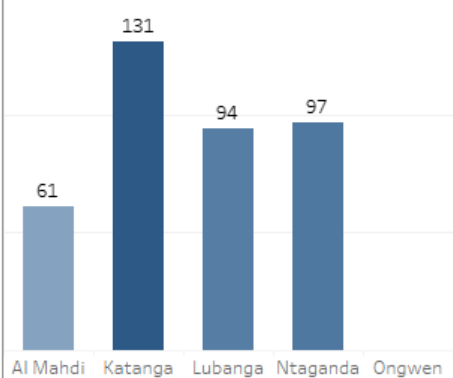
Number of motions



Decisions and orders



Reparations order (# of pages)

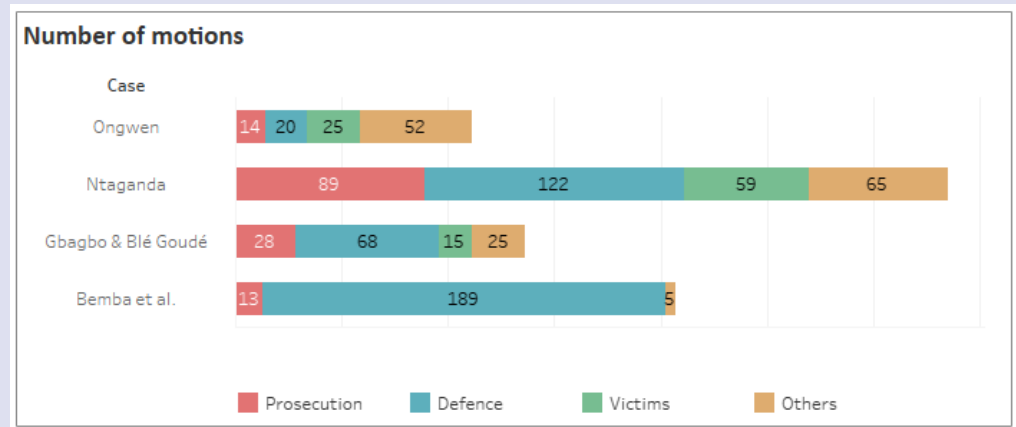
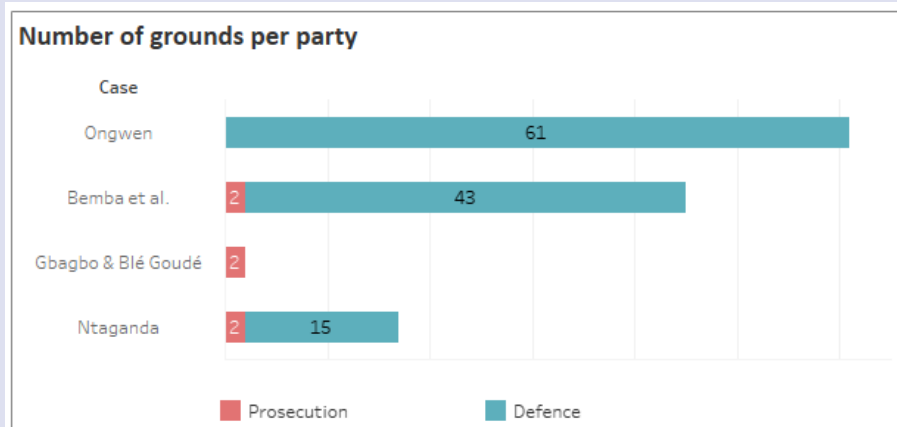


7. PHASE 7 – FINAL APPEALS

Between the submission of the first notice of appeal and the issuance of the appeals judgement

	Number of hearing days used	Number of appealing parties		Decisions and orders		
		against conviction	against sentence	Oral	In writing	E-mail
Ongwen	7	1	1		29	
Ntaganda	4	2	1		128	
Gbagbo & Blé Goudé	4	1	N/A		63	
Bemba et al.	2	5	4		52	

■ Oral ■ In writing ■ E-mail

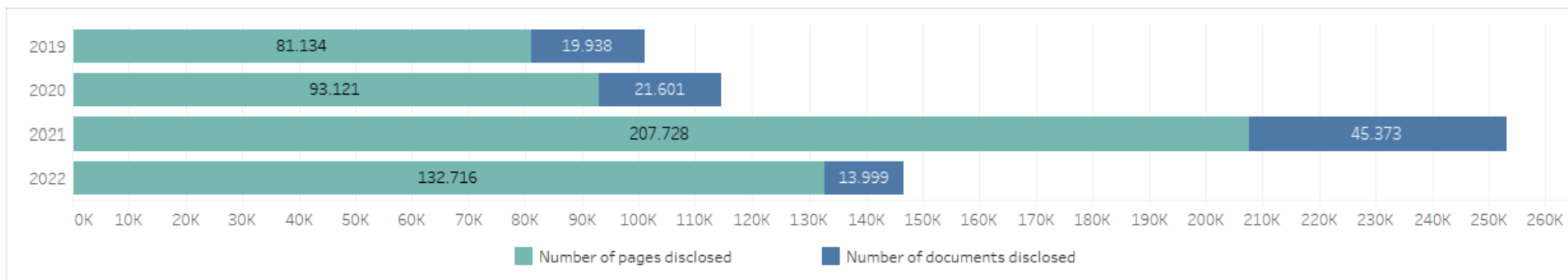


8. Interlocutory Appeals

Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	
Number of Interlocutory Appeals handled	10	19	12	7	14	17	6	7	2	8	16	14	9	
Average Duration (Days)	Between the submission of the appeal brief and the issuance of the judgement	92	49	58	87	168	147	107	92	149 days (only two OAs as follows: OA13) 3 days OA2) 295 days)	56	131	67	N/A
	Between the completion of all submissions and the issuance of the judgement	N/A	N/A	N/A	N/A	108	129	88	88	153 days (only two OAs as follows: OA13) 3 days OA2) 304 days)	85	70	47	N/A

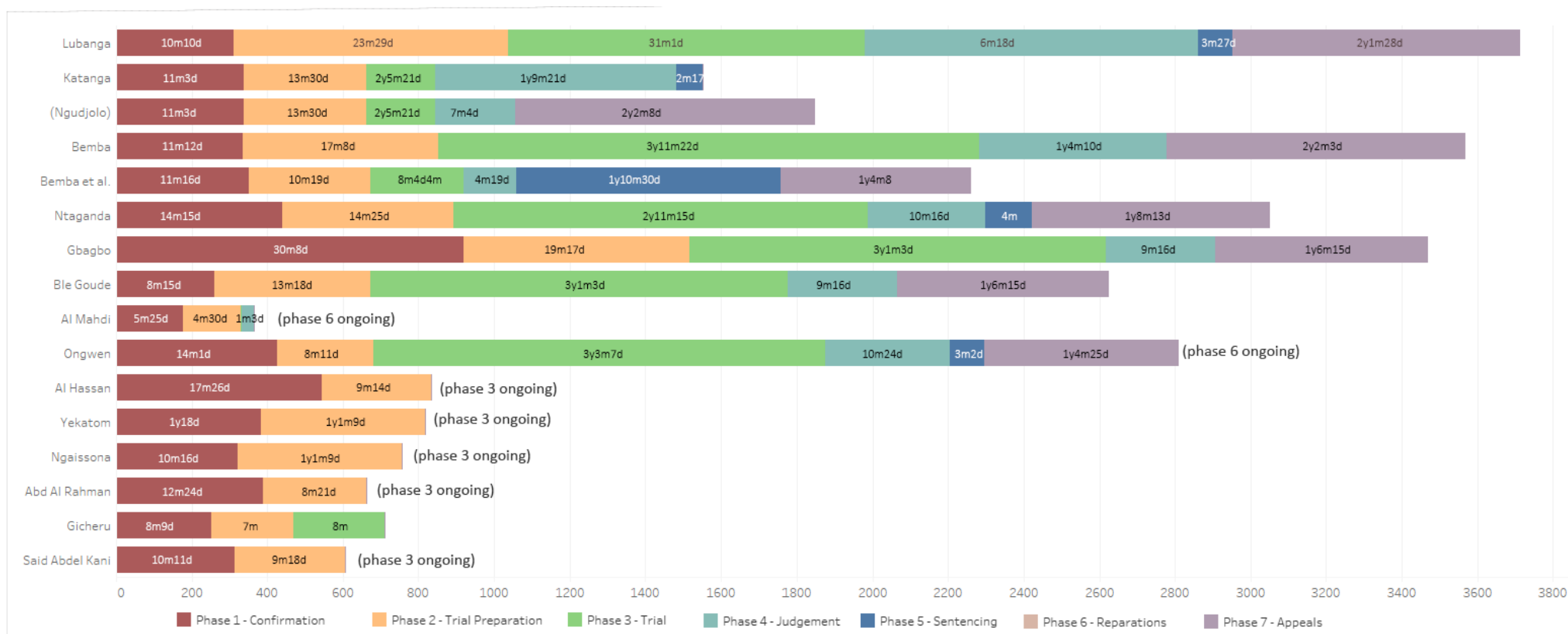
C. Overall Disclosure Figures

Office of the Prosecutor



In previous years, the Office of the Prosecutor (OTP) provided unredacted materials exclusively to Chambers. This means that for every redacted document disclosed, the Office also provided the corresponding unredacted version to Chambers. While this practice resulted in a higher number of items and pages disclosed, it also imposed a significant workload on the team. However, starting in 2022, this practice was discontinued, leading to a decrease in the workload and disclosed materials for that year.

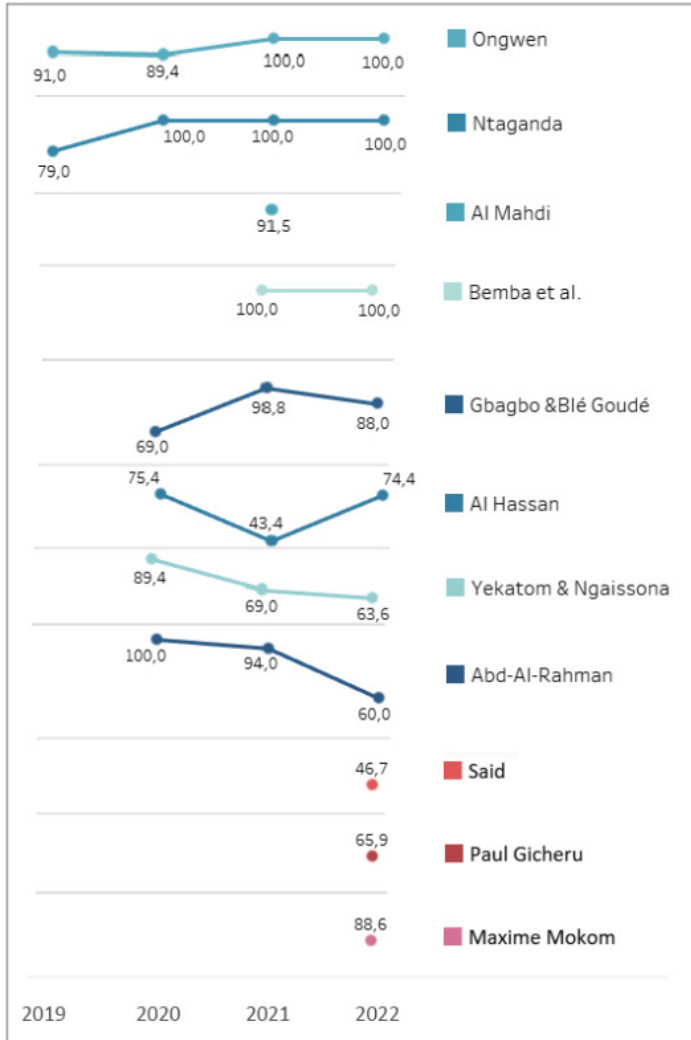
D. Duration of the Phases for Cases



E. Indicators for Publicity

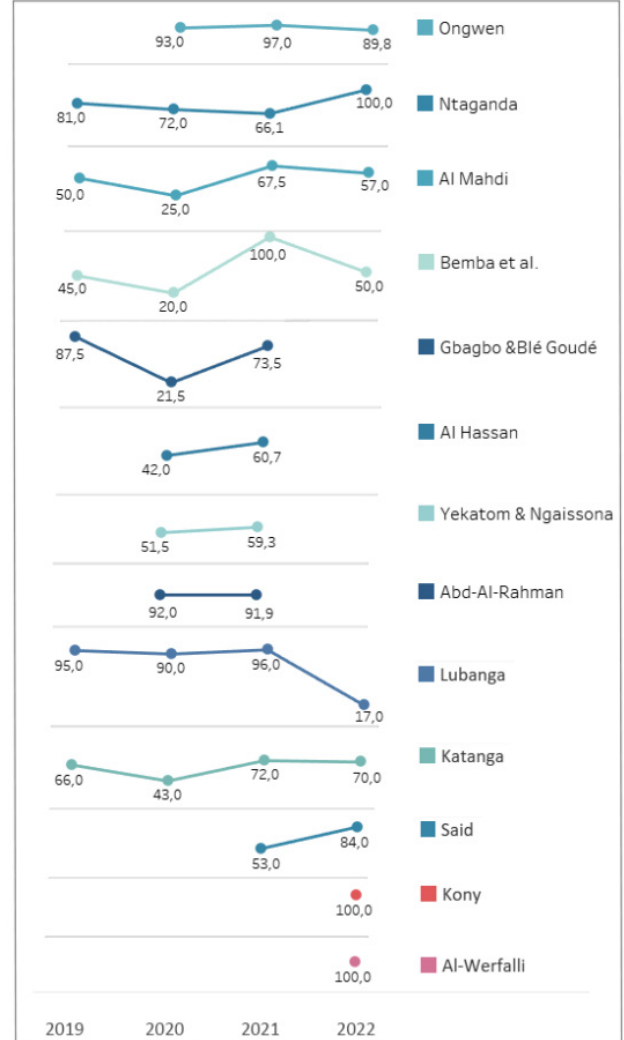
1. Courtroom Time in Public Hearings

This chart shows the percentage of the time spent in open session for all court proceedings per each case. In principle the court proceedings are held in open session (accessible to the public). There are, however, parts of the court proceedings that may be held in private session or closed session, as determined by (public) judicial order.



2. Publicity of Judicial Decisions

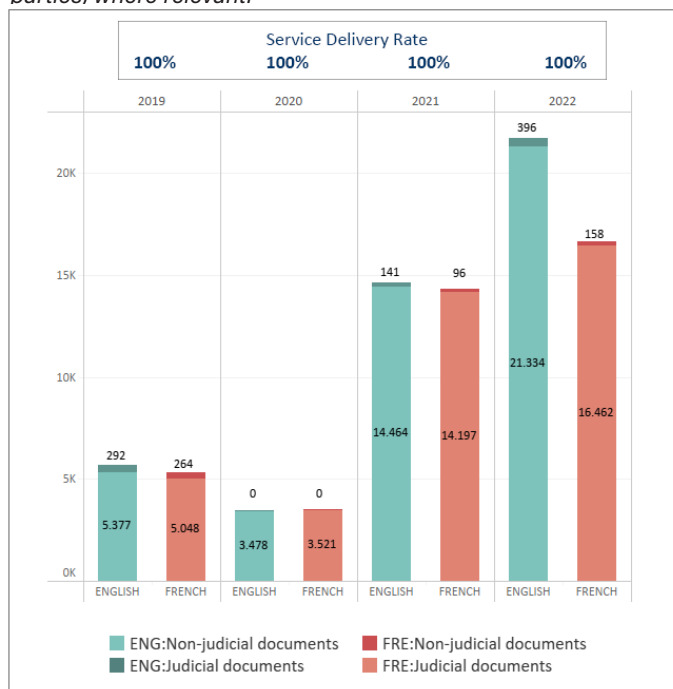
This chart shows the percentage of total judicial decisions per each case with the classification public, which means they are accessible to the public. The other classifications for judicial decision, which are not accessible to the public, are confidential, under seal and secret. The Chamber determines the classification of the decision.



F. Transcripts, Translation and Interpretation

1. Production of Original Transcripts

The data includes original verbatim transcripts in the two working languages produced for all in-court proceedings of the ICC in support of judicial activities. The original version may contain confidential information and is only accessible to the Chamber and parties, where relevant.



In 2022, the workload of transcripts experienced a steady increase, reaching a total of 37,376 pages. This significant growth in workload highlights the substantial increase in judicial activities over the two years, with a remarkable 534% increase compared to 2020. These figures demonstrate the Court's ability to handle and manage a higher volume of transcripts, and its capacity to adapt and support the growing demands of the judicial processes.

Despite the significant increase in the transcripts service requests, the service delivery rate remained at 100%. This indicator reflects a strong business performance in meeting customer demands and ensuring timely and accurate delivery of services.

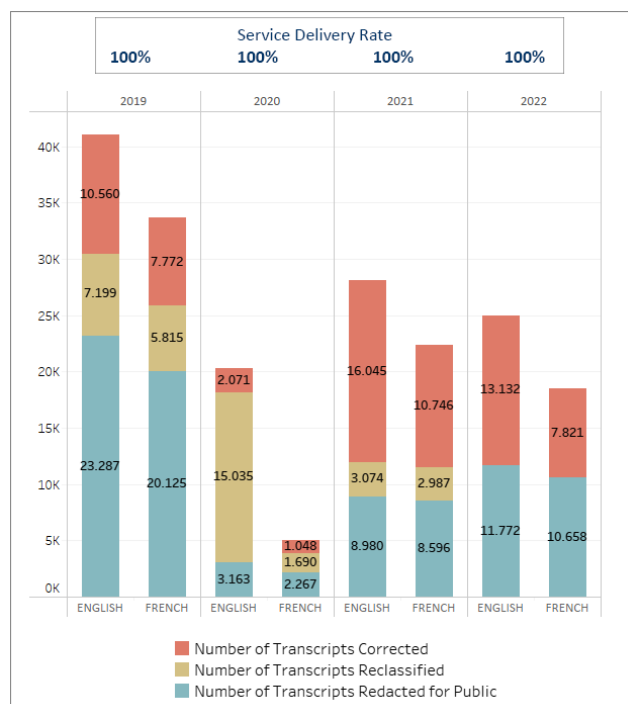
It also implies efficient resource management, effective workflow processes, and a commitment to customer satisfaction.

2. Correction/Reclassification/Redaction of Transcripts

Reclassification of the original verbatim transcripts is subject to a judicial determination and is implemented only upon order of a Chamber, and may occur on the request of any party or proprio motu by the Chamber.

Redaction(s) to the original verbatim transcripts is subject to a judicial determination and is implemented only upon order of a Chamber, and may occur on request of any party or proprio motu by the Chamber. Public edited versions of the verbatim transcripts do not contain confidential information or any information for which a redaction order was issued by the Chamber.

Verification for accuracy or completeness of the verbatim transcript may be requested by any party and the Chamber, and corrections will be implemented where applicable.



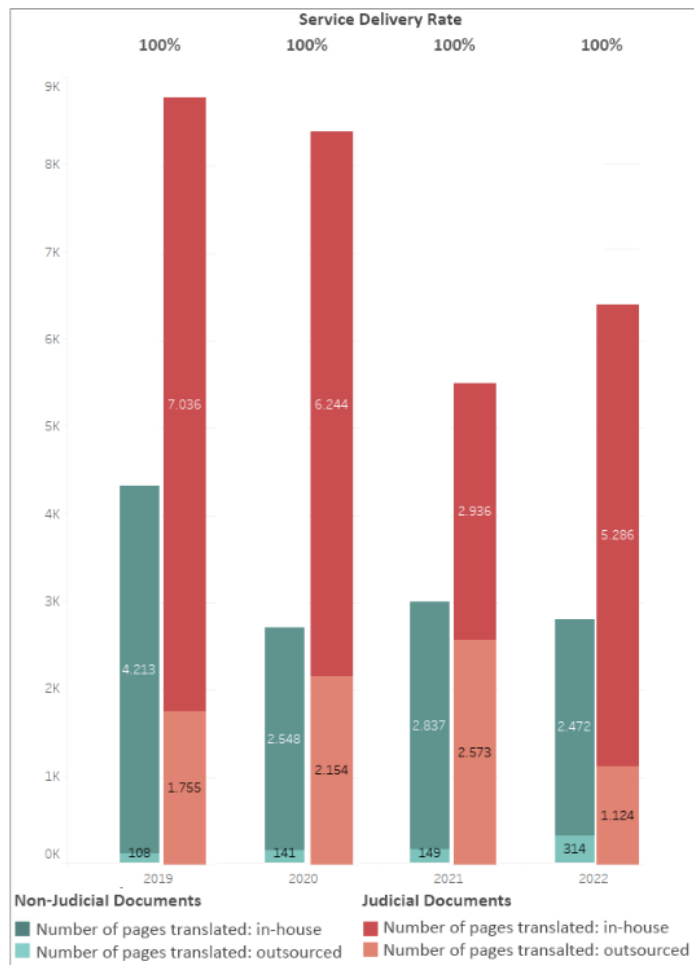
The trend in original verbatim transcript verification requests (resulting in corrections applied to transcripts) /reclassification/redaction fluctuates as the delivery of such service could refer to the original verbatim transcripts from previous years.

The data shows an increasing number of requests for verification of accuracy or completeness of the verbatim transcripts by the parties, resulting in corrections to the transcripts.

Requests for reclassification, redactions and verifications (corrections) of the original verbatim transcript can also pertain to foregoing years and are not directly linked to the reporting year.

3. Translation: Service Provision

The data shows a year by year comparison for the number of pages translated, by the type of translation documents (judicial documents, non-judicial documents). The data also indicates how many pages are translated by in-house translators or external freelance translators. This indicator assists the Court in evaluating the performance of the translation function, optimizing resource allocation, improving efficiency, and ensuring effective management of translation services.



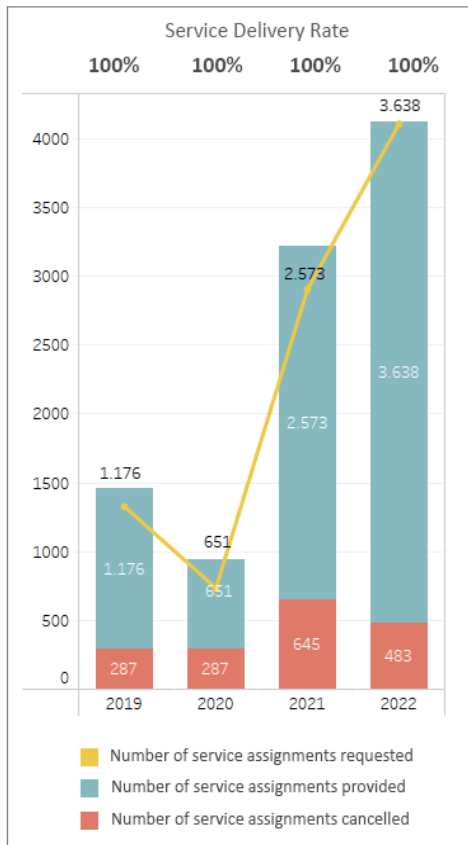
In 2022, there was a notable increase in the translation of judicial documents, which reflects the Court’s heightened judicial activities during that year.

Furthermore, the data for 2022 reveals a significant rise in the number of pages translated in-house compared to previous years. This increased utilization of in-house translators, as opposed to external freelance translators, may suggest cost-effectiveness in delivering translation services.

However, certain service requests pertaining to the translation of local languages necessitate flexibility in the workforce, which is achieved by engaging freelance translators. In the Court’s Registry, dedicated translation teams are available for English and French languages. For all other languages, translation tasks are outsourced or handled by interpretation teams such as for Arabic, Sango, Fur, and Sudanese Arabic, or by field interpretation teams for Zaghawa.

This approach allows the Court to address the diverse linguistic requirements efficiently by leveraging external resources and the expertise of interpretation teams specialized in specific languages.

4. Courtroom Interpretation

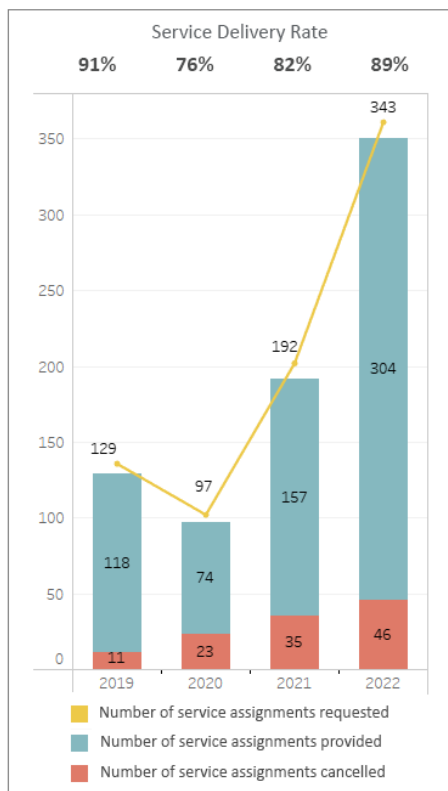


The data includes both judicial events (courtroom interpretation) and non-judicial events (conference interpretation). The number of services (requested and provided) is calculated in days. One service request may encompass one or more days of service, depending on the interpretation needs.

The performance in 2022 clearly indicates the high surge in courtroom interpretation, marking a total of 3,638 interpreter days. In addition to English and French, Standard Arabic and Sango were requested the most.

141 requests were made for non-judicial events, covered remotely at times, supporting various meetings with the States Parties and internal events. The languages used apart from French and English were mostly Spanish and Standard Arabic.

5. Field and Operational Interpretation



The Court's Field and Operational Interpretation (FOI) team provided liaison interpretation support for 12 situations before the Court in 18 different languages, namely Acholi, Sudanese Arabic, Standard Arabic, Cebuano, French, Fur, Georgian, Lingala, Burmese, Kirundi, Russian, Sango, Songhay, Congolese Swahili, Standard Swahili, Tagalog, Tamasheq and Zaghawa.

In total, 343 service requests were made by different clients, a significant increase on 2021. Altogether, 902 field interpreter days were provided by FOI at Headquarters, in the field and remotely, to meet the service needs.

Registry activities supported by FOI included defence counsel field missions, field activities of the Office of the Public Counsel for Victims and missions to situation countries and elsewhere of the Victims and Witnesses Section (VWS) staff. Field interpreters were also deployed at Headquarters to provide services to the Detention Centre, to the Registry Legal Office for Rule 68 witness certification, to the VWS to facilitate meetings with victims, as well as to support witness familiarization, psychosocial, vulnerability and protection assessments.

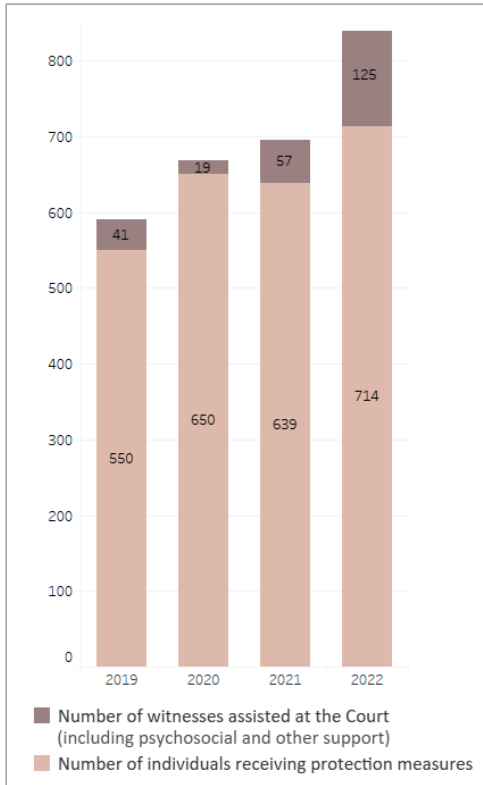
In 2022, field interpreters also contributed to the interpretation of witness testimony in languages of lesser diffusion during hearings in the Al Hassan case, namely Songhay and Tamasheq, and in the Abd-Al-Rahman case, namely Fur.

G. Victims and Witness-Related Services

1. Number of Individuals Who Received ICC Support

The Victims and Witnesses Section (VWS) is responsible for the appearance of witnesses (in person or via video link) in every case before the Court. In addition, the VWS is responsible for the protection of victims, and witnesses (and their dependents) where a risk to them exists owing to their engagement with the Court.

The data shows the number of individuals who received support from the Court by four support categories. The data includes the number of supported individuals with financial impact and without financial impact.



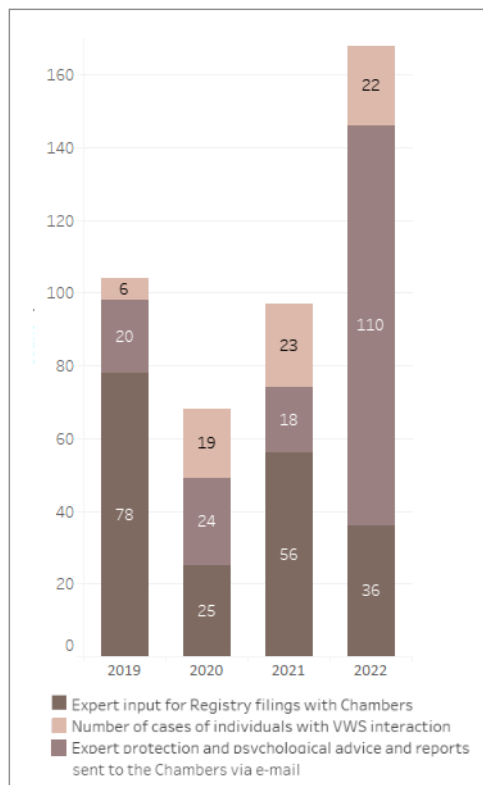
The increase in the number of individuals assisted by the Court in 2022 can be attributed to the increased judicial activity during that period. Witnesses were called to testify in four different cases, specifically related to the Mali and Sudan/ Darfur situations, as well as two Central African Republic cases, including the Yekatom & Ngaissona case and the Said case.

The greater number of hearings conducted in these four cases resulted in a higher demand for witness assistance provided by the Court’s Victims and Witnesses Section.

The increase in the number of protected persons can be attributed to two cumulative factors. Firstly, new protection cases are continually being accepted into the ICC Protection Program (ICCPP). Additionally, there is a backlog of “historical cases” that await cooperation from States in implementing protection measures and facilitating international relocation.

Until the Court receives support from the States Parties, these pending cases contribute to an increased waiting time for witnesses between their acceptance into the ICCPP and their relocation to a host State for long-term protection.

Overall, the surge in judicial activity and the subsequent impact on witness assistance, protection cases, and expert advice highlight the Court’s commitment to ensuring the well-being and effective participation of witnesses and victims in its proceedings.



These figures demonstrate the active engagement of the Victims and Witnesses Section in supporting witnesses and providing necessary advice and information to the Chambers. The significant number of instances of psychological advice highlights the attention given to the well-being and mental health of witnesses throughout the proceedings. The prompt and comprehensive responses to the Chambers’ inquiries reflect the commitment of the section to facilitate smooth proceedings and ensure effective communication between different parties involved.

The data illustrates that in 2022, the Court’s Victims and Witnesses Section interacted with witnesses in 22 cases.

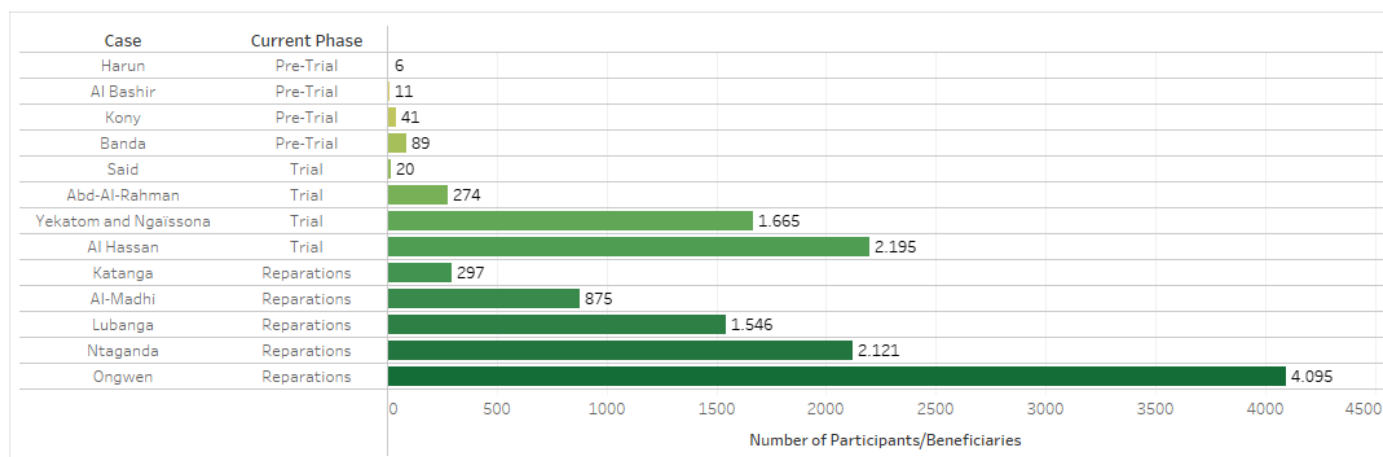
The rise in judicial activity also led to an enhanced contribution from the Victims and Witnesses Sections in terms of filing reports to the Chambers. Furthermore, the number of instances of expert advice sought in protection and psychological matters also increased compared to the previous year.

Out of the total of 110 instances of advice provided to the Chambers, 43 were related to psychological matters, while 67 involved responding to the Chambers’ requests and queries.

2. Victim Participation

The Victims Participation and Reparations Section (VPRS) assists victims of crimes within the jurisdiction of the Court in gaining access to the Court and to relevant judicial proceedings. It acts as the entry point and key facilitator for victim applications for participation in judicial proceedings and reparations; it handles the legal assessment and storage of victim data and reports to the various Chambers in all cases and situations.

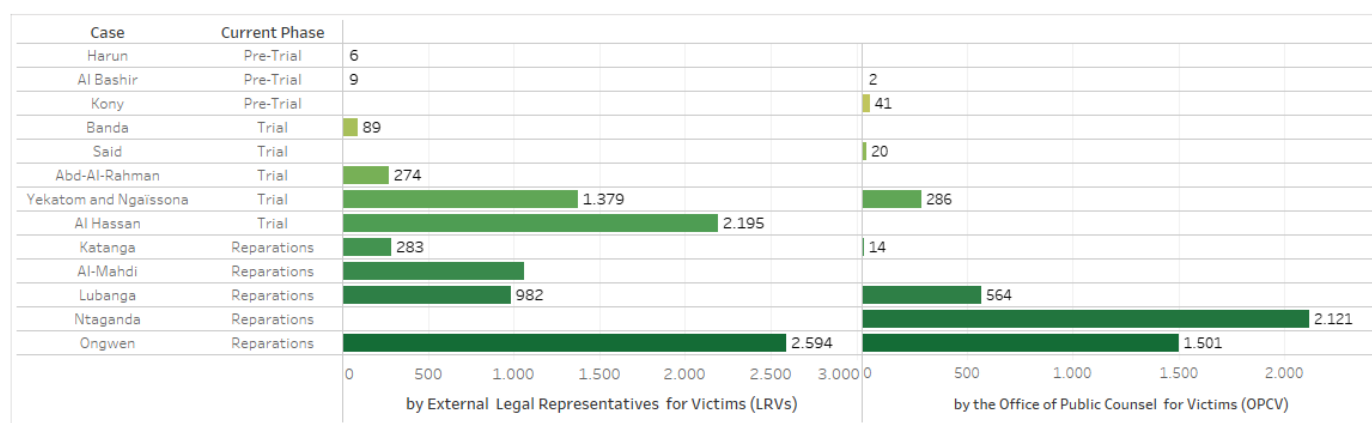
The data shows the number of victims participating in proceedings or the number of beneficiaries of reparations as of 31 December 2022.



In 2022, the Court's Victims Participations and Reparations Section received 6,539 new applications for participation and/or reparations, follow-up forms providing additional information across cases, representations pursuant to proceedings under article 15 and 18 of the Rome Statute, as well as consultations on legal representation (Mokom case). In 2022, the greatest number of applications were received in relation to the situation in Ukraine (1,686 applications), the Abd Al Rahman case (1,188 applications) and the Yekatom and Ngaïssona case (1,052 applications).

3. Victim Legal Representation

The data shows the number of victims participating in proceedings or the number of beneficiaries of reparations per legal representative as of 31 December 2022. The data on the number of victims represented includes only the victims who were participating in proceedings/beneficiaries of reparations in 2022.



In the Yekatom and Ngaïssona Case, the number of victims reported to have been represented by the LRVs is a joint OPCV/External counsel team. In the Ntaganda Case, the number of victims reported to have been represented by the OPCV were 2 teams of OPCV counsel (1 team for the victims group of child soldiers and 1 team for the victims of attacks).

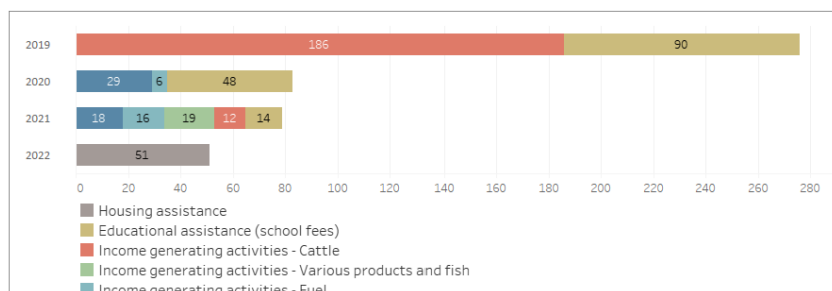
H. Reparations

In 2022, the Trust Fund for Victims implemented Court-ordered reparations in the Katanga, Lubanga, and Al Mahdi cases. The Trust Fund paid for the implementation through voluntary contributions received primarily from the States Parties.

Katanga Case

Collective Reparations

Number of Victims/Beneficiaries Supported by Programme



On 24 March 2017, the Trial Chamber issued an order for reparations against Mr Germain Katanga, awarding USD 1 million for individual and collective reparations to 297 victims of the case. The Trust Fund has fully complemented the payment of the award with its voluntary contributions.

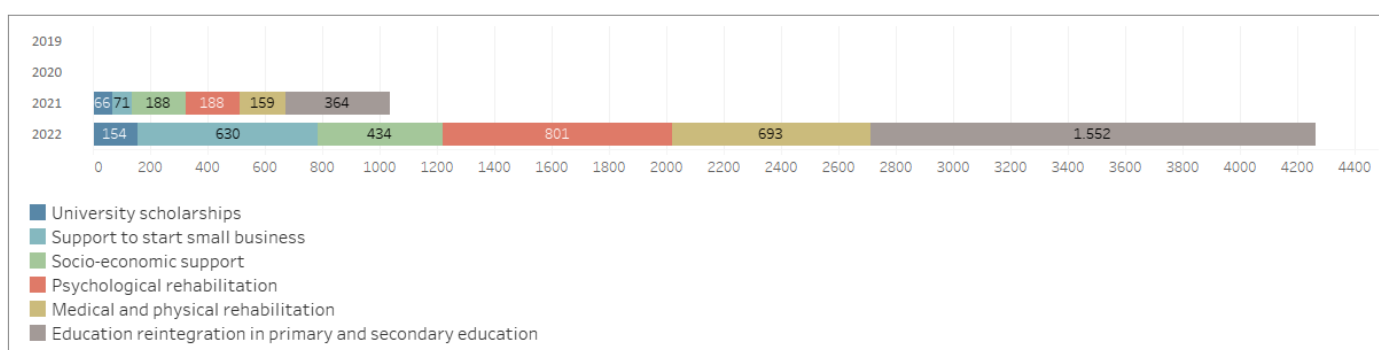
The modalities of the collective reparations awarded were: (i) housing assistance; (ii) educational assistance; (iii) income generating activities; and (iv) psychological support. All beneficiaries were awarded a budget based on the harm they suffered. They were free to select income generating activities they would like to benefit from in accordance with their needs and preferences. Therefore, any information concerning relevant data pertaining to specific types of income generating activities was fully dependent upon the wishes expressed by the beneficiaries of reparations. Similarly, beneficiaries were also free to decide the extent of the budget they would like to dedicate to education support. Lastly, beneficiaries were able to amend their previous choices, which explains often the smaller follow-up numbers. This shows the extent to which the Trust Fund, with the support of the Legal Representatives, ensured that wishes expressed by victims are adequately met. By the end of 2022, only a few beneficiaries were yet to receive housing assistance and motorcycles, as all other modalities had been fully implemented, and psychological support was ongoing for eligible beneficiaries.

Lubanga Case

Collective Reparations

Number of Victims/Beneficiaries Supported by Programme

The reported number of beneficiaries includes the victims who were still benefitting from the programme as of 31 December 2022.

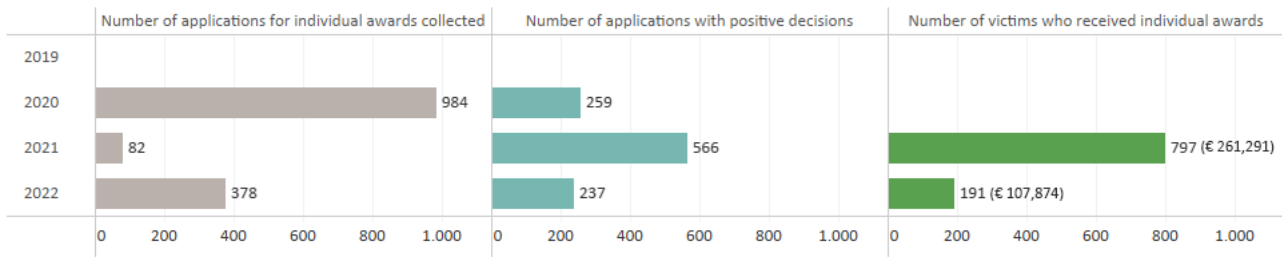


On 12 September 2022, the Appeals Chamber issued its judgment on the Reparations Order, partially reversing the order and directing the Trial Chamber to issue a new order for reparations taking into account the terms of its judgment. Once the new order is issued, the TFV will need to adapt the draft implementation plan before the final approval of the Trial Chamber can be granted. Meanwhile, the implementation of the initial draft implementation plan (IDIP) for victims in urgent need continued.

Al-Mahdi Case

Individual Awards

Number of Victims who Received Individual Reparations



In 2022, the Board of Directors, through TFV Board Vice-Chair Ibrahim Yillah, took 237 administrative decisions on eligibility for individual reparations. One hundred and ninety-one individuals received reparations awards in the form of compensation/symbolic compensation over the course of 2022.

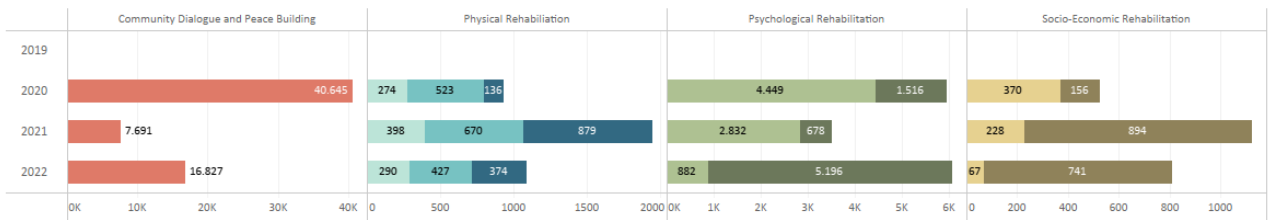
I. Other Projects for the Benefit of Victims

In line with Rule 98 of the Rules of Procedure and Evidence of the Court, the Trust Fund for Victims has implemented projects for the benefit of victims in situations where the Court exercises jurisdiction. In 2022, projects for the benefit of the victims were implemented in five situations, through 22 implementing partners.

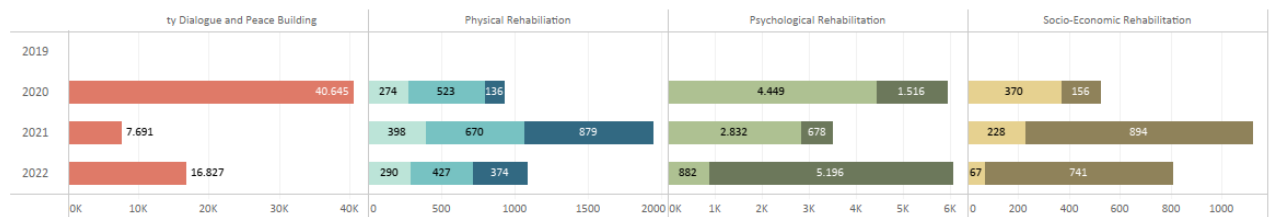
Number of Individuals Who Received/are Receiving Assistance Programme: by Countries

One individual can benefit from one or more than one sub-programmes.

UGANDA Total 25,984 beneficiaries assisted



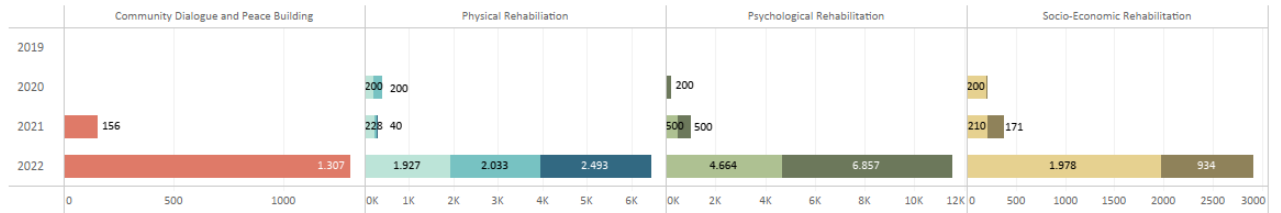
DEMOCRATIC REPUBLIC OF THE CONGO Total 9,828 beneficiaries assisted





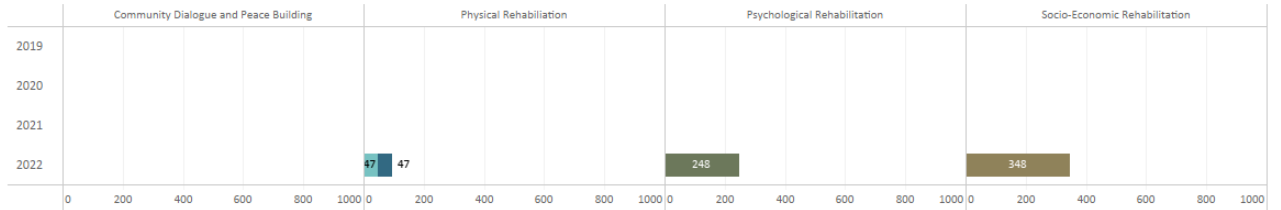
CENTRAL AFRICAN REPUBLIC

Total 11,826 beneficiaries assisted



CÔTE D'IVOIRE

Total 433 beneficiaries assisted



- Sensitization, psycho-education meetings and community dialogues
- Medical, psychological, and material services for SGBV survivors
- Facilitated community therapy
- Support to start small businesses
- Medical support
- Psychological rehabilitation
- Village and Saving Loans
- Physical rehabilitation services

In 2022, the TFV continued providing assistance to victims in Northern Uganda (fourth year) and DRC (third year). In CAR (second year) the TFV continued carrying out activities under the TFV assistance mandate with five implementing partners and the programme target primary victims of sexual and gender- based violence .

In CIV, the assistance programme (with three projects) continued addressing the harms resulting from 13 selected incidents. The new assistance programme will benefit from earmarked funding from the Government of Canada and aims at responding to harm resulting from incidents from the region of Mopti and Gao, the two most affected areas during the period 2022.

Annex II

COOPERATION AND COMPLEMENTARITY GOALS

A. Cooperation

1. Request for Cooperation(RFC)/Information(RFI)/Assistance(RFA)

1.1. Cooperation in support of preliminary examinations, investigations, prosecutions and judicial proceedings

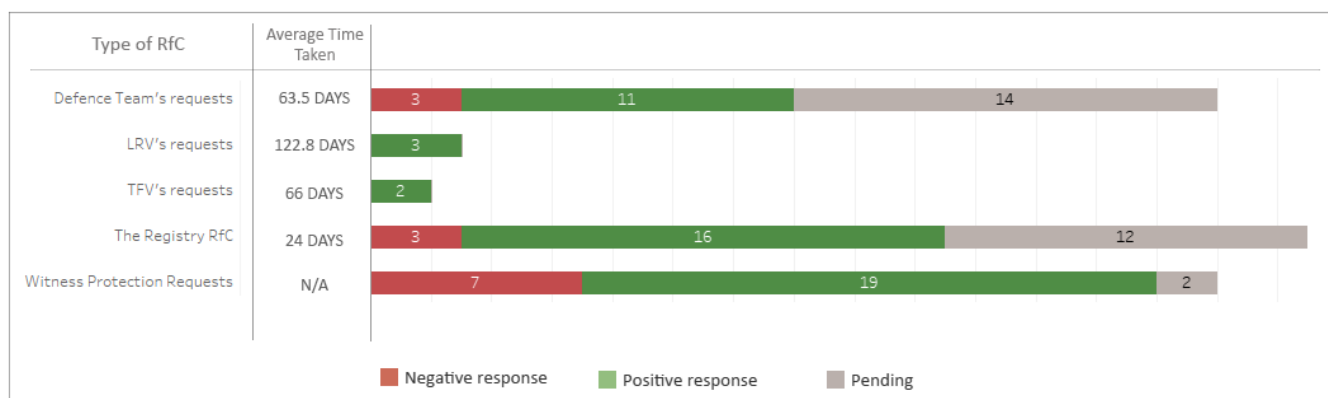
The Registry

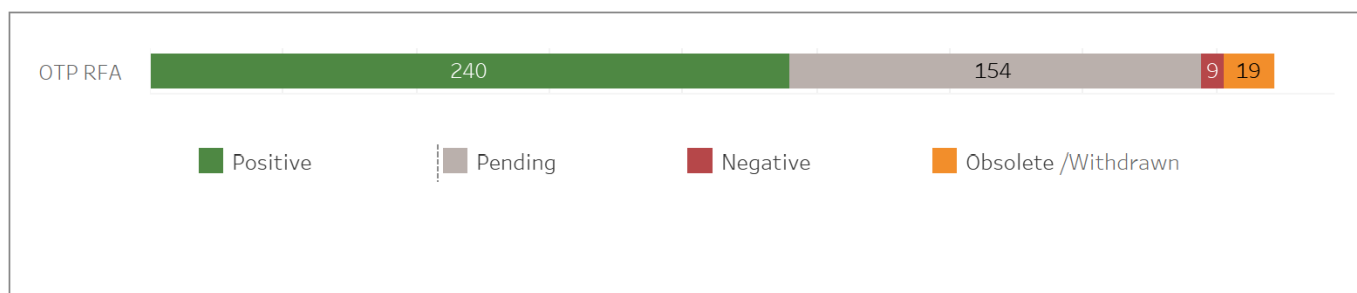
This KPI measures the total number of Requests for Cooperation (RfC) under category 1.1, and its results (positive, pending or negative) from January to December 2022. The RfCs are either transmitted by External Relations and Cooperation Unit(ERSCU) & Country Offices (1.1.1, 1.1.2, 1.1.3., and 1.1.4.) or by the Victims and Witnesses Section (1.1.5.). The sub-category is as follows;

- 1.1.1. Cooperation in support of judicial proceedings stricto sensu (under part.9 of the Rome Statute or not), such as cooperation requests for AVLs, requests for summons to appear for a witness, requests or invitations to submit observations, etc.;
- 1.1.2. Cooperation requests transmitted at the request of the **Defence**;
- 1.1.3. Cooperation requests transmitted at the request of the **Legal Representatives for Victims (LRVs)**;
- 1.1.4 Cooperation requests transmitted at the request of the **Trust Fund for Victims (TFV)**;
- 1.1.5. Witness protection requests.

'Pending' refers to those considered 'open' by the end of the reporting period (31 December 2022), such as RfC in consideration of the recipients in which the replies have not arrived. The results of the pending RfCs are monitored and carried over to the next year's reporting.

'Average Time Taken' refers to the time taken from transmission of the cooperation request to the final reply. The data excludes pending cases and is only measured for the RfC that were closed (those which received a reply, either positive or negative).





In 2022, in connection with its investigative and prosecutorial activities, the OTP sent 422 requests for assistance (24.85 per cent more compared to 2021) to over 70 different partners comprising 39 States Parties, 12 non-States Parties and 19 international, regional and NGOs, as well as private institutions, and followed up on the execution of pending requests.

The OTP maintained and further developed its extended network of judicial cooperation partners – war crimes units, financial investigation units, organized crime and other specialized services and other relevant law enforcement and judicial actors nationally, regionally and internationally. Further progress was made in expanding the network to national and regional immigration and asylum authorities, asset recovery and asset tracking authorities, as well as to national experts involved in social media and cyber investigations.

Requests for Information (RFI) concerning the preliminary examinations - Nigeria

Number of RFAs sent	6
Number of positive replies	5
Number of negative replies	0
Number of pending replies	1
Average time taken to execute an RFA (positive + negative replies)	2 months

These RFIs include notifications of missions and meeting requests. Some RFIs were related to missions/meetings that were executed e.g. by way of holding the meeting. One partially executed RFI remains pending.

Requests for Information (RFI) concerning the preliminary examinations - Guinea

Number of RFAs sent	4
Number of positive replies	4
Number of negative replies	0
Number of pending replies	0
Average time taken to execute an RFA (positive + negative replies)	1 month

These RFIs include notifications of missions and meeting requests.

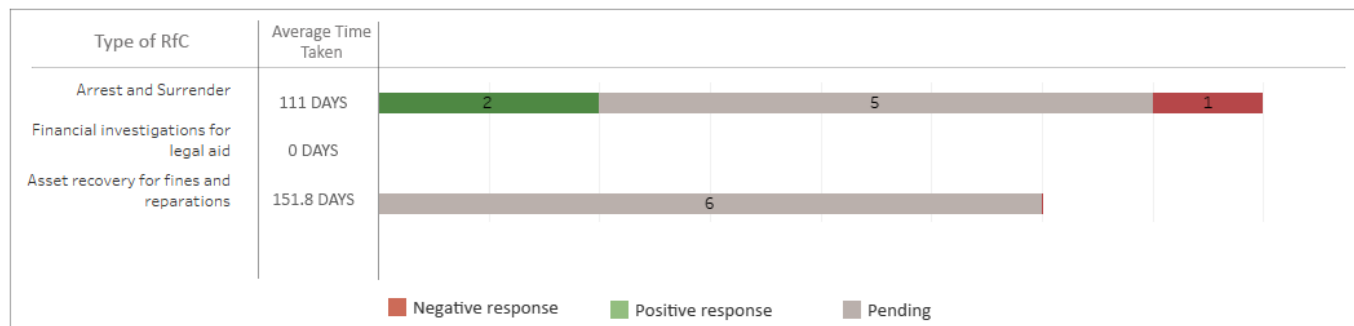
1.2. Cooperation in arrest and surrender (including support in surrender)

1.3. Cooperation in identification, seizing and freezing of assets

The Registry

The Registry's financial investigations for legal aid requests are based on regulation 84(1) of the Regulations of the Court stating that where a person applies for legal assistance to be paid by the Court, the Registrar shall determine the applicant's means and whether he or she shall be provided with full or partial payment of legal assistance.

The Registry asset recovery, fines and reparations requests are based on a Chamber's decision, usually based on Article 93(1)(k) of the Rome Statute.



Office of the Prosecutor

Requests for Assistance ("RFAs") for financial investigations for identification of assets

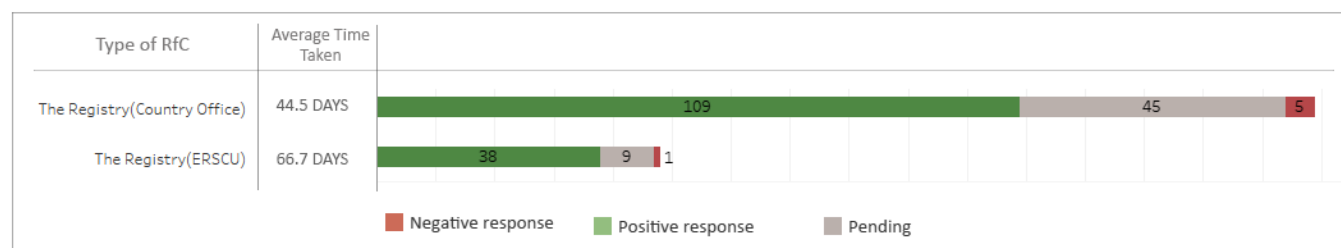
Number of RFAs sent	2
Number of positive replies	1
Number of negative replies	0
Number of pending replies	1
Average time taken to execute an RFA (positive + negative replies)	79 days

1.4. Other type of RfCs

The Registry

For ERSCU, this type of requests includes requests for privileges and immunities for mission, interim release, requests related to the release of persons, visa for family visits, acquitted persons, security related matters, exemption of COVID exemptions, etc.

For COs, this type of requests include the requests for renewal of Visa/Diplomatic ID, registration of vehicles, airport access, etc.



2. Cooperation Agreements & Engagement

To measure the performance of the level of cooperation and the promotion of universality, the Registry Strategic Plan (2019-2022) developed indicators on new cooperation agreements and engagement with States not yet party to the Rome Statute.

Indicator	2020	2021	2022
Number of new cooperation agreements in negotiation or concluded	2	4	4

Indicator	2020	2021	2022
Number of States ratifying or taking steps to ratify the Rome Statute	1	1	2

B. Complementarity

1. Incoming Request for Assistance (RFA)

Office of the Prosecutor

Total number of RFAs received by the OTP during the reporting period	16
% of RFAs provided with a substantive response within 3 months of receipt.	100%
Average time needed to provide incoming RFAs with a substantive response.	37 days

The OTP processed 16 incoming RFAs from national authorities and other partners (including Hybrid judicial bodies, International Mechanisms with judicial support mandates) pursuant to article 93(10), as part of its efforts to reduce the impunity gap by supporting national judicial efforts where appropriate.

All incoming RFAs received a response within the target timeline (3 months for a substantial response), although progress in sharing the relevant evidentiary material was still slow due to the COVID-19 pandemic and its impact on the limitation of travels. The requesting authorities could not easily travel and participate in meetings in The Hague to screen potentially relevant material in the OTPs databases.

It is noted that the decrease in the number of incoming RFAs continued after the COVID-19 pandemic, a factor that can still potentially be explained by a lesser influx of immigrants from ICC-situation states on the territories of states traditionally with high rate of requests addressed to OTP in relation to criminal investigations in their jurisdictions. However, the number of incoming RFAs from situation countries seeking information in relation to individuals of interest have increased. Such requests pertained to large scale materials and sensitive information which required more resources from the OTP's Unified Teams to properly process them.

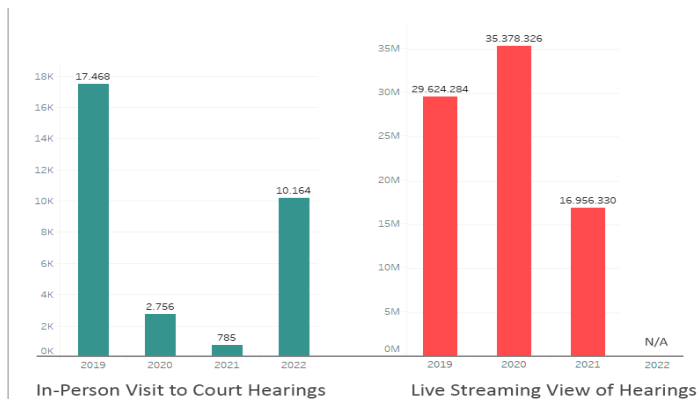
Annex III

ORGANISATIONAL PERFORMANCE GOALS

A. Accessibility of the ICC-Related Information

1. Access to Court Hearings

These indicators provide insights into the audience engagement and accessibility of court proceedings, with in-person visits reflecting physical presence and live streaming views demonstrating online reach of the hearings.



The metric ‘In-Person Visits to Court Hearings’ tracks the total count of individuals physically present in the public gallery during court proceedings.

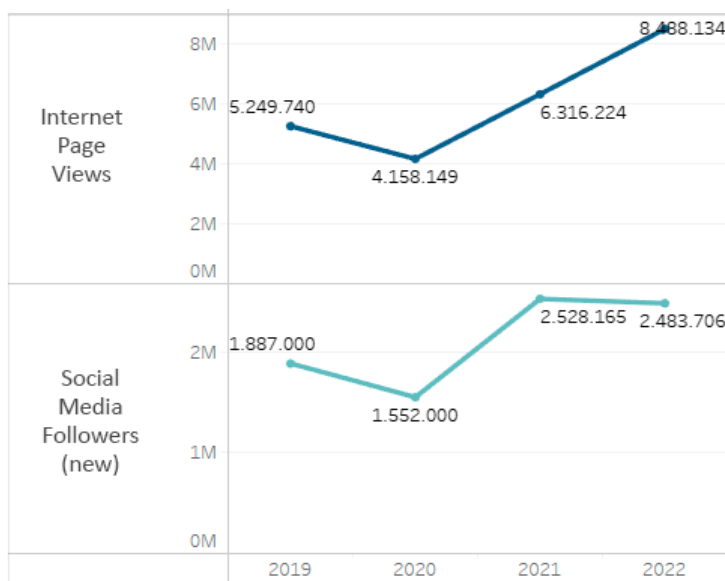
By December 2022, the Court recorded a total of 10,164 in-person visits to Court hearings in the course of the year. This marked a significant increase in the number of in-person visits compared to previous years, as the situation related to the COVID-19 pandemic became more stable and permissive of physical presence.

‘Live Streaming Views of Hearings’ measures the audience reached through live transmissions of court proceedings over the Internet. This allows individuals to watch the hearings in real-time remotely.

Due to the transition to a new service provider and changes in the technical measurement of views, data on Live Streaming Views for 2022 is unavailable. Starting from 2023, the reporting of this data will resume with the new measurement system in place.

2. Access to Information about ICC Activities

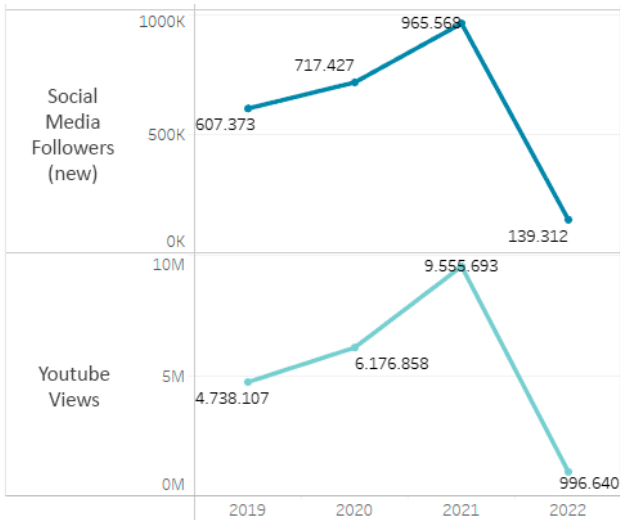
Access to information indicators provide insights into the Court’s online presence, audience engagement, and the effectiveness of its digital communication strategies. It can help the Court identify which pages or content attract the most attention from visitors, offering valuable information for content optimization and user experience improvements. It can reflect the effectiveness of social media strategies, content quality, and the Court’s ability to attract and retain a loyal online community.



Website visits represent the total number of visits recorded on the Court’s official website.

Internet page views indicate the number of views registered on the Court’s website. Social media followers encompass the cumulative count of new followers across the Court’s Twitter, Instagram, Facebook, and YouTube accounts in both English and French.

The increasing number of Internet page views over the years indicates positive performance and growing interest in the Court’s activities.

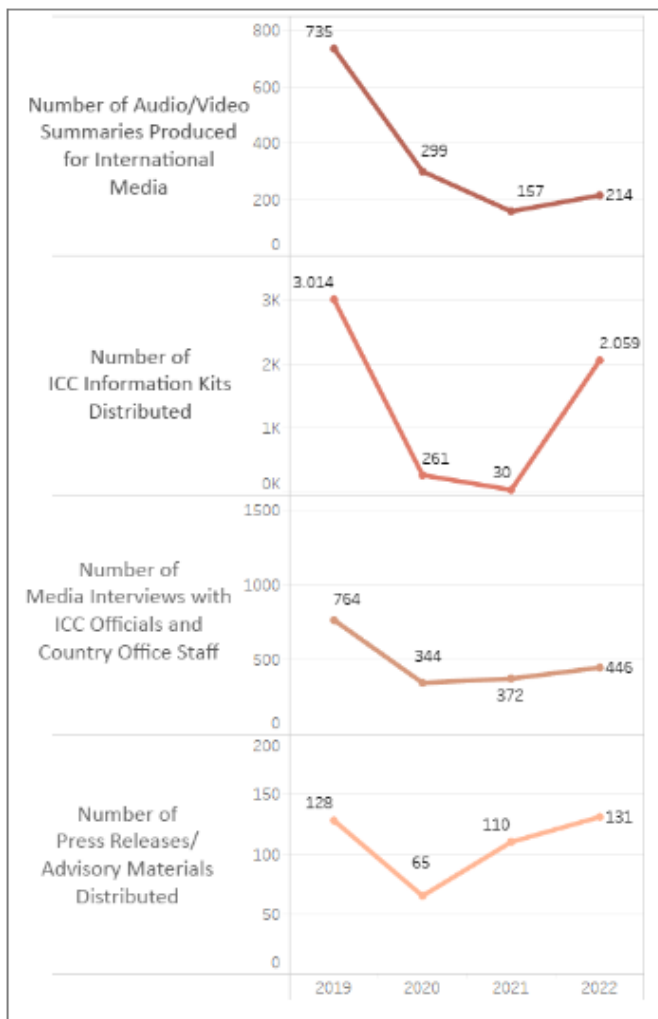


The total number of social media followers experienced a slight decline in 2022 compared to previous years. This can be attributed to the Court’s already substantial impact in attracting a large number of followers, with a total of 81,540 on Twitter, 40,845 on Facebook, 10,330 on YouTube, and 6,597 on Instagram. These numbers reflect the Court’s ability to engage and captivate individuals interested in its work.

YouTube video views correspond to the count of views accumulated on videos published on the Court’s official YouTube channel. Each view is recorded when a viewer intentionally initiates the playback of a video on their device and watches it for at least 30 seconds.

3. Access to Information for Media and Public

These indicators demonstrate the level of media engagement and interest in the Court’s activities. The performance also reflects the Court’s proactive approach in providing easily digestible and accessible information to the media. It also shows how the Court is effectively communicating and building relationships with media representatives, which can lead to enhanced visibility and understanding of its work.



In 2022, the Court experienced a notable increase in visits from both the media and the public, reflecting its enhanced performance in disseminating information about its activities.

This growth can be attributed to significant judicial developments and high-profile investigations that garnered international media attention. To effectively communicate with the media and the public, the Court’s public information unit established close collaboration with various media outlets.

In addition to the existing information dissemination methods for the media and the public, the Public Information and Outreach Section (PIOS) introduced a new media training and information briefing model.

This innovative approach combined training sessions with “on the record” interviews involving the spokesperson, as well as the parties and participants in the trial. By adopting this approach, the Court aimed to provide comprehensive and insightful information while fostering meaningful engagement with the media and the public.

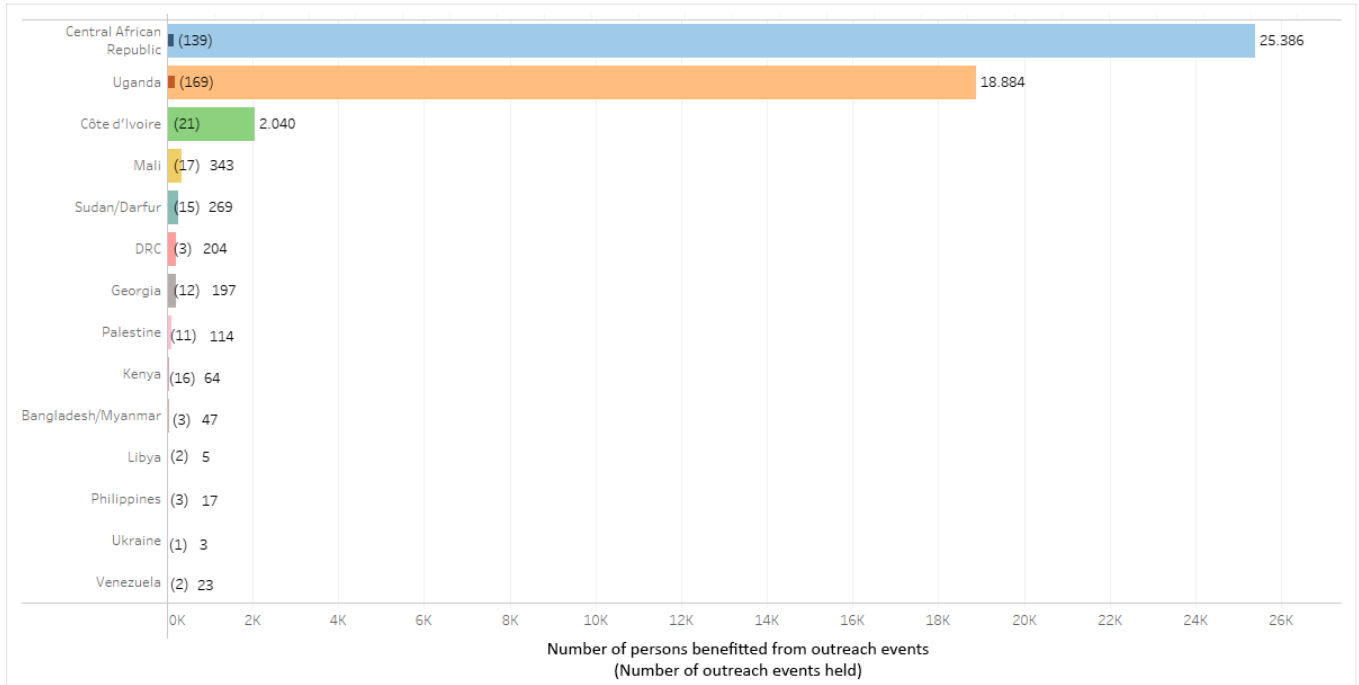
Increased number of press releases and advisory materials distributed indicates an active and timely communication strategy employed by the Court. By distributing press releases and advisory materials, the Court aimed to provide important updates, announcements, and expert analysis to the media and other stakeholders. It reflects the Court’s commitment to transparency, accountability, and effective external communication.

B. In-country Outreach and Public Information

This indicator measures the number of outreach and public information-related activities taken for each country.

These outreach efforts demonstrate the Court's commitment to promoting transparency, fostering dialogue, and increasing understanding among diverse stakeholders. By actively engaging with civil society, media representatives, and the legal community, the Court aims to strengthen its outreach and ensure broader support for its mission and mandate.

Number of persons benefitted from outreach events



In 2022, a total of 47,596 individuals directly attended outreach meetings, workshops, conferences conducted by the Court Outreach staff or events organised by partners in which ICC representatives were invited to make a presentation, a speech, including online events. In 2022, new activities and engagement efforts took place in four countries: Libiya, Palestine, Kenya and Ukraine. The effort by the Court's Outreach unit was to foster dialogue, enhance understanding, and promote the Court's work among various stakeholders, including civil society, media representatives, and the legal community. In 2022, the Court opened a new situation in Ukraine. The Court also opened a new situation in Venezuela in 2022.

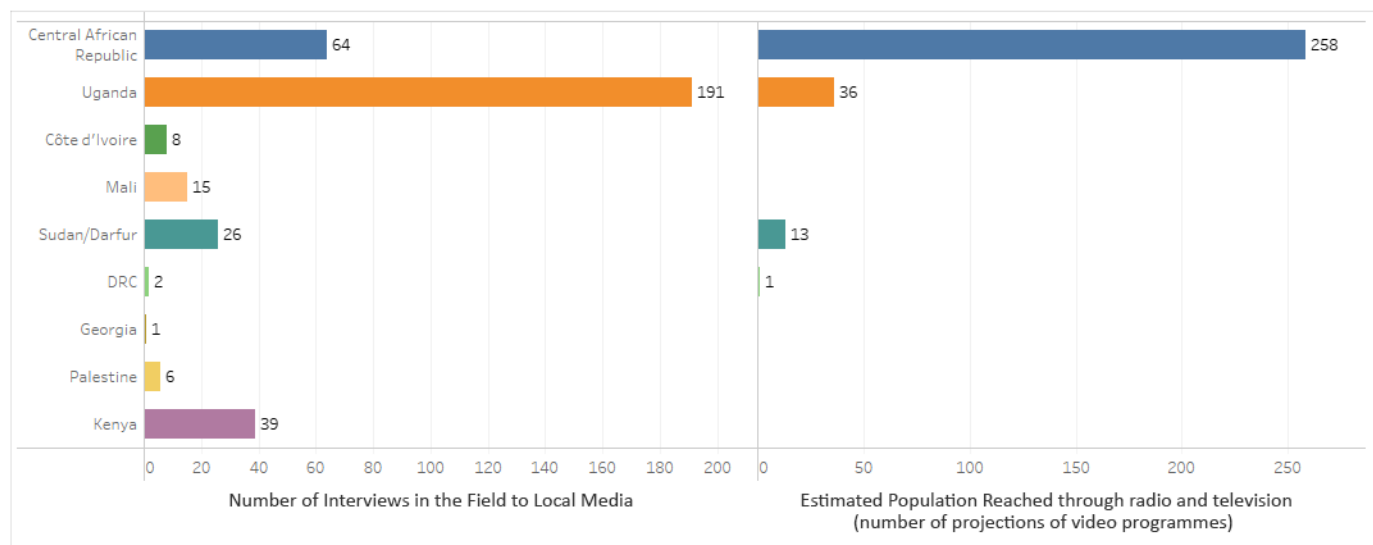
In 2022, the Outreach unit organized a stakeholders visit to the Court's seat, inviting a group of media and civil society representatives from Palestine. This visit provided them with firsthand exposure to the Court's operations and facilitated a constructive dialogue. Furthermore, a series of online information sessions were conducted for civil society representatives in Palestine, enabling them to gain a deeper understanding of the Court's mandate and activities.

On the other hand, the outreach activities in relation to DRC experienced a decrease during the reporting period. This decline can be attributed to the lack of significant judicial developments in the situation and a reduced presence of the Court in the country. This resulted in fewer outreach initiatives during this period.

The outreach activities in Uganda experienced a notable decrease attributed to the conclusion of activities funded by the Embassy of Denmark in Kampala. The external funding played a crucial role in supporting and sustaining the high level of outreach initiatives conducted from 2019 to 2021.

Number of Interviews in the Field to Local Media Estimated Population Reached through radio and television

The engagement with media and the utilization of audio-visual mediums play a vital role in enhancing public understanding, promoting dialogue, and fostering broader awareness of the ICC's mandate and activities. By leveraging these channels effectively, the Court can continue to expand its reach, strengthen its relationships with key stakeholders, and ensure the broader dissemination of information and messages related to its mission.



The performance in radio and TV broadcasts of audio-visual productions on the ICC highlights the active involvement and engagement with media by the Central African Republic country office.

Additionally, the estimated population reached through the projection of Video Programs produced by the AV team of PIOS during outreach meetings, workshops, conferences, and similar events provides an indication of the potential audience reached by these initiatives. This metric reflects the scope and impact of the ICC's outreach efforts in reaching diverse stakeholders and communities.

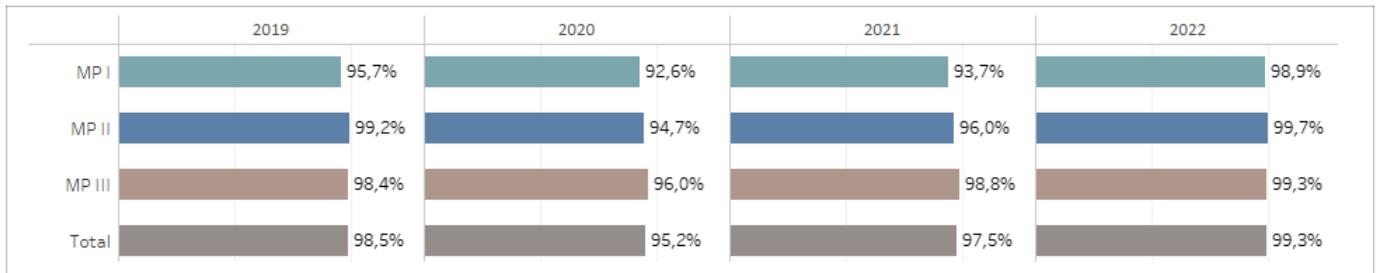
C. ICC Field Offices

Country	Office Type	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
DRC	Country Office															
	Satellite Office (Bunia)															
Uganda	Country Office															
	Satellite Office															
Côte-d'Ivoire	Country Office															
	Satellite Office															
CAR	Country Office															
	Satellite Office															
Kenya	Country Office															
	Satellite Office															
Sudan (From Chad)	Country Office (Abeche)															
	Satellite Office (N'Djamena)															
Libya	Country Office															
	Satellite Office															
Mali	Country Office															
	Satellite Office															
Georgia	Country Office															
	Satellite Office															

D. Budget Implementation

1. Budget Implementation Rate by Major Programme

The table provides the budget implementation rates for MPI (Judiciary), MP II (OTP), MP III (Registry) and for the ICC from 2019 to 2022, excluding the Contingency Fund. The implementation rates for 2022 are based on unaudited figures and subject to change.



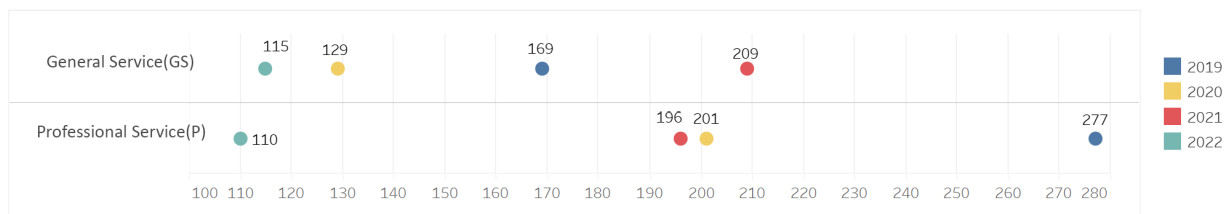
The result shows a very high implementation rate, across all major programmes, illustrates the Court’s almost full utilization of the resources essential for the execution of its mandate.

E. Human Resources

1. Average Time of Recruitment Process (days)

The indicator measures the average time(days) taken to recruit staff (G and P level).

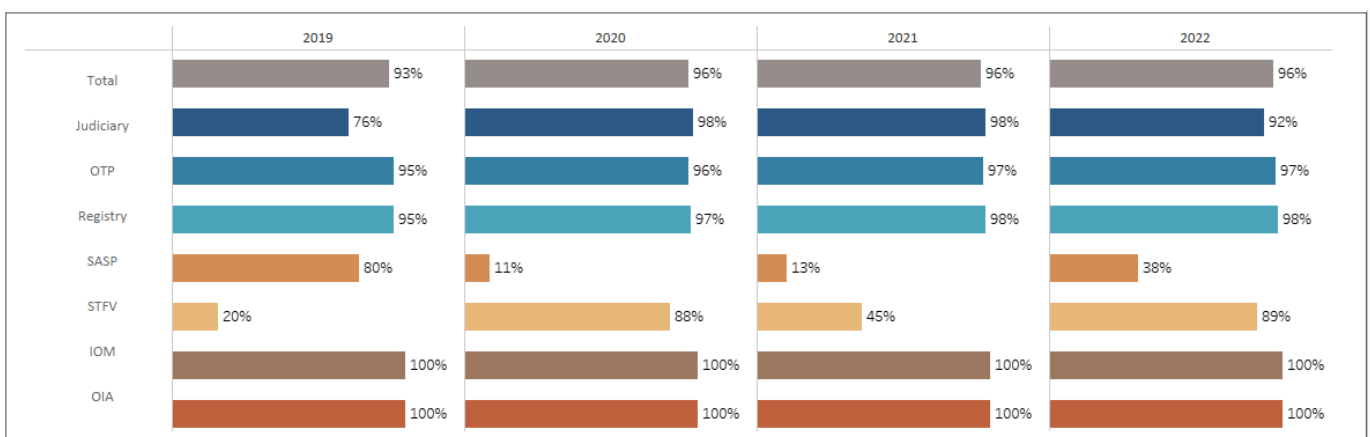
The 2019-2021 data is based on the period between the closing date of the vacancy announcement and the date of the principals’ approval of the interview panel report. The 2022 data is counted from the vacancy announcement posting date.



The performance for recruitment of both G and P level staff was therefore significantly better in 2022 than in any preceding year. The variations from 2021 to 2022 stem mainly from the operational requirements related to priority recruitments for courtroom 3, short term appointments to respond to emerging needs and the business partnering approach of the recruitment team aimed at building closer relationships with internal clients.

2. Compliance Rate: Performance Objective Setting

The data indicates the percentage of staff who set their performance objectives within the agreed timescale.

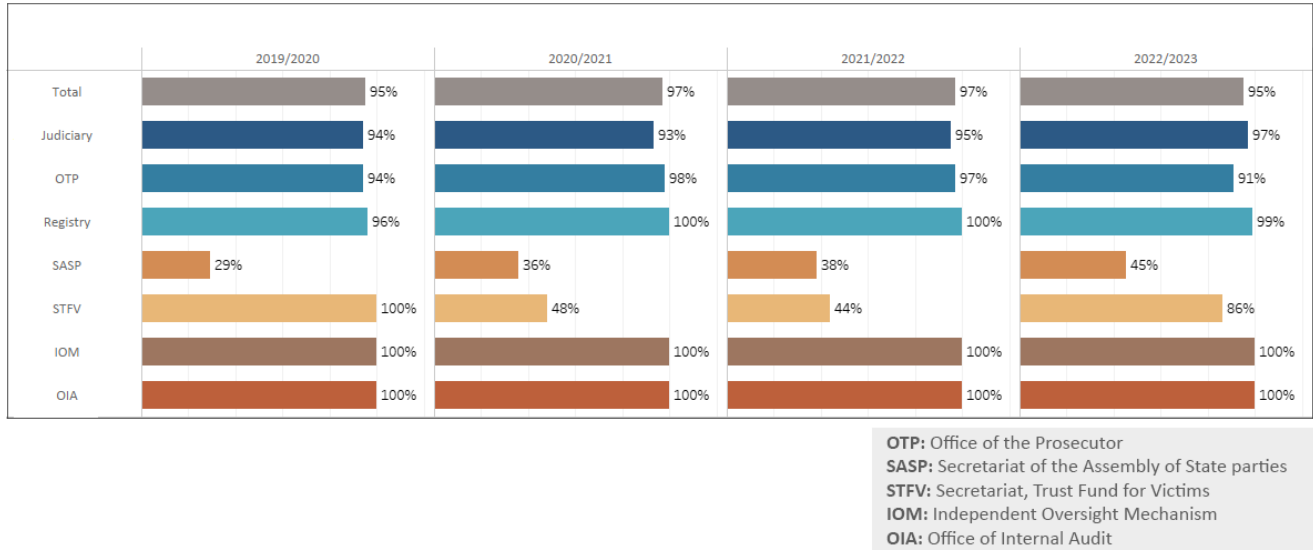


OTP: Office of the Prosecutor
 SASP: Secretariat of the Assembly of State parties
 STFV: Secretariat, Trust Fund for Victims
 IOM: Independent Oversight Mechanism
 OIA: Office of Internal Audit

The performance in 2022 reflects a consistent compliance rate of 96% for the Court, similar to that of 2021. Notably, the Secretariat of the Trust Fund for Victims exhibited a significant increase in compliance. However, there was a decrease in the judiciary’s compliance rate from 98% in 2021 to 92% in 2022, highlighting the importance of monitoring and taking actions to achieve an improved rate in the following year.

3. Compliance Rate: Performance Appraisals of Staff

The chart below indicates the percentage of completion of end-of-cycle Staff Appraisal by the deadline. Compliance rate can demonstrate that staff members actively participate in the performance appraisal process and receive regular feedback on their

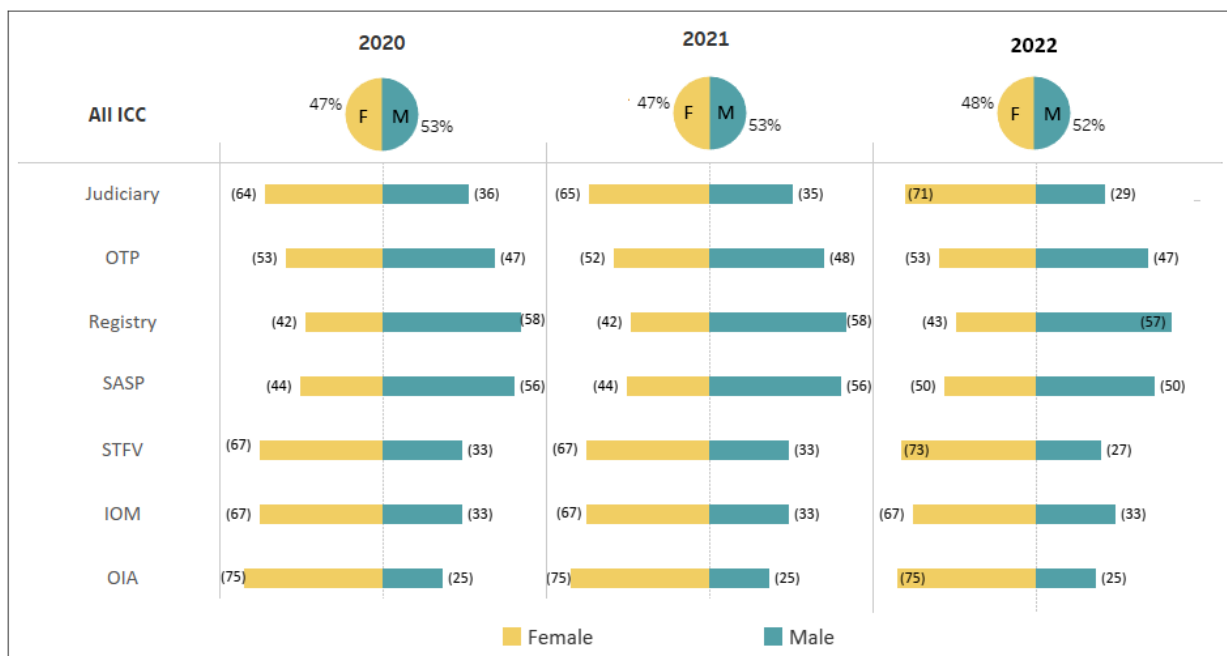


The continued high compliance reflects the Court’s ability to effectively implement and conduct performance appraisals for its staff members. A higher compliance rate suggests that the organization has established a structured and systematic approach to evaluating employee performance. It implies that the organization has clear performance evaluation criteria, processes, and timelines in place, enabling timely and comprehensive assessments of staff performance. It also implies that there is alignment between individual performance objectives and organizational goals, as well as ongoing communication and dialogue between managers and staff.

F. Geographical Representation and Gender Balance (GRGB)

1. Gender Balance of Staff: Per Major Programme

The chart below indicates male and female ratio of staff members per Major Programme as at 31 December of each year. The data includes staff members on established posts and does not include elected officials.

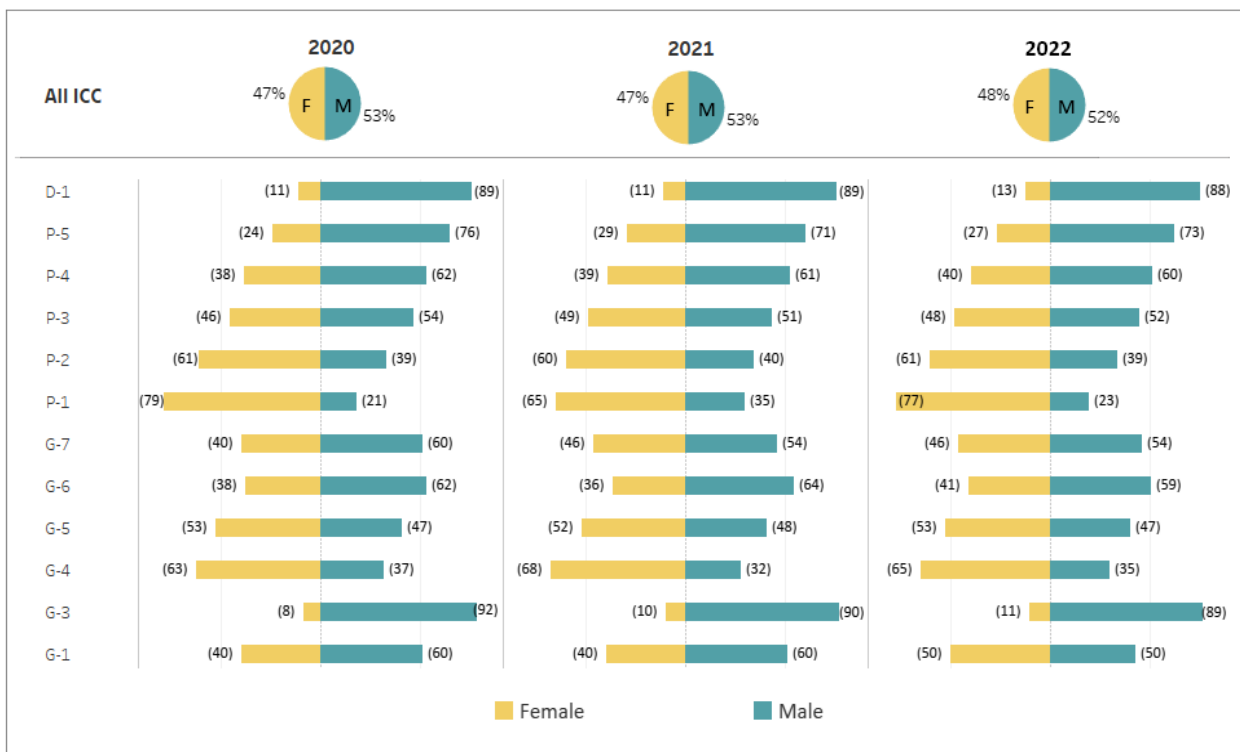


OTP: Office of the Prosecutor
SASP: Secretariat of the Assembly of State parties
STFV: Secretariat, Trust Fund for Victims
IOM: Independent Oversight Mechanism
OIA: Office of Internal Audit

Compared to the previous two years, the female-male ratio Court-wide has improved as the percentage of female staff has increased from 47% to 48%. This is the result of the increased percentage of female staff in the majority of major programmes.

2. Gender Balance of Staff: Per Level

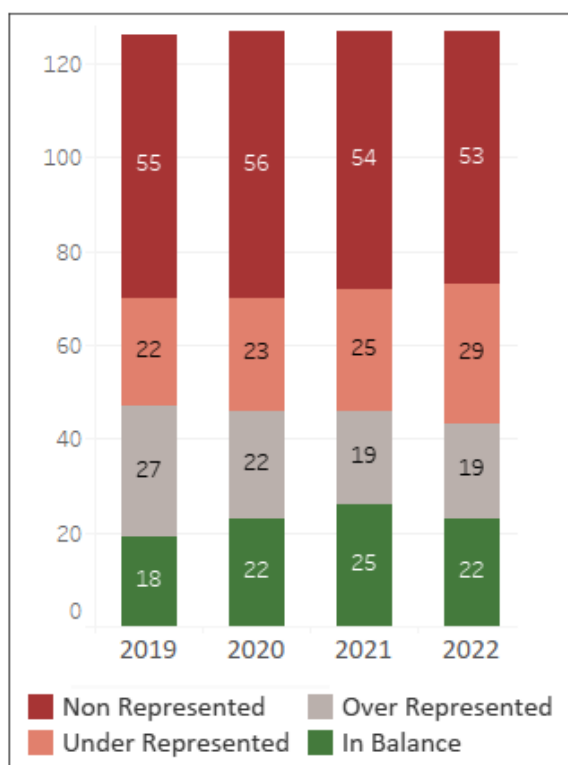
The chart below indicates male and female ratio of staff members per level (established posts only). The data does not include elected officials. It demonstrates the Court's commitment to promoting diversity and ensuring equal opportunities for both men and women at all levels.



The percentage of female staff has increased both at D-1 level and P-4 level. The percentage of female staff at P-5 level has however decreased, which was in part due to departure of female staff at that level.

3. Geographical Representation: Number of States Parties by Representation Status

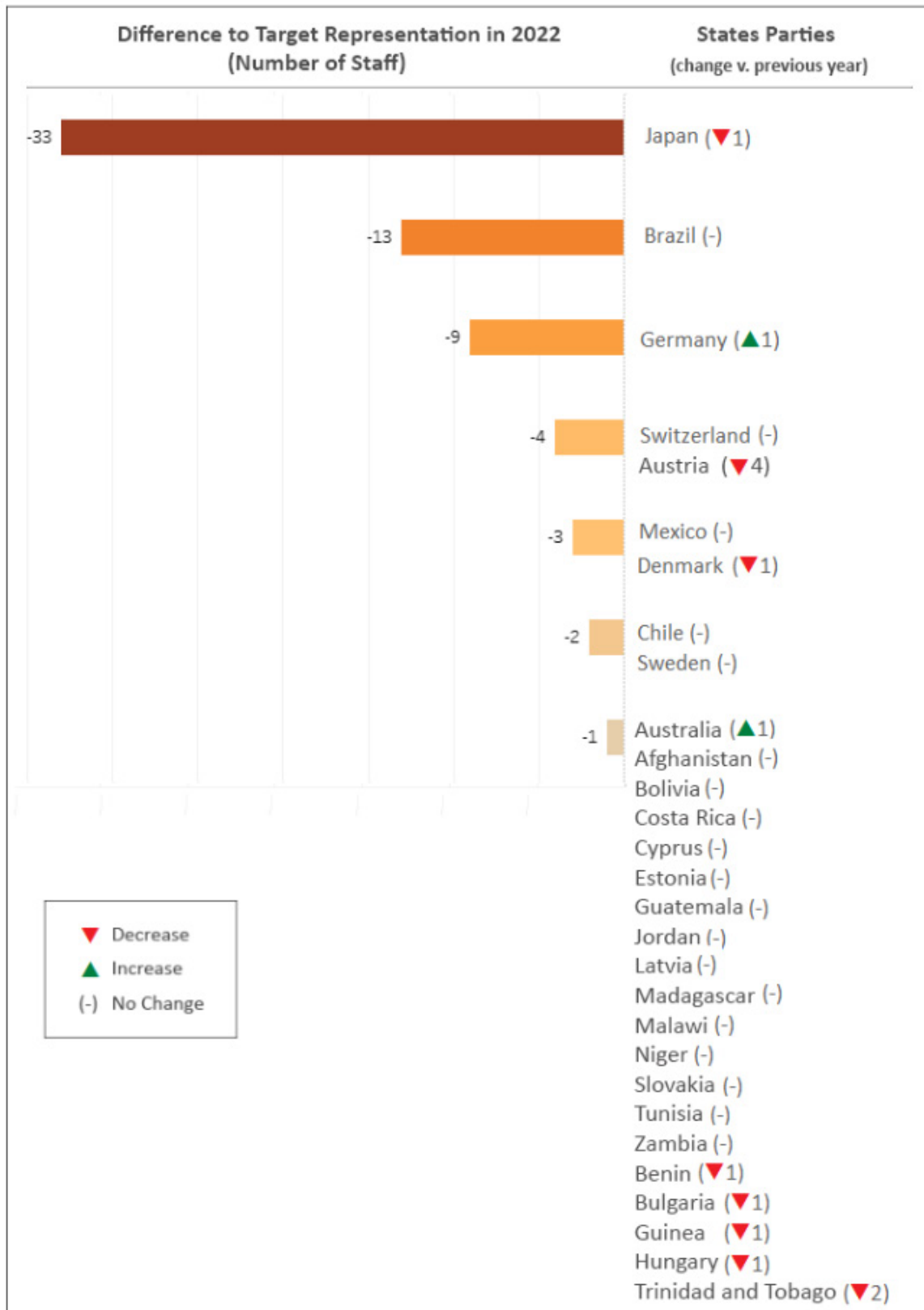
The data below presents the number of the States Parties by representation status (for this purpose, staff members on established posts in Professional category are taken into account, excluding language staff).



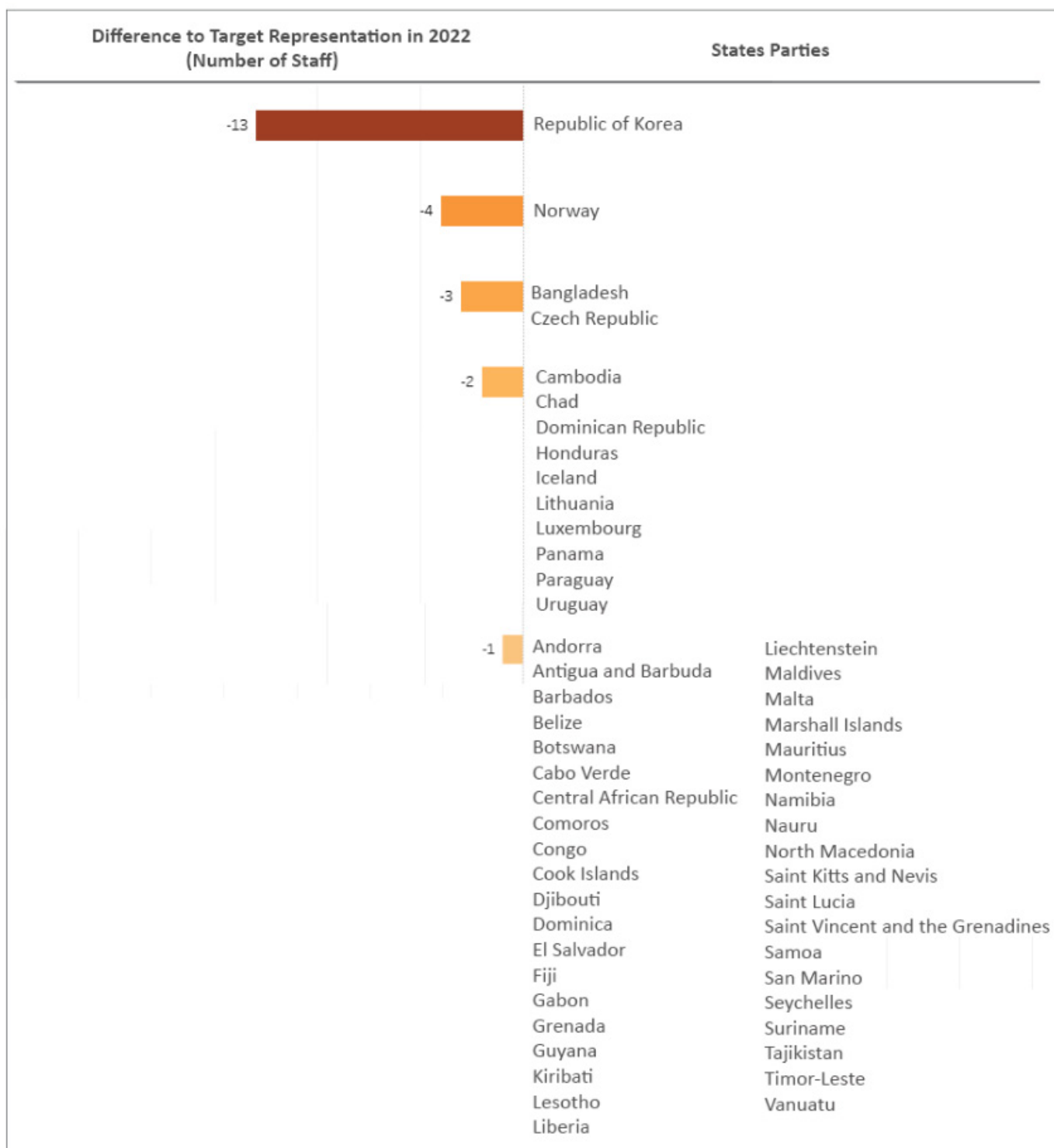
The number of over-represented States Parties has consistently decreased since 2019. In 2022, the number of non-represented States Parties decreased by one, while the number of under-represented States Parties increased by four.

The Court continued its efforts on various fronts to improve a more equitable geographical representation, which included the increased exposure on various social media and platforms for international job vacancies; geographical diversity on recruitment panels; dissemination of updated information on geographical representation to all recruitment panels; consideration of geographical representation both at the shortlisting stage and when the decision on the final selection of suitable candidates was made; and participation in various career events.

4. Status of Under-Represented States Parties



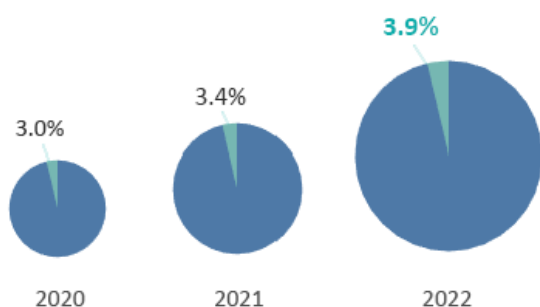
5. Status of Non-Represented States Parties



G. Staff Wellbeing

1. Staff Absence Rate

The following table provides sick leave absence rates from 2020 to 2022 for staff members.



H. Procurement

The indicator measurement is based on procurement actions under NON-STAFF costs. Contracts under STAFF COSTS are not reflected in the workload indicators, which comprise several large and complex obligations processed by the Procurement Unit (i.e. relocation services, health insurances, travel management services, catering services, etc.)

1. Performance Data on Procurement

Category	2019	2020	2021	2022
Number of Procurement Staff	7	7	7	6
Purchase Orders(POs)	# of POs	1,305	922	880
	Value of POs	25,021,601	22,289,747	26,879,883
Requisitions	# of Requisitions	1,383	982	947
	Value of PRC	17,487,582	32,379,871	11,941,993
Procurement Review Committee(PRC)	# of PRC	44	59	33
	Value of PRC	17,487,582	32,379,871	11,941,993

I. Physical and Asset Security

1. Security Briefing before Field Missions

The following indicator measures the percentage of field missions which received full security briefing. Data prior to 2021 was limited to the percentage of Registry travellers receiving security briefings upon arrival to the situation country of destination. As of January 2021 this data is updated to also include travellers from all Major Programmes of the Court. Due to COVID-19 pandemic the security briefings were either delivered through virtual meetings or by email.

Category	2019	2020	2021	2022
Total amount of missions	464	348	467	870
Missions with previous full briefing	459	330	467	870
Implementation rate	98.9%	94.8%	100%	100%*

In 2022, ICC personnel conducted a total of 870 missions including 383 missions to non-situation countries. Each traveler received travel advisory as part of the Security Clearance process, which was considered to be equal to a security briefing.

2. Substantive Security and Safety Incidents

Incidents	HQ				Field			
	2019	2020	2021	2022	2019	2020	2021	2022
Death of staff	0	0	0	0	1	0	0	0
Arrest of staff	0	0	0	1	3	1	1	0
Assault	3	1	0	0	0	0	0	0
Burglary	0	1	1	0	0	0	1	0
Fire alarm	10	8	2	8	0	0	0	0
Lost property	76	11	21	20	17	4	1	25
Physical security breach	6	0	0	4	0	0	0	0
Property damage	31	8	22	11	4	3	10	1
Robbery	0	0	0	0	0	0	1	0
Suspicious incident	2	0	0	2	2	1	0	1
Theft	5	0	1	0	5	3	0	1
Traffic accident	9	1	2	6	7	1	6	2

J. IT Security

1. Implementation of Adequate Information Security Program

The table below illustrates that the Court took adequate measures to apply the necessary security patches and updates to its software systems.

Category	2019	2020	2021	2022
Number of relevant software updates detected	445	431	400	395
Number of relevant software updates carried out	445	431	400	395
Implementation Rate	100%	100%	100%	100%

2. Attacks Detected Prior to Incidents

The following table includes an indication of the number of attacks that were detected and stopped by the Court prior to being successful and causing a substantive incident.

	2019	2020	2021	2022
Scans and probes	40,000,000	40,000,000	40,000,000	40,000,000
Spam / phishing / malicious email	1,400,000	42,000	50,000	45,000
Malware infection	600	70	50	104
Document handling errors	9	4	2	3

3. Substantive IT Incidents

The table below indicates the number of substantive incidents that occurred during the period 2016-2020. These workload indicators provide only a limited perspective of the effectiveness of the information security program as they show only incidents that occurred, but not incidents that were prevented from occurring.

Incident Type	2019	2020	2021	2022
Denial of Service	0	1	1	0
Malware infection	0	0	0	0
Storage media theft/loss	1	1	1	1
Unauthorized data access	1	1	2	10
Unauthorized disclosure	0	1	1	0
Total	2	4	5	2

4. Security Measures Taken to Address Incidents

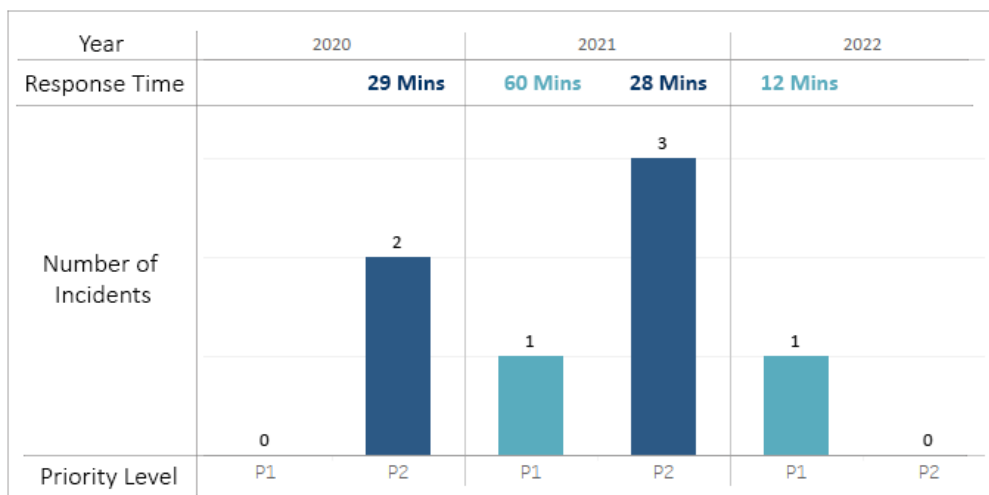
The table below summarises the treatment of substantive incidents, illustrating the coverage of Incident Response controls.

Category	2019	2020	2021	2022
Number of substantive incidents	2	4	4	2
Number of incidents leading to harm	2	4	5	2
Immediate counter measures taken	2	4	5	2
Lessons learnt process carried out	2	4	5	2
Implementation rate	100%	100%	100%	100%

The security measures aim to minimize harm and reduce the risk of future security breaches. It implies that the Court is proactively working to protect sensitive information and critical assets. By responding swiftly to security incidents, the Court successfully limited the potential impact, prevented data loss or unauthorized access, and reduced the likelihood of recurring incidents. These efforts indicate a Court’s commitment to safeguarding information and maintaining the trust and confidence of stakeholders.

5. Prompt Response to Information Security Incidents

This key performance indicator measures the average response time taken (minutes) during information security incidents to minimize harm and reduce risk of future security breaches. The data presents average response time taken in minutes for priority 1 (critical) and priority 2 (high) incidents.



A decrease in the average response time over time, such as the reduction from 60 minutes in 2021 to 12 minutes in 2022 for priority level 1 incidents, indicates improvements in operational efficiency. It suggests that the Court has implemented measures to streamline incident response processes, enhance coordination among security teams, and leverage technology or automation to accelerate incident detection and response. This improved efficiency contributes to minimizing disruption, ensuring business continuity, and reducing financial losses associated with security incidents.