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Le Bureau du Procureur

The Office of the Prosecutor

# Report on the Implementation of the OTP Strategic Plan | 2016 - 2018

23 August 2019

**International Criminal Court**

**Office of the Prosecutor**

# **Report on the Implementation of the OTP Strategic Plan | 2016 - 2018**

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**Final Analysis and Evaluation of the Results**

**23 August 2019**

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## Executive Summary

- i. Since 2012, under the leadership of the current Prosecutor, a number of managerial, strategic and policy initiatives have been undertaken and completed by the Office of the Prosecutor (“the OTP” or “the Office”), all of which were intended to enhance effectiveness and efficiency in the exercise of the Office’s mandate, and in so doing, further strengthen public confidence in the Office. Many of these initiatives are a matter of public record, and have resulted in internal institutional and operational improvements and overall positive results.
- ii. Eight goals out of nine in the 2016-2018 Plan have been achieved or significantly advanced, with the exception of Strategic goal 5, which aimed at achieving a basic size for the Office that would enable the OTP to have the flexibility in terms of resources to respond more effectively and efficiently to the increasing demands placed upon the Office.
- iii. The strategic period of 2016-2018 has produced mixed performance in court and has witnessed unprecedented external challenges for the Court’s operations. The following is a summary of the Office’s main findings in relation to its performance in implementing its Strategic Plan 2016-2018:
  - a. With regard to prosecutions, the Office secured important convictions in the Al Mahdi and the Bemba et al. cases. Both cases were developed or enhanced following the prosecutorial strategy adopted by the Office in 2012, namely: (1) conducting in-depth, open-ended investigations; (2) aiming to be trial-ready as early as possible in the proceedings and no later than the confirmation of charges hearing; and (3) focusing on the most responsible, if needed through a building upward strategy. A number of significant litigation successes and landmark decisions were also recorded, including in the critical interlocutory trial and appellate decisions rendered in the Ntaganda case on the Court’s jurisdiction over rape and sexual violence, and the ruling in the Myanmar/Bangladesh situation on the Court’s jurisdiction over deportation as a crime against humanity.

However, those successes were partly overshadowed by unsatisfactory outcomes in the Ruto & Sang and Gbagbo & Blé Goudé cases, both terminated at the conclusion of the presentation of the Prosecution case (while noting that the decision in the latter case was issued just a few weeks after the end of the strategic period 2016-2018), as well as the Bemba case, resulting in an acquittal on appeal.

The decision in the Ntaganda case, convicting the accused of all counts, including, for the first time at the ICC, crimes relating to sexual slavery and violence against girl child soldiers who were within the ranks of the accused’s own forces (while noting that the decision itself falls outside the scope of the strategic period), builds on work done throughout the strategic period, and is the result of efforts by the OTP to develop cases on the basis of the prosecutorial strategy adopted by the Office since 2012.

- b. A number of investigations led to the issuance of warrants for arrest. Once prosecuted, these cases will further test whether the strategies adopted in the OTP strategic plans since 2012 will continue to yield results and be successful. At the same time, in large part due to limited resources, other investigations have not advanced as quickly as desired.
  - c. The Office also initiated five preliminary examinations (Burundi, Gabon, The Philippines, Venezuela, and Bangladesh/Myanmar) and completed four (Afghanistan, Gabon, Burundi and Comoros), while advancing four others. Out of the four completed preliminary examinations, the situation in Gabon was closed without proceeding to an investigation; authorisation to open an investigation in Burundi was granted, while authorisation to open an investigation into the situation in Afghanistan was denied. The Office has requested leave to appeal this last decision. With respect to the Comoros situation, on 15 November 2018, the Pre-Trial Chamber I directed the Office to reconsider its prior decision of 6 November 2014 closing the preliminary examination. At the time of issuing this report, the matter is pending before the Appeals Chamber which is expected to deliver its judgement on 2 September 2019.
  - d. One specific goal in the 2016-2018 Strategic Plan, borne from the realisation that OTP cannot succeed in isolation was “to develop with partners a coordinated investigative and prosecutorial strategy to close the impunity gap”. While still at an early stage of implementation, this strategic goal is beginning to show real promise and value added.
- iv. Unsatisfactory results in some cases have been due to a number of complex reasons and a mixture of causes, including the residual effects of the pre-2012 strategy, a need to further strengthen the present strategy, cooperation and security challenges, and difficulties in appreciating applicable legal standards flowing from sometimes conflicting jurisprudence and practice. Some of these factors were outside the Office’s direct control. However, the Office remains fully committed to learning from both its successes and failures, and to taking all steps within its power to improve its practices, where required, with the aim of securing more successes in court in cases that are progressing in the 2019-2021 period, and going forward.
  - v. The evaluation and analysis of past performance, including the key lessons learned, have informed the development of the Strategic Plan 2019-2021. The measures to improve, where needed, are included in that Plan. These include, but are not limited to:
    - a. Further strengthening strategies and focusing on quality; continuing to apply high recruitment standards; reviewing investigative and prosecutorial practices with partners; further deepening the ability to investigate in complex environments; and by ensuring that the quality control and lessons learned systems are further systemised and bolstered where necessary.

- b. Strengthening communication strategies to ensure that stakeholders are better informed about the Office's work and functioning, including its policies and strategies, and providing details of strategies adopted, where appropriate. .
  - c. Developing a quicker and more robust response to incidents of witness interference or security challenges, as well as raising, after having explored all options, situations of non-cooperation for which both the assistance of the Judiciary and States will be required.
  - d. Contributing and adapting to jurisprudential developments concerning the evidentiary standards required by the Court.
  - e. Engaging in a dialogue with key stakeholders, notably States Parties, on the ever increasing mismatch between the Office's mandate and expectations of what it can do, and the resources it has been granted, while at the same time continuing to prioritise activities and identify efficiency gains where feasible, to demonstrate the Office's commitment to a responsible and accountable management of resources.
- vi. In due course, and before the end of the next strategic period 2019-2021, the Prosecutor will develop an End of Term Report covering all three strategic periods from 2012-2021, taking stock of the results achieved during her tenure, presenting the identified good practices and other insights that should ensure the continued successful functioning of the Office.

## 1. Introduction

1. On 16 November 2015, the Office of the Prosecutor (“the OTP” or “the Office”) of the International Criminal Court (“the Court” or “the ICC”) published its 2016-2018 Strategic Plan.<sup>1</sup> The document built on the 2012-2015 Strategic Plan, while maintaining a shift in prosecutorial policy towards improved quality and efficiency, by conducting in-depth and open-ended investigations, focusing on the prosecution of the most responsible perpetrators, if needed by building upward from mid- or notorious perpetrators, and being trial ready as early as possible in the judicial proceedings. The 2016-2018 Strategic Plan set nine strategic goals, organised into three overarching themes:

- i. Achieving high performance in relation to the Office’s mandate;*

**Strategic goal 1:** Conduct impartial, independent, high-quality preliminary examinations, investigations and prosecutions.

**Strategic goal 2:** Continue to integrate a gender perspective into all areas of the Office’s work and to pay particular attention to SGBC and crimes against and affecting children, in accordance with Office policies.

**Strategic goal 3:** Further improve the quality and efficiency of preliminary examinations, investigations and prosecutions.

**Strategic goal 4:** Further adapt the Office’s investigative and prosecutorial capabilities and network to the complex and evolving scientific and technological environment.

- ii. Creating the necessary conditions to fulfil the Office’s mandate;*

**Strategic goal 5:** Achieve a basic size which is able to respond to the demands placed upon the Office with the required quality, effectiveness and efficiency.

**Strategic goal 6:** Contribute to strengthening cooperation and promoting general support for the mandate and activities of the Office.

**Strategic goal 7:** Adapt the Office’s protection strategies to new security challenges.

**Strategic goal 8:** Ensure professional, accountable, transparent and efficient management of the Office.

- iii. Contributing to a coordinated investigative and prosecutorial strategy to further close the impunity gap for crimes within the jurisdiction of the Court:*

**Strategic goal 9:** Develop with partners a coordinated investigative and prosecutorial strategy to close the impunity gap.

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<sup>1</sup> OTP, 2016-2018 Strategic Plan, 16 November 2015, available at: [https://www.icc-cpi.int/iccdocs/otp/EN-OTP\\_Strategic\\_Plan\\_2016-2018.pdf](https://www.icc-cpi.int/iccdocs/otp/EN-OTP_Strategic_Plan_2016-2018.pdf).

2. The 2016-2018 Strategic Plan complemented the Court wide Strategic Plan covering largely the same period, but focussed on OTP-specific strategies. The Court wide Strategic Plan dealt with matters of common concern across the Court and integrated the relevant parts of organ-specific strategies. In 2019, the Court wide Strategic Plan and all organs' plans were fully synchronised in terms of time periods and the strategic objectives were further streamlined.
3. At its twenty-seventh session, the Committee on Budget and Finance ("the Committee" or "CBF") requested that, for its twenty-eighth session, the OTP submit an interim progress report on the implementation of its 2016-2018 Strategic Plan, highlighting efficiency gains and synergies.<sup>2</sup> Such interim report was provided on 14 March 2017.<sup>3</sup> At its thirty-first session, the Committee suggested that the OTP should undertake a full evaluation of the strategic period.<sup>4</sup> This suggestion was renewed at the CBF's thirty-second session.<sup>5</sup> Similarly, the Assembly requested a full evaluation of the complete strategic period at its 16th and 17th sessions.<sup>6</sup>
4. The present report is the OTP's final appraisal of the implementation and results of the 2016-2018 Strategic Plan. It starts with a description of how the Plan's goals were implemented during this period, coupled with an analysis of key areas of performance that the Office set itself to achieve during the strategic period. It contains separate sections on performance indicators (section 3) and OTP-specific efficiency gains and costs savings (section 4).
5. The present report focuses on the key aspects of the Office's performance and results achieved in the strategic period 2016-2018. For a more detailed and exhaustive list of activities, performance and results achieved, the reader is referred to the annual activities and performance reports of the Court.<sup>7</sup>

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<sup>2</sup> Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fifteenth session, The Hague, 16-24 November 2016 (ICC-ASP/15/20), vol. II, part B.2, para. 157.

<sup>3</sup> CBF/28/11.

<sup>4</sup> "59. The Committee was informed that a provisional evaluation of the Strategic Plan 2016-2018 would be contained in the new Strategic Plan 2019-2021. While bearing in mind the independence of the OTP, the Committee believed that the OTP should undertake a full evaluation against the aims and objectives set out in the previous 2016-2018 Strategic Plan. In addition, the upcoming Strategic Plan should take into account lessons learned, by considering both efficiencies and the possibility to redeploy the existing resources. The Committee also looked forward to seeing how exit strategies would be included to support case prioritisation." [ICC-ASP/17/15, Report of the Committee on Budget and Finance on the work of its thirty-first session, 29 October 2018].

<sup>5</sup> "14. The Committee received updates regarding the strategic framework of the Court. The Committee was advised that the Strategic Plans of the Court for 2019-21, including for the first time a Strategic Plan for the Registry, are being finalised. The Committee noted that the Registry's Strategic Plan will include key performance indicators for some of the key services such as human resources, procurement and victim protection. The Committee looked forward to receiving in due course the strategic plans of the Court, the Registry and the OTP including an evaluation of the OTP's previous Strategic Plan." [ICC-ASP/18/5, Report of the Committee on Budget and Finance on the work of its thirty-second session, 03 June 2019].

<sup>6</sup> ICC-ASP/16/20, part III J, para. 5, and ICC-ASP/17/20, part III J, para. 3.

<sup>7</sup> CBF/30/14 and CBF/32/14.



6. In assessing its performance, the Office has limited the analysis to those factors which are largely in its control, or has the ability to influence. Some observers have suggested taking an even broader view of the Office’s performance, and consider measuring, for instance, its preventive or catalyst impact on situations under preliminary examination or investigation, including the extent to which victims’ expectations are met; the development of investigative and prosecutorial strategies in the national context, or the evolution of crimes in such settings. Ad hoc examples have been shared with the Office on its impact in the context of certain situations, or respecting certain types of crimes, such as the use of child soldiers. While it might be difficult, if not impossible, to isolate the Office’s impact from that of many other actors, including the Court as a whole, the Office considers this as an interesting avenue to be explored, for example through joint research with suitable partners. Areas to consider in this regard are measurable indicators that would be relevant and feasible in order to assess the Court’s impact in the long term. Indeed, as seen from the experience of other international criminal jurisdictions, the overall impact of the delivery of justice needs to be measured over time with significant experience and activity, and thus year-to-year indicators might neither be suitable nor capable of providing an accurate reading of the Court’s impact.

## 2. Implementation of the Strategic Plan per goal

7. This section focuses on the implementation of each strategic goal by comparing aims and objectives with achievements and providing further detail and data on steps taken for implementing the goals during the period 2016-2018. It also contains an analysis of the performance of the Office, including the objectives achieved.

### 2.1. Achieving high performance in relation to the Office’s mandate

**Strategic goal 1: to conduct impartial, independent, high quality preliminary examinations, investigations and prosecutions.**

Objectives	Achievements
Activities are conducted as stipulated in the yearly budget documents.	<p>Due to increasing demands placed on the Office, and in the fulfilment of its mandate, the Office conducted more preliminary examinations, investigations and prosecutions than planned. The mismatch between resources and actual work of the Office continued to place a strain on available resources.</p> <p>OTP developed a policy paper on case selection and prioritisation.<sup>8</sup></p>

<sup>8</sup> Office of the Prosecutor, Policy Paper on Case Selection and Prioritisation, 15 September 2016, available at: [https://www.icc-cpi.int/itemsDocuments/20160915\\_OTP-Policy\\_Case-Selection\\_Eng.pdf](https://www.icc-cpi.int/itemsDocuments/20160915_OTP-Policy_Case-Selection_Eng.pdf).

8. To implement Strategic goal 1, the Office undertook to produce a yearly defined level of activities in light of the allocated budget. As Table 1 demonstrates, the Office conducted the planned level of activities or above, throughout the 2016-2018 period. This goal was thus sufficiently advanced. However, the Office identified several issues and lessons that will need to be reflected in its strategic plans going forward, as will be discussed below.

*Table 1: Comparison of targeted versus actual yearly activities*

Year		Approved		Actual	Balance
2016 <sup>9</sup>	Preliminary Examinations	9	10	Colombia, Afghanistan, Guinea, Nigeria, Comoros, Ukraine, Iraq/UK, Palestine, Burundi, Gabon	+1
	Situations under investigation	8	9	CAR1, CAR2, CIV, DAR, DRC, GEO, KEN, LBY, MLI, UGA	+1
	Active investigations	5	6	CAR2A, CAR2B, CIV2, DAR, GEO, LBY3	+1
	Trial teams	5	6	Ruto & Sang, Bemba et al.(Art.70), Gbagbo & Blé Goudé, Al Mahdi, Ongwen, Ntaganda	+1
	Final Appeals	1	1	Bemba	0
2017 <sup>10</sup>	Preliminary Examinations	10	10	Colombia, Afghanistan, Guinea Nigeria, Comoros, Ukraine, Iraq/UK, Palestine, Burundi, Gabon	0
	Situations under investigation	11	11	BDI, CAR1, CAR2, CIV, DAR, DRC, GEO, KEN, LBY, MLI, UGA	0
	Active investigations	6	6	CAR2A, CAR2B, CIV2, DAR, GEO, LBY3	0
	Trial teams	3	3	Gbagbo & Blé Goudé, Ongwen, Ntaganda	0
	Final Appeals	2	6	Bemba (conviction and sentence), Bemba et al.(Art.70, conviction and sentence), Katanga (reparations), Al Mahdi (reparations)	+4

<sup>9</sup> Approved Programme Budget for 2016, ICC-ASP/14/10, v. 22 March 2016, pg. 30.

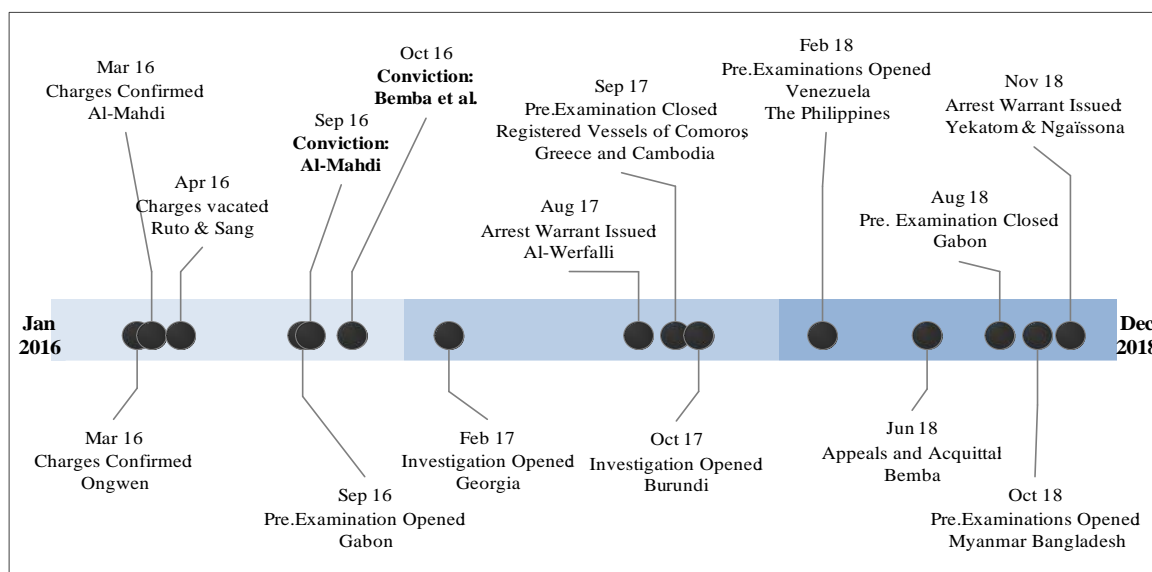
<sup>10</sup> Approved Programme Budget for 2017, ICC-ASP/15/10, v. 31 March 2017, pg. 46.

2018 <sup>11</sup>	Preliminary Examinations	8-10	11	Afghanistan, Colombia, Guinea, Nigeria, Ukraine, Iraq/UK, Palestine, Gabon, The Philippines, Venezuela, Bangladesh/Myanmar	+1
	Situations under investigation	10	11	BDI, CAR1, CAR2, CIV, DAR, DRC, GEO, KEN, LBY, MLI, UGA	+1
	Active investigations	6	8	BDI, CAR2A, CAR2B, CIV2, DAR, GEO, LBY3, MLI	+2
	Trial teams	3	3	Gbagbo & Blé Goudé, Ongwen, Ntaganda	0
	Final Appeals	9	8	Bemba (conviction and sentence), Bemba et al.(Art.70, conviction, sentence, resentencing), Katanga (reparations), Al Mahdi (reparations), Lubanga (reparations)	-1

<sup>11</sup> Approved Programme Budget for 2018, ICC-ASP/16/10, v. 14 March 2018, pgs. 45-46.

9. Figure 1 below shows a 2016-2018 timeline for judicial and investigative events milestones.<sup>12</sup>

Figure 1: Timeline of milestone events during the period of the Strategic Plan 2016-2018



During the reporting period:

- a. 15 situations were subjected to preliminary examination. Five of them were initiated during 2016-2018 (Burundi, Gabon, Philippines, Venezuela, Bangladesh/Myanmar) and four were completed or closed (Afghanistan, Gabon, Burundi and Comoros<sup>13</sup>). Six preliminary examinations were initiated prior to the reporting period and were on-going at the end of the strategic period (Colombia, Guinea, Iraq/UK, Nigeria, Palestine and Ukraine).
- b. The Office opened investigations in two new situations (Burundi and Georgia) and continued active investigations, investigations pending arrest, and prosecutions in eight situations (the Central African Republic, Sudan, Libya, Côte d'Ivoire, Kenya, Democratic Republic of the Congo, Uganda and Mali).
- c. Out of the seven cases that were on trial in 2016-2018 (Bemba, Bemba et al., Ruto & Sang, Gbagbo & Blé Goudé, Al Mahdi, Ongwen and Ntaganda), two cases saw final convictions (Bemba et al., and Al Mahdi), while two were more significantly advanced

<sup>12</sup> OTP activities and results are detailed in the annual reports of activities: ICC-ASP/16/9, ICC-ASP/17/9 Office of the Prosecutor, Report on Preliminary Examination Activities 2016, 14 November 2016, available at: <https://www.icc-cpi.int/Pages/item.aspx?name=161114-otp-rep-PE>; Office of the Prosecutor, Report on Preliminary Examination Activities 2017, 4 December 2017, available at: <https://www.icc-cpi.int/Pages/item.aspx?name=171204-rep-otp-PE>; Office of the Prosecutor, Report on Preliminary Examination Activities 2018, 5 December 2018, available at: <https://www.icc-cpi.int/Pages/item.aspx?name=181205-rep-otp-PE>.

<sup>13</sup> The matter is pending before the Appeals Chamber which is expected to deliver its judgement on 2 September 2019. (See Executive Summary, paragraph 3(c) above).

(Ongwen and Ntaganda, the latter resulting in a conviction after the end of the strategic period). These cases were either investigated or re-investigated and enhanced following the investigative and prosecutorial strategy adopted in the 2012-2015 Strategic Plan. The other cases were terminated (Ruto & Sang), overturned on appeal after conviction (Bemba) or resulted in an acquittal on no-case-to-answer motions (Gbagbo & Blé Goudé).

10. When looking in more detail into the three distinct activities listed under Strategic goal 1 (to conduct impartial, independent, high quality preliminary examinations, investigations and prosecutions), certain conclusions can be drawn regarding the Office's performance.
11. **Preliminary examinations** form the starting point of the Office's activities, as it is at this stage that the Office determines if the legal criteria set out in the Rome Statute are met for an investigation to be opened into a situation. The Office's level of activity is a response to new or ongoing alleged crimes that fall within the Court's jurisdiction. During the relevant period, the Office was regularly seized, for example through communications under Article 15,<sup>14</sup> or referrals,<sup>15</sup> of various situations where it is alleged that crimes under the Rome Statute have been committed. Despite a level of activity higher than the one expected, various milestones were reached, and significant progress was made in all on-going preliminary examinations, whether in terms of identifying potential cases for investigation, or not, or assessing and encouraging accountability efforts at the national level.
12. Preliminary examinations involve a dynamic process and each situation is assessed on its own merits. While there is no prescribed time limit for the duration of preliminary examinations, since it began operating, the Office has managed to complete or close 19 of the 28 preliminary examinations it initiated – 4 in the current strategic period. In the past years, in a context of limited resources, and in line with the priority given by the Prosecutor to expedite the preliminary examinations process, the Office has further endeavoured to bring to completion as many preliminary examinations as possible, making an effort to ensure that no preliminary examination takes longer than is required for the Office to complete its thorough independent assessment of the statutory criteria. Furthermore, the Office has introduced processes to bridge the preliminary examination and investigative phases in situations where the likelihood of investigations and availability of resources have warranted it, thus bringing in an additional efficiency and quality element to this activity. Special attention has also been paid during the strategic period to increase awareness and communicate more regarding this activity, in line with the interest expressed by stakeholders.

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<sup>14</sup> In the period of 2016-2018, the Office received 1,773 communications under Article 15, out of which 574 warranted further action.

<sup>15</sup> In the period of 2016-2018, the Prosecutor received referrals from the Gabonese Republic, from the State of Palestine, as well as from Argentine Republic, Canada, the Republic of Colombia, the Republic of Chile, the Republic of Paraguay and the Republic of Peru (the latter regarding the situation in the Bolivarian Republic of Venezuela).

13. A number of factors impact the duration of each preliminary examination, namely: i) the complexity of the situation to be examined, with some preliminary examinations in fact combining several situations in one and/or raising challenging factual and legal issues; ii) the limited resources available for preliminary examinations (slightly over one analyst full time per preliminary examination); iii) the constraints inherent in the assessment of complementarity criteria, rendered complex either by the information provided (or lack thereof) or due to fact that the national mechanisms in place require time to actually deliver. The preliminary examination process enables the Office, inter alia, to identify potential cases, build knowledge of situations, and establish cooperation networks, all of which can benefit future investigations. In some instances, the necessary complementarity assessment also had the positive effect of catalysing accountability efforts at the national level, thereby potentially obviating the need for the Office to open a new investigation.
14. Despite results achieved in this area in the reporting period, the Office considers it necessary to continue the process of optimising preliminary examination activities, through strengthening internal deadlines, further streamlining its decision-making and ensuring a continuum between preliminary examinations and investigations, as well as enhanced communication on preliminary examinations and related issues, such as assessment of complementarity. The Office is aware of some concerns regarding turn-around time for this activity, its efficiency and the need to foster better understanding of this aspect of the Office's activity.
15. In addition to expediting preliminary examinations, since assuming her duties, the present Prosecutor has set the **achievement of positive results in Court, through investigations and prosecutions**, as a key priority of the Office. In this regard, the Office is monitoring its performance in terms of charges confirmed, as well as the number of convictions. To achieve this goal, a new strategy aimed at ensuring high quality investigations and prosecutions has been implemented since June 2012, and has been a key tenet of the Office's Strategy during this period.<sup>16</sup>
16. While the Office has in large part implemented the measures defined as objectives under the Strategic goal, it notes that the full effect of these measures requires a longer lag time than the current period under evaluation, as most of the cases that are developed under the strategy are only now being presented in court, or are on their way to being presented.

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<sup>16</sup> To recall, the key components of this revised strategy are:

- a) Recruiting and training highly qualified staff with sufficient diversity in competence to respond to the evolving requirements of the Office's core activities.
- b) Increasing the Office's field presence to allow for deeper understanding of the local environment and more continuous investigative presence while saving costs.
- c) Continuously reviewing (with partners) its investigative and prosecutorial standards.
- d) Implementing quality assurance mechanisms so that investigation plans, cases, and practices are up to the required standards.
- e) Creating a culture and supporting systems of critical thinking.
- f) Being trial-ready as early as possible in the proceedings and in principle no later than at the confirmation of charges hearing.

17. When looking at the Office's performance in court, as observed in paragraph 9 c. above, during 2016-2018, on the one hand, there were positive results and significant progress in the cases against Ahmad Al Faqi Al-Mahdi, Jean-Pierre Bemba Gombo and a number of associates for article 70 offences, as well as, the case against Bosco Ntaganda. On the other hand, the Office experienced setbacks with the outcome in the Kenya cases against William S. Ruto and Joshua A. Sang, and the reversal on appeal of the conviction against Jean-Pierre Bemba Gombo in his main case. Furthermore, just after the end of the strategic period (in January 2019) the majority of Trial Chamber I decided to acquit Laurent Gbagbo and Charles Blé Goudé at the mid-point of the trial. The Office received the written judgment of the Trial Chamber in July 2019, and at the time of this report is assessing it.
18. The results of the Office can also be measured qualitatively, for example by analysing how it contributes to shaping the law through innovative charging and pleading and through strategic selection of charges in relation to under-prosecuted crimes. In this regard, the Office has seen important landmark decisions being issued during the strategic period:
- a. In the Ntaganda case, the judiciary up to the Appeals Chambers accepted the innovative approach presented by the Office, holding that a commander could be held criminally liable for sexual violence committed by his troops against their own members. The judgement delivered in the Ntaganda case convicting the accused of all counts, included, for the first time at the ICC, crimes relating to sexual slavery and violence against girl child soldiers who were within the ranks of the accused's own forces.<sup>17</sup>
  - b. The Al-Mahdi case has highlighted the importance of the protection of cultural heritage.
  - c. The comprehensive SGBC charges in the Ongwen case included forced pregnancy, as well as forced marriage and enslavement.
  - d. The Al-Hassan arrest warrant application included the crime of persecution on the ground of gender.
  - e. The ruling on the crime against humanity of deportation in Myanmar/Bangladesh has further clarified the jurisdiction of the Court.
19. One other notable achievement during the reporting period was the development and finalisation, of a case selection and prioritisation policy paper in 2016. The Policy Paper which was subject to wide public consultation provides the Office with detailed, structured criteria to assist decision-making and prioritisation of cases within open situations. Publication of the paper enhances, transparency to all stakeholders regarding the criteria the Office uses to make difficult choices on selection of cases. As a necessary next step, the Office will develop a completion strategy for situations, for which the case selection and

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<sup>17</sup> While again noting that the judgement falls outside the scope of the strategic period, it is the result of efforts by the OTP throughout strategic period.

prioritisation policy paper now provides a useful basis. The Office has set as a budget objective for 2020 to develop a completion strategy for two situations. Moreover, the list of cases selected on the basis of the case selection and prioritisation policy will form part of the elements to be considered in defining the completion strategy.

20. As a continually learning institution, the Office has drawn from its experiences, its successes and setbacks and has carefully analysed the outcomes, with a view to improving on its successes and learning lessons from its setbacks, including by resorting to an external review in relation to the Kenya cases. The lessons, which have been drawn from past experiences have been used to guide the development of both previous strategic plans, and the most recent 2019-2021 Strategic Plan in the following ways:

- a. OTP must continue to implement, the investigative strategy adopted in 2012, which moved away from focused (and at times overly narrow) and phased (i.e. focused on achieving only the evidentiary standard of the impending procedural stage) and increasingly move towards open-ended, in-depth investigations with a stronger evidence base and aim to be trial-ready as early as possible, and in any event no later than the confirmation of charges proceedings.
- b. OTP must further enhance collection of evidence of a more diverse nature. This approach allows for better corroboration of the facts, lesser reliance on witnesses, and greater resilience in the face of security challenges or witness interference.
- c. OTP must continue to address in a swift and decisive manner instances of non-cooperation and witness interference.
- d. OTP must continue to enhance and review its standards in relation to the collection, factual and legal analysis, and presentation of evidence. It must also continue the training of staff in order to ensure that those standards are applied consistently, taking into account the specific procedural and evidentiary requirements of the Rome Statute system. In addition, the Office will need to further develop its research, lessons learned, and evaluation agendas, so that it can continue to assess and improve its standards and practices, including with the assistance of external partners, where deemed beneficial.
- e. OTP must strengthen and refine its quality control mechanisms to ensure that all critical decisions and activities are consistently taken and properly implemented.
- f. OTP must continue to promote a culture of critical thinking, where all staff members feel comfortable in expressing their opinions.

21. In terms of lessons learned, the Office has observed that the cases that have been fully developed under the 2012 strategy and that have reached a final conclusion have been successful in terms of outcome, all achieving final convictions. The Office's expectation is that this trend will continue with the new cases that are currently being presented before



Chambers (Ongwen, Al Hassan and Yekatom and Ngaïssona cases). As regards older cases that started under the previous pre-2012 strategy, currently pending the execution of arrest warrants, the Office has also worked on reviewing and strengthening them in line with the new strategy to the extent possible, in spite of resource, security and cooperation constraints.

22. As is the case with preliminary examinations, the Office intends to constantly increase **the speed and efficiency of its investigations, and, as appropriate, of the proceedings in Court**, in line with the Court-wide strategic plan given that this is a shared responsibility between the judiciary, the parties and participants to the proceedings.
23. When looking at the average duration from the opening of an investigation to the issuing of an arrest warrant, there is a notable difference between the previous prosecutorial strategy until 2012 (average: 12.3 months) and the present one, applied since 2012 (average: 42.5 months). The following factors account for the difference:
  - a. The present strategy aims to have trial-ready cases ideally at the time of requesting of an arrest warrant and no later than the confirmation of charges hearing. Such trial readiness entails in-depth investigations which requires more time.
  - b. The volume of evidence collected is much higher for in-depth investigations compared to the previous focused collection strategy. Yet, this is the necessary consequence following the lesson learned that too narrow an evidentiary basis risks the ensuing case being too fragile to withstand serious security challenges or too vulnerable to witness interference schemes. The Office aims at striking the right balance between under- and over-collecting given that the latter also entails a risk, namely one of slowing down investigations and even judicial proceedings as a result of disclosure of huge volumes of material.
  - c. In addition to launching new cases, the Office has had to devote part of its resources to strengthening a number of older cases in order to meet the Office's standards under the new strategy.
24. Other notable downsides of the application of the strategy besides the longer duration of investigations (which is also due to available resources) include the following:
  - a. Investigations take longer and result in presentation of fewer cases.
  - b. The longer the investigations take, the less room there is to redeploy staff and other resources to new situations or cases that require investigation.
  - c. Stakeholders, notably the victims and affected communities, but also States Parties, have expressed concerns about the duration of investigations, with the risk of decreased support for the OTP activities.

25. In light of the above factors, the Office considers that its performance measured against the speed of investigations during the reporting period has not been as successful as desired. In fact, the Office has been forced to tackle investigations and prosecutions with smaller teams than required, which further delays output. To address this situation, the Office has strived, to the extent possible, to increase its flexible use of resources, thus continuously shifting staff from one team to another as investigative opportunities arise or judicial proceedings progress. The Office also systematically looks at finding efficiency gains and savings, as illustrated in the chapter on efficiencies below. Yet, in the longer term, with the expectation that a number of preliminary examinations will move to investigations in the near future, combined with the pending cases and ongoing investigations in situations already under investigation, the Office will likely need to spread its resources even more. This will inevitably have a further negative impact on the timelines.
26. While an increase in the Office's resources is necessary to address what now seems to be a permanent mismatch between mandate, expectations and ability to deliver due to lack of sufficient resources, there are also ways that the Office, based on experience gathered and lessons learned, can try to manage this situation. In this regard, the Office has explored, and has identified as necessary next steps the following avenues to increase speed and efficiency: optimising preliminary examinations; further prioritising amongst investigations and prosecutions; developing a clear completion strategy for situations under investigation; developing narrower cases, where appropriate; contributing to more expeditious court proceedings through advance planning and preparation; conducting further reviews of its work processes, and optimising cooperation with partners. These measures are also further defined and reflected in the 2019-2021 Strategic Plan.

**Strategic goal 2: to continue to integrate a gender perspective in all areas of the Office’s work and to pay particular attention to sexual and gender-based crimes (SGBC) and crimes against and affecting children.**

Objectives	Achievements
The SGBC Policy is implemented as planned.	The SGBC Policy is being implemented in all Divisions. SGBC charges were included in four cases under investigation.
Specialised training for relevant staff on interviewing vulnerable witnesses is in place.	All relevant staff members have been trained in the PEACE model for interviewing vulnerable witnesses. Pertinent trainings on SGBC and on children have also been organised.
The Policy on Children is finalised and its implementation plan is developed.	The Policy on Children was finalised, <sup>18</sup> adopted and presented in November 2016. The implementation plan is ongoing.
The Policy on Avoiding Re-traumatisation is finalised.	A pilot project on avoiding re-traumatisation for staff-members has been implemented to assess the psychological status of staff members whose positions place them at risk of traumatisation. The pilot results will be used to finalise the policy.

27. The goal and most of the measures identified in the related policies have been implemented. This goal is sufficiently advanced.
28. The preliminary examinations and investigations conducted by the Office have proactively and systematically explored the existence of SGBC and crimes against and affecting children. To the extent that the evidence allows doing so, these crimes are being prosecuted. The Office started to build, and continues to develop, a wide network of experts and practitioners from States, UN agencies, civil society organisations, and media, experienced in reporting, investigating or prosecuting SGBC, in addition to working with survivors of SGBC.
29. During the reporting period, the Office brought forward SGBC charges against four defendants: Dominic Ongwen, Bosco Ntaganda, Jean-Pierre Bemba and Laurent Gbagbo. The cases have included significant and novel SGBC and crimes against children as crimes per se, and involved charges based on different modes of liability. While still awaiting the decision on the confirmation of charges in the Al Hassan case, the charges against him also include significant and novel allegations of SGBC, including persecution on the basis of gender. Moreover, all cases in court featured victim and expert testimony related to SGBC. The Office also analysed allegations of SGBC and crimes against or affecting children in a majority of the situations under preliminary examination. The Office engaged in public and bilateral activities to encourage investigations and prosecutions of SGBC to be carried out by national authorities and other entities.

<sup>18</sup> Office of the Prosecutor, Policy on Children, November 2016, available at: [https://www.icc-cpi.int/iccdocs/otp/20161115\\_OTP\\_ICC\\_Policy-on-Children\\_Eng.PDF](https://www.icc-cpi.int/iccdocs/otp/20161115_OTP_ICC_Policy-on-Children_Eng.PDF).

30. Gender Analysis Guidelines were issued in October 2016 for mandatory implementation across Divisions and situations. During the reporting period, 100% of relevant staff have been trained on interviewing vulnerable witnesses. Additional trainings are organised for new staff. Furthermore, a joint interdivisional working group on SGBC has been established with the objective to identify ways in which the Office can improve how to obtain enhanced linkage evidence for SGBC.
31. In December 2017, the Prosecutor appointed Ms. Patricia V. Sellers, a leading international expert, as the Special Adviser on Gender. Her appointment has not only further strengthened the Office's approach to a range of gender issues (e.g. through systematic provision of training and the integration of a gender perspective into OTP affairs) but has also gone a long way in supporting office-wide strategic responses to sexual and gender-based crimes under the Rome Statute. Moreover, in 2018 the Office engaged in closer cooperation with UN Women, which has resulted in one Analyst and two Investigators contributing to the Office work pro bono.
32. The Policy on Children was finalised,<sup>19</sup> adopted and presented in November 2016. The development of the implementation plan was promptly started, and its roll-out is ongoing; it includes the development of Office-wide and divisional implementation activities covering all phases of the Office's work. In 2017, internal and external experts provided training for OTP staff on crimes against children with the purpose of enhancing knowledge on prosecution of crimes against children.
33. The Office undertook efforts to increase awareness on crimes against children and the importance of investigating and prosecuting such crimes. The Office also started developing a network of experts and practitioners experienced in reporting, investigating and prosecuting crimes against children.
34. Internal initiatives have been geared towards ensuring adequate gender perspective within the Office. For instance, gender awareness training and a gender assessment were conducted in the Prosecution Division during 2017 and 2018, and these have been extended to other Divisions since then. The Investigations Division conducted an assessment in 2018 and defined gender equality and respect as divisional priorities for 2019; an action plan is being implemented. A Gender Awareness Working Group has also been created to coordinate initiatives and training on gender issues across the Office. There is also an ongoing mentoring program aimed at enhancing empowerment and providing development opportunities for female staff members. The Office has been closely involved in the Court-wide initiatives to promote gender parity and awareness, and the Prosecutor joined the group of the International Gender Champions in 2018.

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<sup>19</sup> Office of the Prosecutor, Policy on Children, November 2016, available at: [https://www.icc-cpi.int/iccdocs/otp/20161115\\_OTP\\_ICC\\_Policy-on-Children\\_Eng.PDF](https://www.icc-cpi.int/iccdocs/otp/20161115_OTP_ICC_Policy-on-Children_Eng.PDF).

**Strategic goal 3: to further improve the quality and efficiency of preliminary examinations, investigations and prosecutions.**

	Objectives	Achievements
Preliminary Examinations	<p>Possibilities to further integrate investigative needs and start-up into the preliminary examination phase are defined.</p> <p>Increased public information and communication in relation to preliminary examinations.</p> <p>Enhanced Office’s ability to mount an early response to unrest or serious risks of violence.</p>	<p>The pre-investigative function of preliminary examinations was enhanced to include measures to preserve potential evidence and improve transfer of experience and knowledge to investigation when one is opened.</p> <p>Three yearly reports on preliminary examination activities were published in 2016-2018.<sup>20</sup> Press statements were issued, when required, and interviews and responses to media queries were given.</p> <p>Guidelines on preventive statements were developed and preventive statements were issued.</p>
Investigations	<p>Improvement projects are implemented on the priority areas of:</p> <ul style="list-style-type: none"> <li>i. Closing time gaps</li> <li>ii. Science and technology</li> <li>iii. Analysis</li> <li>iv. Investigative standards</li> <li>v. Financial investigations</li> <li>vi. Field presence</li> </ul>	<p>Completed initiatives and projects were evaluated at the yearly strategic Investigation Division’s retreats, and a yearly performance survey was conducted to measure the timeliness, quality and flexibility of the Division’s activities.</p>
	<p>Effective and timely support for disclosure and evidence registration is provided.</p>	<p>95% or more of the evidence were registered within two days (non-electronic) or three days (electronic). No disclosure errors or inadvertent disclosures were recorded.</p>
Prosecutions	<p>Improvement projects are implemented on the priority areas of:</p> <ul style="list-style-type: none"> <li>i. Internal processes</li> <li>ii. Management capabilities</li> <li>iii. Case design</li> <li>iv. Case review processes</li> <li>v. Technology</li> <li>vi. Key competences</li> </ul>	<p>Several improvement projects have been implemented. Other projects are ongoing or currently being developed in all priority areas.</p>

<sup>20</sup> Office of the Prosecutor, Report on Preliminary Examination Activities 2016, 14 November 2016, available at: <https://www.icc-cpi.int//Pages/item.aspx?name=161114-otp-rep-PE>; Office of the Prosecutor, Report on Preliminary Examination Activities 2017, 4 December 2017, available at: <https://www.icc-cpi.int//Pages/item.aspx?name=171204-rep-otp-PE>; Office of the Prosecutor, Report on Preliminary Examination Activities 2018, 5 December 2018, available at: <https://www.icc-cpi.int//Pages/item.aspx?name=181205-rep-otp-PE>.

35. In line with its aim for continuous improvement, to implement the Strategic goal, the Divisions and Sections of the Office developed various improvement projects with a view to increase the quality, efficiency and effectiveness of the Office's activities. These have been subsequently evaluated in terms of the results and impact, for example, through satisfaction surveys or other means. While improvement of quality and achievement of goals are continuous and ongoing processes, in light of the concrete activities and results, the Office considers that this goal was sufficiently advanced when measured against the set objectives.
36. The Office has embarked on measures to maximise the added value of **preliminary examination activities** for its future investigations. These measures, piloted, in particular, in the preliminary examinations relating to situations in Afghanistan and Bangladesh / Myanmar, include efforts to preserve evidence, expanding collection activities during the preliminary examination, further tailoring the range of analytical products and strengthening the Office's information management capacity at the preliminary examination stage.
37. Regarding **investigations**, the Office established partnerships with early responders to improve evidence collection standards. A crime reporting gateway was also created and implemented as a pilot project, and the Office formed partnerships with internet stakeholders to preserve relevant information online (closing time gaps). New investigative, scientific and forensic IT equipment and applications were purchased or developed (science and technology – see also Strategic Goal 4 below). The Factual Analytical Database was fully rolled out to all active cases (analysis). A new field presence model was developed with field investigators, and it was implemented where possible, improving the Office's ability to operate in the field (field presence). A thorough review of the OTP Operations Manual is ongoing, alongside the creation of detailed standard operating procedures. All investigators have been trained on the PEACE model and Office investigative standards (investigative standards). Some staff have been trained on financial investigations, and financial lines of enquiry have been included in investigations to the extent possible within the existing resources, including lack of sufficient in-house capacity in this regard (financial investigations).
38. The **Prosecutions Division** rolled out its planned improvement projects: the Case Management and Trial Support capabilities have increased with the introduction of a Case Manager Coordinator. The Division also created internal practical guidelines such as the "Do's and Don'ts of disclosure" (internal processes). The Management Development Programme, including 360-degree feedback was continued during the reporting period. The use of technology in the courtroom was enhanced with the use of 360-degree crime scene imaging, video-links, interactive digital presentations of evidence and a Trial Director enterprise licence (technology). Standardisation of the evidence review has been implemented, optimising the procedure and ensuring that all teams follow the same steps. 100% of cases have undergone an evidence review during the reported period (case review processes).
39. On **cooperation**, the Jurisdiction, Complementarity and Cooperation Division ("JCCD"), through its International Cooperation Section ("ICS"), has assessed the quality of the internal

dimension of cooperation processes and has implemented selected improvement projects to enhance the quality and efficiency of its work. Concretely, ICS has defined, launched and implemented three projects related to information management and horizontal sharing between organs (Registry and OTP) in the area of arrests (Arrest Working Group), between OTP Divisions (redefining ICS cooperation database) and between sections of JCCD (establishment of JCCD management meetings and online internal communications tools). These improvement projects have notably improved information flows, reduced possible blockages and prevented information loss.

**Strategic goal 4: to further adapt the Office’s investigative and prosecutorial capabilities and network to the complex and evolving scientific and technological environment.**

Objectives	Achievements
All relevant staff is trained in the basics of online investigations and handling electronic evidence.	<p>Online strategy has been developed + training requirements identified in 2019.</p> <p>Manual and automated collection of evidence from the internet rolled out to teams.</p> <p>Application to securely perform searches on the internet rolled out.</p> <p>Handling protocol for electronic evidence defined and in place.</p> <p>Capabilities to collect, process and analyse call data records implemented</p>
Strengthened Office’s ability to use technology to present evidence in Court.	Continuous improvements were made in the Office’s ability to use technology to present evidence in Court.

40. In light of the achievements against the set objectives, the Office considers that this goal was sufficiently advanced.

41. The Office has continued to develop its capability to collect and process other forms of evidence than witness statements (e.g. digital evidence, phone data records, video-analysis, geolocation data or social media material). It has done so by strengthening its internal capacity and through partnerships. The OTP developed an important supportive network through its Scientific Advisory Board<sup>21</sup> and its Technology Advisory Board<sup>22</sup>. The Scientific Advisory Board provides advice to the Office on its development of standards in order to

<sup>21</sup> SAB annual meeting 2018: <https://www.icc-cpi.int/Pages/item.aspx?name=PR1401>. SAB annual meeting 2017: <https://www.icc-cpi.int/Pages/item.aspx?name=pr1319>.

<sup>22</sup> The OTP established a Technology Advisory Board in 2015 to identify the expertise, tools, and methodologies needed to conduct effective investigations and prosecutions. Board members help OTP adapt its investigative and prosecutorial capabilities to a rapidly-changing scientific and technological environment.

ensure their scientific soundness. The Technology Advisory Board has assisted the Office in finding solutions for new challenges it faced as technology and the internet became more important for investigations. Both boards have met regularly at the seat of the Court or elsewhere.

42. In the area of investigations, a system that facilitates efficient and secure communication with witnesses was acquired. In addition, new investigative, scientific and forensic IT equipment or applications, such as Cedar, were purchased or developed in compliance with the inter-organ IT governance framework and strategy. To further expand on the analysis function, the Investigation Division also rolled out the Factual Analytical Database for all current cases during the reporting period. Evaluation report shows that the investigation teams see this as an important tool to assist in the investigations (ability to quickly retrieve relevant data, ability to prioritise investigative leads). It is a cost-intensive system which the Office is evaluating with a view to reduce cost.
43. During the presentation of the evidence in the Al-Mahdi trial in August 2016, the OTP utilized an interactive digital platform to present its case. The demonstrative platform displayed 360-degree visuals and incorporated different sets of photographs, satellite imagery and video footage. After the presentation, the platform allowed the judges to further explore the platform and interact with the evidence themselves. Technology-based presentation of evidence was also used in other trial proceedings, such as in the cases of Ntaganda, Ongwen and Bemba et al. Also, the two pending warrants of arrest in the Al Werfalli case relate to (execution) incidents that were filmed, with graphic videos posted on social media, with this visual record being authenticated and related to other evidence.



## 2.2. Creating the necessary conditions to fulfil the Office's mandate

**Strategic goal 5: to achieve a basic size which can respond to the demands placed upon the Office so that it may perform its functions with the required quality, effectiveness and efficiency.**

Objectives	Achievements
The approved resource evolutions are implemented as stated in the Basic Size Report and in line with the basic size model. The level of activity is adapted accordingly.	Regular flexible distribution of resources across teams to match with priorities including sudden shifts due to arrests, investigative opportunities, opening of new situations.  Multitude of parallel core activities resulting in understaffing of teams which impacts on timelines and on workload per staff member.
Efficiency gains are presented on yearly budget proposals.	Efficiency gains identified in 2016, 2017 and 2018 were incorporated in the budget proposal of 2017, 2018 and 2019 respectively.
The continuum of services, possible synergies and efficiency gains between the Office and the Registry are reviewed.	The Office participated in the Court-wide synergies exercise and contributed to the documents submitted for the Committee's

44. The Basic Size Report<sup>23</sup> was developed in 2015 following a request by the States Parties for the Office to explain when it would reach a size that would allow it to absorb the required work with the necessary speed, quality and efficiency, assuming a projected level of core activities.

45. Despite efforts by the Office to demonstrate the need and advocate for a Basic size, it has not been able to sufficiently advance this goal. The annual approved budgets did not fully address the growing discrepancy between the required team sizes per situation. The Office is operating at a higher level of activity than expected, while remaining understaffed. This situation has had an undesired negative impact on staff well-being.

46. Going further, the Office considers it essential to discuss with its stakeholders the structural issues relating to an appropriate size for an international (global) criminal prosecution office, as well as the required resources. In the independent exercise of its mandate, the Office looks forward to reengaging with States Parties and other stakeholders to discuss the best balance between resources, workload, priority setting, efficiencies including flexibility, quality of work, and staff wellbeing.

<sup>23</sup> [https://asp.icc-cpi.int/iccdocs/asp\\_docs/asp14/icc-asp-14-21-eng.pdf](https://asp.icc-cpi.int/iccdocs/asp_docs/asp14/icc-asp-14-21-eng.pdf).

**Strategic goal 6: to contribute to strengthening cooperation, and promoting general support towards the mandate and activities of the Office.**

Objectives	Achievements
Cooperation plans implemented for the critical support needed for the Office's investigations.	Annual cooperation plans were developed and implemented.
Network of operational focal points extended.	The network of focal points has been extended by new partners, and international networks have been reinforced.
Communication to stakeholders implemented.	Communication to stakeholders has been intensified and the Office has reached out to new stakeholders.
Awareness raised and support built on the activities of the Office through missions undertaken by the Prosecutor, and public information.	External relations and public information activities were implemented as planned.

47. Cooperation and judicial and general support remain a critical success factor if the Office is to execute its mandate. While the strategic period 2016-2018 witnessed some challenges in terms of cooperation and political support for the Office, for example through non-cooperation findings, threats of withdrawals and actual withdrawals, as well as threats against the Court and its independent functioning, overall the general support and judicial cooperation received from States and other partners was forthcoming. In light of the achievements against set objectives, this goal is thus considered sufficiently progressed.

48. While cooperation was forthcoming, it was not always as timely as would have been desirable. There were also instances of non-cooperation, which seriously affected the ability of the Office to investigate or prosecute. For instance, access to data or seized material which was collected during military or intelligence operations, despite being potentially critical to the establishment of the truth, remains a challenge in certain situations in light of the sensitivity of the material, the differences in mandates and priorities of different actors as well as restrictions imposed by some national operating procedures. The challenge to align the need for crime scene and evidence preservation with the real time imperatives of military operations or the activities of first responders offers another example where progress could still be made. Furthermore, while the Office managed to secure two arrests during the strategic period, this area of cooperation needs to be urgently strengthened in the coming period, to ensure that the prosecutorial strategy yield its full results. Final evaluation of results will only be possible when suspects are arrested and appear in court. Beyond the operational aspect, arrests are also critical for assessing the overall legitimacy and impact of the Court. In this regard, the Office believes that more needs to be done, by the Office and the States, and it will consider addressing this aspect of cooperation as a key priority in the next Strategic Plan.

49. To implement a more systematic approach to ensuring cooperation, annual cooperation plans were developed for each Integrated Team in a timely manner and submitted to ExCom simultaneously with the Investigation Plans. Implementation has been continuously measured through surveys which show that teams generally appreciate the efforts undertaken in the field of cooperation, although there are still a number of challenges to overcome. Separate plans were devised, in cooperation with other organs, to address particular cooperation and general political support challenges such as withdrawals or threats against the Court. The Office worked closely with cooperation facilitators to organise a seminar during which awareness of the importance and legal requirements for arrests were discussed. The Office also engaged in various informal discussions and missions to facilitate cooperation in this area.
50. The Office was able to extend its network of focal points to one new situation country annually, and to several non-situation countries in Africa, West Asia, as well as Europe. OTP involvement in international networks of practitioners and contacts with other international criminal law mechanisms were reinforced. Relations with NGOs and other non-governmental stakeholders were consolidated, including through organising events, such as annual roundtables, as well as through activities undertaken for specific missions or on transversal thematic issues.
51. Communication to stakeholders has been intensified through regularised briefings organised for different groups, in a broader, regional or bilateral context. Where possible, participation at high-level international platforms, such as the Munich Security Conference, or the UN General Assembly, was pursued to ensure maximum exposure and results. Also thematic discussions were organised, for example, in the context of the Assembly, to discuss OTP mandate, objectives and activities at the Court in the margins of other cooperation activities. The Office has reached out to new stakeholders, including from the media and academia from around the globe. The Prosecutor and other Office representatives have engaged with the media to provide clarifications and accurate information in support of the Court and the Prosecutor issued numerous statements, either through video, audio, or print, with respect to important developments.
52. Specific efforts were made in the 2016-2018 period towards strengthening cooperation with the United Nations, including its Security Council. Besides regular meetings and interactions with the UN Secretary General and his Special representatives or Advisers to advance the mandate and activities of the Office,, the Prosecutor signed a letter of intent with UNESCO in 2017 to strengthen cooperation in the protection of cultural heritage<sup>24</sup> on heels of the constructive collaboration with the UN agency in the context of the Al-Mahdi case, and also engaged with the Security Council under the Arria formula to discuss cooperation between the Court and the Council<sup>25</sup>. The Prosecutor and her Office also regularly reached out to or interacted with other international and regional organisations (the European Union, the

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<sup>24</sup> [https://www.icc-cpi.int/Pages/item.aspx?name=171106\\_OTP\\_Unesco](https://www.icc-cpi.int/Pages/item.aspx?name=171106_OTP_Unesco).

<sup>25</sup> <https://www.icc-cpi.int/Pages/item.aspx?name=180706-otp-statement-arria-formula>.

African Union, the Organization for Security and Co-operation in Europe among others) to discuss issues of mutual interest and to promote dialogue and cooperation.

53. In 2018, the Prosecutor and the Office actively collaborated with other stakeholders to the planning and implementation of several activities related to the 20th anniversary of the Rome Statute, which offered a relevant platform for fostering general support for the Court.

**Strategic goal 7: to adapt the Office’s protection strategies to the new security challenges.**

Objectives	Achievements
Partnerships established with key partners in relation to cyber and information security.	Partnerships with national and international entities were established or updated.
Coordinated security intelligence cycle established with partners within and outside the Court.	Coordinated security intelligence cycle established.
Field craft requirements updating finalised.	The field craft document was updated and e-learning module is being developed.
Conducted review of relevant existing protocols with the security entities of the Court and in particular the Victims and Witnesses Section (VWS) of the Registry.	A coordinated approach towards Open Source Intelligence has been implemented. The review of protocols with other entities in the Court, the Victims and Witnesses Section in particular, was conducted.

54. The Office has maintained its high level of performance related to the protection of information, persons at risk on account of their interaction with the Office and its staff, while operating in a more challenging environment than before. Despite the ongoing and even heightened security challenges, the objectives set for this goal are met, and thus the goal is considered sufficiently progressed.

55. During the reporting period, the OTP has increased its regular interaction with local security apparatus. This has led to an increased amount of information sharing and coordination.

56. Several partners have been identified in the cyber security sector and this has allowed the Office and its representatives in the field to move and communicate in a more secure manner. Field craft guidelines were developed and an e-learning module is being developed.

57. An Annual Security Review by all Court actors engaged with the security and protection challenges is presented to ExCom every year. It was decided to perform the review and presentation bi-annually. The Office attaches great importance to security writ large, and as a matter of policy, keeps the matter high on the agenda in relevant inter-organ discussions and initiatives.

58. Through the synergies project, a more coordinated approach towards Open Source Intelligence has been implemented in the Court. The review of protocols with other Court entities, the Victims and Witnesses Section in particular, was conducted.

59. The Office also made a substantial contribution to the development of the Court-wide crisis management plan.

**Strategic goal 8: to ensure a professional, transparent and efficient management of the Office.**

Objectives	Achievements
Maximised budget implementation rate.	The Office has achieved an increasingly high budget implementation closer to 100%.
Improved gender balance.	Gender balance has improved.
Improved regional balance.	The Office achieved slight improvements.
All training and performance appraisals are implemented.	A steady high compliance with the performance review cycle (98% on average for 2016-2018).
The Core Values Embedment Programme is implemented.	The Core Values have been rolled out. 87% of OTP staff members have completed the mandatory training. An intranet-based single repository of OTP materials on staff conduct was created.
Working Climate Recommendations are implemented.	Ten (10) Court-wide Administrative Instructions (AI) affecting staff - on which OTP provided input - were promulgated. Court-wide staff wellbeing survey was conducted and related initiatives conceived and rolled out.
Occupational hazard review performed.	A review of secondary traumatisation as well as health and safety requirements for operating on the field has taken place in collaboration with Registry's Occupational Health Unit ("OHU").
Information management structure reviewed.	The Office appointed an Information Management Coordinator to assess the OTP information management strategy and structure. The report was submitted in 2018; it has been implemented to a significant degree in 2018-2019.
Systems for performance indicators, risk management and lessons-learned projects established.	System for performance indicators was established, lessons-learned projects were developed. Court-wide risk management system was established.

60. During 2016-2018, a number of managerial initiatives have been effected all of which are intended to enhance the Office’s effectiveness and efficiency in the exercise of its mandate, and in so doing, further strengthen public confidence in the OTP. Many of these initiatives are a matter of public record, and have resulted in internal institutional and operational enhancements and output. Considering all actions and the areas covered, this goal is considered sufficiently progressed.
61. Through increased financial planning and control functions, structural improvements in both Registry and the OTP, and other measures, the Office has achieved a **higher budget implementation rate** closer to 100%, compared to the previous strategic period. The budget implementation rates were of 97.0% (2016), 98.5% (2017), and 96.1% (2018).
62. Since the Court’s budget has to be prepared well in advance of the actual implementation (i.e. by May-June of the year preceding the actual budgetary year), the significant amount of unforeseen judicial and other developments, delays in recruitment as well as adjustments that the Office has to make into its planning following the receipt of the final, approved budget, the Office has historically been under-implementing its budget. The Office has introduced measures to address under-implementation to the extent it has influence to effect outcomes, and in 2019, improvements are already being recorded. Such efforts will continue with the aim of ensuring further improvement.
63. The Office slightly improved its **geographical representation** imbalance amongst staff. While Eastern Europe representation is on target, Western European and Other Group (WEOG) and Africa remained over-represented; and Asia and the Latin American and Caribbean Group (GRULAC) continued to be under-represented. Measures undertaken by the Office in coordination with Registry Human Resources Section to address this issue include sourcing potential candidates from the most under-represented as well as non-represented States through various methods, and by ensuring geographical (and gender representation) are a priority in the approach of the Office to recruitments, and form part of its internal performance indicators. However, the issue is far from being resolved and the Court wide Strategic Plan recognises that more work still needs to be done to address the imbalances. Strategies are being refined and further developed in this regard.

Table 2: Geographical Balance (Established and GTA posts)

Region	Professional Staff			
	Target	Dec-12	Dec-15	Dec-18
Africa	13%	19%	18%	17%
Asia	18%	6%	6%	7%
Eastern Europe	8%	7%	7%	8%
GRULAC	16%	8%	7%	6%
WEOG	44%	60%	62%	62%

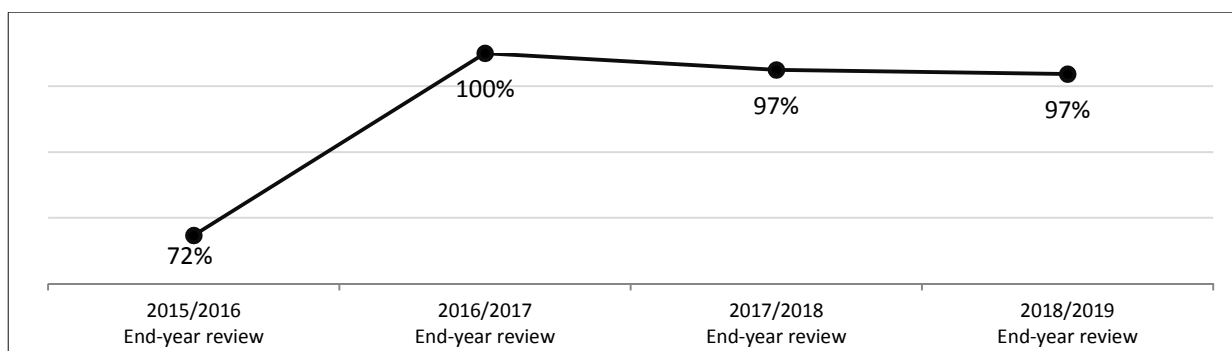
64. **Gender balance** has seen an improvement from a P-staff female-male ratio of 47.5% - 52.5% in December 2015 to 49.0%- 51.0% in December 2018. Further measures are being taken to bridge the gap, notably within the higher level P-posts, where the imbalance is greater. These include, as previously indicated, improving gender balance a recruitment priority for the Office, devising strategies in concert with Human Resources Section of the Registry to address deficits, including in the context of Staff Wellbeing Framework launched in 2018. Other relevant initiatives include the proposal for the creation of a Focal Point for Women at the Court (a work in progress), as well as various mentoring and leadership training programmes.

Table 3: Gender Balance (Established and GTA posts)

Gender	Professional Staff	
	Dec-15	Dec-18
Female	47.5%	49.0%
Male	52.5%	51.0%

65. The Office’s continued commitment to full compliance with timely **performance reviews** for its entire staff has resulted in 98% average compliance for 2016-2018).

Graph 2: End-Year Performance Appraisal Compliance (2015-2018)



66. During the reporting period the **Core Values of the OTP** (Dedication, Integrity and Respect) have been rolled out. Mandatory awareness training sessions for all staff have been conducted and 87% of OTP staff had completed the Core Values Training in 2018. In addition to related communications by the Prosecutor to all OTP staff, an intranet-based single repository of OTP materials on staff conduct was created to guide staff on questions of ethics.

67. As part of its goal to ensure a professional, transparent and efficient management of the Office, and to improve the overall working climate, special attention was given to **improving staff wellbeing** – staff being the most important asset of the Office. Notably, during the reporting period, ten (10) Court-wide Administrative instructions (AI) affecting staff - on which OTP was consulted and provided input – were promulgated, ranging from AIs on internship and visiting professional programmes to mobility and hardship scheme,

dependency status and allowances. At the end of 2018, the OTP management strongly urged staff to actively participate in the staff well-being survey. Management will prioritise the implementation of measures to address issues arising from the survey results, which benefited from strong staff participation. A Court-wide Staff Wellbeing Framework was launched by the Principals of the Court in 2018, and work has continued towards implementing different aspects of the plan of action adopted as part of that framework.

68. The OTP is acutely aware that staff, especially those travelling to or working in the field, or interacting with victims and witnesses, may be exposed to **occupational hazard**. In collaboration with OHU a review of secondary traumatisation for staff who are frequent travellers to situation countries or are regularly exposed to potentially traumatising circumstance has been undertaken. The results indicated that the OTP staff generally showed high resilience and while a number of staff showed signs of post-traumatic stress disorder (PTSD), the results showed no signs of secondary traumatisation. There is continued engagement with OHU to ensure strict adherence with the health and safety requirements for operating in the field.
69. With a view to enhance its efficiency in the field of **Information management**, the Office appointed an Information Management Coordinator (IMC) to assess the Office's strategy and structure and to map the different OTP business processes, software applications and their interactions. Challenges and their underlying causes were identified and approximately 120 tailor-made recommendations have been made all of which are aimed at streamlining business processes and increasing operational efficiency in certain parts, or across the whole, of the OTP in an effort to defragment the current information management landscape, where applicable. The report was submitted in 2018 and has been followed up in 2018-19. A new Information, Knowledge and Evidence management Section (IKEMS) was created under the direction of the IMC, to integrate all of the various units handling such matters and to facilitate communications with the Registry's Information Management Services Section (IMSS).
70. An Office-wide performance indicator system is fully operational and ExCom receives quarterly performance reports (see section 3 below). A formal Court wide **risk management system** is also in place and is led by Registry; Major risks have been identified, risk owners have been designated and mitigation strategies have been developed. OTP-specific risk management is being progressively developed to complement the Court-wide risk register. **A lessons-learned process and portal were developed** to streamline lessons-learned exercises within the Office. Staff involved with the lessons-learned process as well as their teams received hands-on training on the portal. The Prosecutor sent several reminders to managers to conduct lessons-learned exercises and various preliminary outcomes are currently under review by relevant Division Directors. In addition, the processes for evidence review and critical submission reviews were fully implemented. While the lessons-learned process has had a promising start and continues to be the Prosecutor's key priority, its implementation will require more dedicated resources and effort in the coming strategic term. The Office will be looking to further institutionalise and refine its lessons-learned mechanisms.



71. The above-mentioned are just a few examples of the numerous measures taken during 2016-2018 in the field of strengthening and improving the management of the Office. While the Office is responsible for its independent administration under article 42(2) of the Rome Statute, there is in practice strong and productive inter-organ coordination and continued Court-wide efforts to maximise efficiencies and synergies and to avoid any duplications, while safeguarding and respecting respective mandates. In furtherance of the Court's inter-organ synergies exercise carried out in 2016 and 2017, and the various reports issued thereon, all organs remain committed to continue efforts to further improve coordination, maximise on continuum of services, and identify additional synergies<sup>26</sup>.

### *2.3. Contributing to a coordinated investigative and prosecutorial strategy to further close the impunity gap for crimes within the Court's jurisdiction*

#### **Strategic goal 9: to develop with partners a coordinated investigative and prosecutorial strategy to close the impunity gap**

Objectives	Achievements
Undertake consultations on the coordinated investigative and prosecutorial strategy, assess findings and identify the Office's contribution.	Consultations undertaken, feedback received and analysed, positive action created.
Incoming requests are responded to in a timely manner.	Increased rate of responses to incoming requests provided within a defined time period.
Increased exchange of information with national War Crimes Units (WCU) and increased number of coordinated activities with relevant jurisdictions.	The Office increased exchange of information with WCUs and relevant jurisdictions, entered into a pilot project of coordinated action.

72. The Office introduced the Strategic goal 9 (SG9) in its 2016-2018 plan. While closing the impunity gap for the most serious crimes of concern to the international community is at the heart of the Office's mandate, the success of this goal entails joint and coordinated efforts between the Court, States and other stakeholders to be truly effective.

73. Situation countries need a comprehensive strategy to deal with international crimes (judicial accountability, including trials, and transitional justice mechanisms). Experience shows that wars and violence in situation countries have negative spill over effects for other countries as a result of massive flows of population and migration of victims, witnesses and potential perpetrators. More often than not, Rome Statute crimes are associated with other types of criminality (transnational organised crime, including human trafficking, illegal exploitation of

<sup>26</sup> See e.g. [https://asp.icc-cpi.int/iccdocs/asp\\_docs/ASP14/ICC-ASP-14-16-ENG.pdf](https://asp.icc-cpi.int/iccdocs/asp_docs/ASP14/ICC-ASP-14-16-ENG.pdf).

natural resources, illegal sale of weapons, financial crimes, and terrorism) that fuel the continuation of conflict and the commission of further violence thus exacerbating the already extraordinary challenges of holding perpetrators of international crimes accountable. Enhanced coordination on different fronts - including information collection and preservation, operational coordination, expertise and information sharing between situation countries, other countries and the Office, has huge potential for addressing all forms of criminality.

74. Preliminary results of the application of Strategic goal 9 show the potential of such concerted efforts. Application of this goal has seen a significant increase of unique interactions with external partners to exchange information and develop investigative and prosecutorial strategies to deal with all forms of criminality.
75. To date, the Office has coordinated and interacted with 11 countries, sharing information and exchanging views and expertise to facilitate on-going cases or cases that are starting up before national jurisdictions. These interactions are budget neutral, as they are almost invariably carried out alongside other mandated Office activities. They have nevertheless created added value to the States' investment in the Court by extending the international criminal justice project's impact through joint efforts.
76. In one specific example, the Office proactively provided information to a State which lead to close cooperation between four countries, Europol and the Office, culminating in joint analytical efforts and coordinated investigative steps that mutually reinforce each other. This is a clear example of how combined efforts can strengthen the different investigations, and also help to clarify who is best placed to investigate and prosecute.
77. While early in implementation, this goal is showing its potential: (1) new national investigations have been initiated while others have progressed, based on information provided by the Office; (2) the increase in incoming requests for assistance to the Office demonstrates the identified need and the added value that the Office brings to investigations and prosecutions by others, in particular at the national level; and (3) investigative coordination between different countries and the Office around a specific situation country is increasing the ability of the Office and its partners to investigate respectively Rome Statute and related crimes, thus jointly contributing to the objective of closing the impunity gap.

### 3. Performance Indicators in support of the Strategic Plan

78. In its 2016-2018 Strategic Plan, the Office provided a generic performance measurement framework of 14 interrelated indicators, on both the strategic and operational levels.<sup>27</sup> The OTP has further refined and developed the indicators and how to measure each of them. An Office-wide Working Group on Performance Indicators monitors performance by collecting information and meets regularly to develop new indicators as well as prepare the quarterly reports for ExCom’s consideration. The dashboard below is a current reflection of all OTP indicators that have been identified and for which measurement is either ongoing or under development. A total of 11 quarterly and yearly performance indicators reports were prepared and presented to ExCom during the reporting period. The Office will continue refining the indicators, improving the dashboard and reporting design, expanding the data collection, enhancing data quality control and increasing the usability of the performance indicators.

Table 4: OTP Performance Indicators Dashboard<sup>28</sup>

	1 & 2	Prosecutorial Results	2015	2016	2017	2018
Justice Done	1.1	Warrants of Arrest/Summons Requested/Granted (public)				
	1.2	Persons presented/confirmed				
	1.3	Persons presented/convicted				
	2	Counts granted/counts charged (AWA, DCC and Trial)				
Operational Excellence	3	Quality - Pattern of judicial findings	2015	2016	2017	2018
	3.1	Article 15(3) applications requested/ authorised (public)				
	3.2	Applications for Leave to Appeal	no data			

<sup>27</sup> Office of the Prosecutor, Strategic Plan 2016-2018, 16 November 2015, pp. 34-36, available at: [https://www.icc-cpi.int/iccdocs/otp/EN-OTP\\_Strategic\\_Plan\\_2016-2018.pdf](https://www.icc-cpi.int/iccdocs/otp/EN-OTP_Strategic_Plan_2016-2018.pdf).

<sup>28</sup> The dashboard uses red-amber-green colour coding, which indicates the aggregated result of the set of underlying measurements of each of the indicators. Within the dashboard, the colour green means that all underlying measurements meet their specific target; amber means one or more of the underlying measurements score slightly off target (average); red indicates that one or more of the underlying measurements is below target; blue means that no measurement was required; and blank means that the period had no results. The targets have been identified and agreed by the OTP ExCom and will remain as an internal document.

	3.3	Interlocutory Appeals	no data			
	3.4	Pre-Trial Chamber findings	under development			
	3.5	Trial Chamber findings	under development			
	4	Quality - Compliance with Key Office Policies and Standards	2015	2016	2017	2018
	4.1	Individual Risk Assessments	no data			
	4.2	Source Evaluations Completed/ Interviews done				
	4.4	Cases with Evidence Review	no data			
	4.5	Critical Submissions Review	no data			
	4.6	Investigation Plan Review	no data			
	4.7	International Cooperation	under development			
	4.8	SGBC and Policy on Children	under development			
	4.9	Security Assessment Status	no data			
	5	Quality - Quality of Interaction with the Office	2015	2016	2017	2018
	5.1	Witnesses feeling well informed and well treated	under development			
	5.2	Witnesses re-contacted/total sample	under development			
	5.3	Art. 15 Communication response rate	under development			
	5.4	Art. 15 Communication WFA processing rate	under development			
	6	Efficiency - Yearly achieved efficiency gains	2015	2016	2017	2018
	6	Yearly Efficiency Gains (as % of the OTP budget)	0.9%	0.9%	0.8%	0.5%
	7	Productivity - Productivity of the Office	2015	2016	2017	2018
	7.1	Productivity of the Office				Targets setting

Management Excellence	8	Human Resources - Staff Performance and Development	2015	2016	2017	2018
	8.1	Completion of Mandatory Trainings				
	8.2	Implementation of the Annual Training Plan	under development			
	8.3	Quality Level of Training	under development			
	8.4	Performance Appraisal Compliance	no data			
	8.5	Recruitment Timeliness	under development			
	10	Human Resources - Gender & Geographical Balance	2015	2016	2017	2018
	10.1	Gender Balance- Professional Staff				
	10.2	Geographical Balance- Professional Staff (excl. language-rel.)				
	11	Budget - Financial Planning, Performance and Compliance	2015	2016	2017	2018
	11.1	Budget implementation - OTP				
	11.2	Budget implementation - Staff costs	no data			
	11.3	Budget implementation - Non-staff costs	no data			
	11.4	Financial Compliance	no data			
	11.4	Financial Compliance- Procurement	no data			
	11.5	Financial Compliance- Travel	no data			
	11.6	Financial Compliance- MOD	no data			
	12	Risks - Risk Management	2015	2016	2017	2018
	12	Measures adequately implemented	under development			
Innovation	13	Innovation & Learning	2015	2016	2017	2018
	13.1	Evaluation of Improvement Projects	under development			
	13.2	Lessons Learned	under development			

## 4. Efficiency Gains

79. States Parties have supported the Office and its strategy through a yearly increase in resources. Together with the measures adopted in the Strategic Plan, this has strengthened the Office's capability to deliver on its mandate, in spite of the serious understaffing the Office faced in 2012, as confirmed by Price Waterhouse Coopers review. However, as indicated under Strategic goal 5, demands for the Office's intervention continue to far exceed the resources provided to it by States. Consequently, the Office must ensure the most efficient use and management of its resources. Identified efficiencies have in most cases not only resulted in financial savings but better and improved processes. The Office is well aware of the benefits of efficiencies and will continue to strive to maximise them to the extent feasible.

80. During the reporting period, the Office embarked on various exercises to identify efficiencies. Since 2012, the results have been documented and communicated to the CBF as well as to the States Parties and have been included as part of the Office's annual budget proposals for 2018<sup>29</sup> and 2019.<sup>30</sup> These efficiency gains and savings are listed in Table 5 below.

Table 5: Yearly Efficiency Gains & Savings (2012 – 2018)

Year	2012	2013	2014	2015	2016	2017	2018
Budget (€ M)	€ 27.70	€ 28.20	€ 33.20	€ 39.60	€ 43.20	€ 44.90	€ 46.80
Efficiency & Savings (€ K)	€ 183.96	€ 848.18	€ 442.67	€ 366.10	€ 375.52	€ 367.70	€ 240.60
Percentage	0.7%	3.0%	1.3%	0.9%	0.9%	0.8%	0.5%

81. The Office has considered various options to promote the flexible and optimal use of resources. For example, in one situation, once conditions in the field permitted, the Office reduced the number of missions deployed from Headquarters while increasing the use of field-based investigators. This resulted in an annual efficiency savings of around €50,000. Furthermore, the Office identified overlapping equipment needs in different sections, such as hardware and software. This equipment was made available across sections, thus avoiding duplication of expenses and resulting in an annual saving of about €11,000.

82. Operations and procedures have been reviewed across the OTP. An example of a procedure that has become standardised is the verification that a witness is present at the location where OTP staff are to meet the witness, prior to deployment of the staff. This review was undertaken after a number of costly incidents of witnesses not turning up for interviews. The revised procedure drastically reduced the number of less productive missions thus reducing annual mission costs by approximately €22,000. Another procedure that has been reviewed

<sup>29</sup> ICC-ASP/16/10, Annex X.

<sup>30</sup> ICC-ASP/17/10, Annex XI.

and adjusted is the creation of master contracts for Field Interpreters and Psycho-social Experts. This review reduced the time spend on the processing of each individualised contract by 80 per cent, equivalent to a total of around €45,000.

83. There are several areas in which cooperation with states, international organisations and other third parties, such as academic institutions, has led to benefits for the Office. Examples of this are specialised training by renowned organisations at considerably lower costs, for example, on interview techniques and the use of various software tools. This reduced training costs for 2016 by about €12,000.
84. The use of technology has been identified as a priority area for efficiency gains and savings. The Office is in the final stages to discontinue the production of physical media for the disclosure process, and to make all items digitally available. Costs are being saved by no longer having to purchase physical media carriers and by saving time in managing the process. Digitisation has allowed for a more secure process with limited access rights and reduced risk of material loss. The efficiency gain can be quantified at around €45,000.
85. The use of videoconference for certain investigative and other activities, such as job interviews, resulted in savings in the travel budget of approximately €120,000. In addition, the OTP acquired an audio enhancement system, voice identification software and laser scanners for in-house forensic examinations, thus obviating the use of more expensive external suppliers, leading to savings of around €13,000.
86. Financial, planning and control, review and standardisation of policies and procedures and use of technology have also yielded substantial efficiency gains in a number of areas. In particular, the development of a dashboard based on SAP data to monitor budget implementation per budget line, with details for each sub-programme, has reduced the time needed to prepare management reports and increased accuracy, consistency, and transparency of information across the Court.<sup>31</sup> In addition, the process for printing pre-registration numbers has been automated to reduce the time taken to reconcile country offices' accounts and operations reports. An Online Request System has been developed to support paperless processing of the Office's requests (from goods and services to staff resources). This latter system has substantially reduced the need for time-consuming email exchanges and provides easy access to the status of requests and statistics on the processes. Together with the standardisation of individual contractor contracts, all these measures led to efficiencies of more than €100,000.<sup>32</sup>
87. The last strategic period reflects the continuing commitment of the Prosecutor and her team to take a comprehensive and vigilant approach to managing all aspects of the operations of the Office, to advance with vigour and determination core mandate and related activities, and to do so, with dedication to excellence, and humility to acknowledge where

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<sup>31</sup> The new version of the dashboard, enhanced in cooperation with the SAP team and the Budget Section in the Registry, is being adopted by the entire Court.

<sup>32</sup> See Annex IX in the Approved Programme Budget for 2018 of the International Criminal Court.

improvements can be had, and then taking concrete action to make enhancements where required. The Office will continue to build on the experiences it gains and the successes of the last strategic period, in line with its commitment to continuous improvement and its new Strategic Plan for 2019-2021.



