



**Statement to the 44th session of the ICC ASP Committee on Budget and Finance
16 April 2024**

I am delivering this statement on behalf of the Coalition for the ICC (Coalition), the world's largest civil society partnership advancing the cause of international justice. With member organizations in 150 countries, the Coalition is leading the fight to end Rome Statute crimes through a commitment to the core values of human rights and justice.

The Coalition welcomes the Committee on Budget and Finance (CBF)'s continued and regular engagement with civil society and is grateful in particular for the opportunity today to share our views and concerns with the Committee on the International Criminal Court (ICC)'s resource needs.

Today, we would like to bring two topics to the attention of this Committee: first, on the continued use of voluntary contributions, and second, on the impact that the absence of adequate resources has on the Court's effective delivery of justice, particularly as pertains to victims' rights.

To our first point, as expressed previously to this Committee, we reiterate that while voluntary contributions can provide an injection of resources to bolster specific activities of the Court, they should continue to be seen only as an exceptional means of supporting the work of the Court for a specific and limited period of time, for activities that are not covered in the regular budget. Such contributions, including any newly established funds, should not be seen as a stand-in for the Court's regular budget.

In addition, while the provision of gratis personnel enables professionals with technical skills and specific expertise to support the work of the Court, it does not contribute to improving the geographic representation and gender balance among the staff of the Court as a whole in a sustainable way.

A predictable and sustainable regular budget is one which will most effectively enable the Court to address the growing demands of justice in all situations before it, with the utmost judicial and prosecutorial independence, separate from any fluctuating political or financial preferences or prejudices. Considering the resource needs of the institution as a whole, not just specific organs or programs, may also deter asymmetrical growth.

I would recall the [reaffirmation by the Assembly at its last session in the Omnibus resolution](#) for, "its support for the consistent implementation of the Court's mandate across the situations and cases under its jurisdiction in the interests of justice and the victims' right of access to justice, and stresses the need for sustainable resources for all situations and cases as well as cooperation with the Court to that end."

Any perception of selectivity in the Court's work is detrimental to its legitimacy and can undermine the credibility of the justice it renders where it does act.

Thus, we encourage the CBF to continue calling for transparency and accountability in the establishment and use of trust funds through regular reporting requirements. We call on this Committee to further consider the needs and interests of victims and survivors and consider the impact of the Court's work in situation countries.

To my second point, the Coalition has previously expressed to this Committee, as well as in other fora, concern over the impact of insufficient resources on the Court's work and, ultimately, victims' right to justice and redress. I take this opportunity to recall the fact that it is victims and affected communities who are the primary constituency of the Court. A lack of adequate resources has a direct impact on them and their rights.

For example, I would like to make several points in relation to the recent reparations order in the case against Dominic Ongwen, in the situation in Uganda:

The recent reparations order delivered by ICC Trial Chamber IX serves as a good reminder that the work of the ICC extends beyond the walls of its courtroom in The Hague, and is meant to have a tangible impact in the country situations where it is active. Coalition members have welcomed the recent order as a significant milestone in the pursuit of justice and providing redress to victims.

As the largest reparations order in the Court's history thus far, much work, and the resources to match this work, will be required to ensure the effective and efficient delivery of reparations to victims of Ongwen's crimes.

In addition to the contribution for the reparations themselves, the Court, in particular the Registry and the Trust Fund for Victims will need adequate resources to design and execute a successful implementation plan, one which takes into consideration the diversity of victims in Uganda and provides for the meaningful and inclusive engagement of victims in the process.

The Registry's sections dealing with victims including the Victims Participation and Reparations Section (VPRS) and the Public Information and Outreach Section (PIOS), will need adequate resources to implement the order. As you know, the VPRS has a major role to play in identifying beneficiaries and will need adequate resources to execute this responsibility in a meaningful way. Similarly, the PIOS has a key role to complement what the VPRS's activities in explaining what the Court does, conduct meaningful outreach that informs about the order and could help to manage expectations of victims, and more broadly explaining the reparations order, including the fact that due to Mr. Ongwen's indigency, the implementation of reparations in general will be subject to the availability of funds that the TVF may raise. Moreover, the TFV will need to engage in substantial fundraising efforts in relation to the reparations order, as Mr. Ongwen was found indigent.

Ensuring that the Court and the TFV are equipped with adequate resources to deliver on its mandate in favor of victims' rights, and in particular on this reparations order, will set an important precedent, and contribute to building the legitimacy of the institution, and fostering the trust of victims and survivors in the Court.

We appreciate the Committee taking note of these points and look forward to our continued engagement.

Thank you.