



**Coalition for the ICC statement to the 42nd session of the Committee on Budget and Finance
6 September 2023**

The Coalition for the International Criminal Court (Coalition) is the world's largest partnership advancing the cause of international justice. With member organizations across the globe, 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 this continued opportunity to share views and concerns with the Committee on Budget and Finance (CBF) and welcomes the Committee's continuing dialogue with civil society on the International Criminal Court (ICC)'s resources. I am joined here today by Coalition members from Al Haq, Women's Initiatives for Gender Justice, Human Rights Watch and the International Bar Association.

Today, we seek to provide the Committee with perspectives from civil society on several matters that continue to impact the ICC's effective delivery of justice to victims around the world, including the sustainability of the Court's resources, particularly in light of the [Court's budget proposal for 2024](#), and the continued need for transparency in the use of voluntary contributions.

To my first point, political support for the ICC and for international justice must be backed by concrete commitments from its States parties, notably to fund the institution sustainably and securely across all its organs and to support its global mandate for all the situations before it. To this day, we remain concerned about the impact of inadequate regular resources on the Court's work and, ultimately, on victims' right to see justice done.

We recall that this lack of adequate resources continues to impact the Court's work each day:

On the occasion of the 25th anniversary of the Rome Statute, Coalition members have [shared](#) their hopes and aspirations for the ICC in the next 25 years, which are too often limited by the Court's lack of resources to respond to demands for justice. All are aware that the Court continues to face an increasing workload, with fewer resources, but ultimately it is victims and local communities who are the most affected by these resource constraints. From an underfunded section dealing with victims' participation and reparations (VPRS), nearly non-existent funding for outreach in too many situation countries, or insufficient materials and activities about the Court's work made available in local languages, an under-funded ICC may indeed result in a denial of justice, which is overall damaging to the Court's legitimacy and the goals of the Rome Statute.

As we have said consistently, States Parties should provide the institution with sustainable and secure resources across all its organs and programs in its regular budget, so it may deliver justice effectively and efficiently in all situations that come before it. This will further safeguard the ICC's independence and legitimacy, and avoid politicization and selectivity, or inappropriate bias, in the Court's work.

Thus, we believe this Committee should:

- Continue its review of the Court's 2024 budget proposal with the abovementioned points in mind; that is to say, the negative impact that inadequate resources has, day in and day out, and in the long run, in situation countries, and with acknowledgement of the role played by civil society and human rights defenders in trying to bridge this gap;
- Reiterate to States Parties that providing appropriate resources to the Court through its regular budget provides the best protection to prosecutorial and judicial independence to ensure resources are available to support all its decisions, without political preferences or double standards; and
- Advise States Parties against arbitrary limitations on the Court's budget request which are incompatible with the Court's mandate and workload and will have a damaging impact on the communities it seeks to serve, as well as their trust in the Court.

Further, to my next point on voluntary contributions, while we acknowledge that such contributions can provide a much-needed injection of resources to bolster specific activities, we reiterate that they should remain an exceptional measure to support the work of the Court for a limited and specified period of time and should not be seen as a substitute for the Court's regular budget.

Recognizing this Committee's conclusion that the contributions made to the Office of the Prosecutor's (OTP) *Trust Fund for Technological Tools, Psychosocial Support and Specialised Capacity in Sexual and Gender Based Violence crimes and crimes against Children*, "do not affect the independence of the Court, are consistent with the nature and function of the Court and do not involve additional liabilities"¹, we recall that the allocation of resources to the Court's regular budget allows for it to address the growing demand for justice in all situations before it, regardless of fluctuating political or financial preferences or prejudices.

Any perceptions of selectivity in the Court's work are detrimental to its legitimacy and can undermine the credibility of the justice it renders where it does act. A lack of transparency in the use of these contributions may further contribute to perceptions of double standards in the Court's delivery of justice.

We further believe that this Committee should continue to underscore the need for the Court to disclose transparently voluntary financial contributions and the provision of gratis personnel and continue to call on the Court to report on the use of any such contributions and personnel.

As we continue to celebrate 25 years of the Rome Statute, what States decide to invest now in the ICC for all situations under its jurisdiction will impact the work of the Court for decades to come. Thus, it is imperative to take advantage of the current momentum of support for the Rome Statute system of international justice, with the ICC as its cornerstone, and call for the long-term sustainable resources needed to see justice delivered effectively and efficiently.

I thank you for your attention.

¹ [Report of the Committee on Budget and Finance on the work of its thirty-ninth session](#), 29 November 2022, pg.4