



*Al-Haq's intervention at the Committee on Budget and Finance (CBF) meeting – 06.09.2023*

Dear Members of the Committee on Budget and Finance,

Thank you for the opportunity to address you (in writing) in this important meeting.

Al-Haq is a Palestinian Human Rights NGO, based in Ramallah, Palestine. Along with other five Palestinian organisations, Al-Haq has been criminalised by the Israeli apartheid regime and designated as a “terrorist organisation” because of our long-lasting engagement and cooperation with the Court, and work on accountability and justice.

As the Committee on Budget and Finance considers various prosecutorial, judicial, and organizational requirements while preparing its recommendations to the ASP, Al-Haq wishes to express its concerns regarding possible budget restraints that might affect ongoing investigations, as well as outreach activities to victims.

Al-Haq notes with utmost concern that the proposed programme budget of the Court for 2024 departs from the years-long practice of including an annexe on “budget allocation per active investigation” and another on “Resource Allocation by Situation”. Addressing the Court’s budget allocations per investigation is essentially a matter of transparency, which is crucial for the ICC as an institution, for its legitimacy and credibility. Transparency is also crucial for preserving victims’ faith in the Court’s mandate.

We believe that the right approach is to engage and address issues on budget allocations per investigation. Civil Society organizations have a responsibility towards the victims whom we engage with and represent. Omitting “budget allocation per active investigation” from the budget makes it exceptionally difficult for us to explain such regressive choices of the court to the victims.

It is also vital for the court to have sufficient resources for outreach activities to victims, especially in situation countries. Victims - who are losing faith in the Court due to lack of progress in investigations - need to feel seen and addressed by the Court. The Court must also have sufficient budget to provide translations of critical information and about its processes in

languages of situation countries that the victims can understand. These matters can greatly affect victims' perception of the Court's integrity and commitment to the delivery of justice.

Al-Haq joins colleagues in urging the Committee to ensure that all organs of the Court, including the OTP, have sufficient and sustainable resources to continue their crucial work and expedite ongoing investigations, especially in the situation in Palestine, to move forward and issue arrest warrants against perpetrators of atrocity crimes committed on a daily basis against the Palestinian People.

The budget of the Court is indispensable to implement the Court's unique mandate for the benefit of victims' right to access justice, without fear or favour, the Court's legitimacy, and the interest of justice. In this regard, the lack of access to needed human and financial resources is undermining the pursuit of justice. Thus, we propose that the Committee includes in its recommendations to the ASP different budgetary models and mechanisms aimed at protecting the prosecutorial and judicial independence of the Court and securing symmetrical growth across all organs and programs.

Al-Haq wishes to also remind the Committee that Palestinian victims in the occupied Palestinian Territory (in the West Bank, including East Jerusalem and the Gaza Strip) continue to suffer under Israel's illegal occupation and apartheid regime, to whom the ICC is truly a Court of last resort and their last hope for justice. We will continue to support the Court to deliver on its mandate in all situations.

Thank you.