

**Assembly of States Parties to
the Rome Statute of the
International Criminal Court**

**Sixth session
New York, 30 November - 14 December 2007**

**Official Records
Volume II**

Note

Symbols of documents of the Assembly of States Parties to the Rome Statute of the International Criminal Court are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a document of the Assembly of States Parties to the Rome Statute of the International Criminal Court. Resolutions of the Assembly bear the letters “Res.”, while its decisions bear the letters “Decision”.

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ICC-ASP/6/20
International Criminal Court publication
ISBN No. 92-9227-076-1

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Printed by DeltaHage, The Hague

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A. Proposed Programme Budget for 2008 of the International Criminal Court*

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List of abbreviations and acronyms

AI	Administrative Issuance
ASG	Assistant Secretary-General
ASP	Assembly of States Parties
AV	Audio-visual
CAR	Central African Republic
CASD	Common Administrative Services Division
CBF	Committee on Budget and Finance
CCC	Customer Competency Centre
CITS	Court Interpretation and Translation Section
CMS	Court management system
DCS	Division of Court Services
DRC	Democratic Republic of the Congo
DSA	Daily subsistence allowance
DSS	Defence Support Section
DVC	Division of Victims and Counsel
ERN	Evidence record number
ERP	Enterprise resource planning
FACTS	Functional administrative common tracking system
FTE	Full-time equivalent
GCDN	Global Communications and Data Network
GS	General Service
GS-OL	General Service (other level)
GS-PL	General Service (principal level)
GSS	General Services Section
GTA	General temporary assistance
HQ	Headquarters
HR	Human resources
ICC	International Criminal Court
ICRC	International Committee of the Red Cross
ICT	Information and communication technologies
ILOAT	International Labour Organization Administrative Tribunal
IOP	Immediate Office of the Prosecutor
ISAU	Investigative Strategies and Analysis Unit
IT	Information technologies
JCCD	Jurisdiction, Complementarity and Cooperation Division
JTAG	Joint Threat Assessment Group
LAS	Legal Advisory Section (OTP)
LASS	Legal Advisory Services Section (Registry)
LSU	Language Services Unit
MIR	Management information restructure
MORSS	Minimum Operating Residential Security Standards
MOSS	Minimum Operating Security Standards

NGO	Non-governmental organization
OPCD	Office of Public Counsel for the Defence
OPCV	Office of Public Counsel for Victims
OSU	Operations Support Unit
OTP	Office of the Prosecutor
P	Professional
PIDS	Public Information and Documentation Section
POPP	Project Office for the Permanent Premises
SAP	Systems, Applications and Products (Data processing)
SCSL	Special Court for Sierra Leone
SG	Strategic Goal
SLA	Service-level agreement
SO	Strategic Objective
TFV	Trust Fund for Victims
UN	United Nations
USG	Under-Secretary-General
VPRS	Victims Participation and Reparations Section
VWU	Victims and Witnesses Unit

I. Introduction

1. This proposed programme budget for 2008 is submitted by the Registrar in accordance with financial regulation 3.1 and financial rule 103.2 for approval by the Assembly of States Parties during the sixth session.

2. The budget proposal is for a total of €97.57 million. Of this total:

- €93.47 million (95.8%) is for the Court itself; and
- €4.10 million (4.2%) is for the Secretariat of the Assembly of States Parties.

Within the Court, the budget is apportioned as follows:

- €10.95 million (11.2%) for the Judiciary (Presidency and Chambers);
- €25.13 million (25.8%) for the Office of the Prosecutor;
- €53.08 million (54.4%) for the Registry;
- €3.22 million (3.3%) for Investment in the Court's Premises; and
- €1.09 million (1.1%) for the Secretariat of the Trust Fund for Victims.

3. This reflects an increase of €8.70 million or 9.8% over 2007. As explained below, this increase is largely due to existing obligations. The total increase attributable to new resources approved is €3.43 million (3.9%).

Table 1.

<i>Item</i>	<i>Basic (thousands of euros)</i>	<i>Situation-related (thousands of euros)</i>	<i>Total (thousands of euros)</i>
Judges	6,269.7	0.0	6,269.7
Staff costs	32,119.6	31,832.3	63,951.9
Non-staff costs	13,304.2	14,044.3	27,348.5
Total	51,693.5	45,876.6	97,570.1

The Court today

4. The Court is submitting the budget proposal for its sixth operational year at a stage when activities are ongoing in all phases of the Court's operations with the exception of the implementation phase.

5. The Prosecutor is analysing information on alleged crimes within the jurisdiction of the Court in many countries on different continents. Investigations, including intensive field operations, are in progress in four different situations. Proceedings are continuing in each situation and the Pre-Trial Chambers have issued eight warrants of arrest, one of which has been executed. Considerable efforts are being devoted by the Court to securing States' cooperation for their execution. The Presidency has constituted one Trial Chamber for the trial in the case of Mr Thomas Lubanga Dyilo, which is expected to start in the latter half of 2007. The Appeals Chamber has been seized of appeals arising out of the situation in the Democratic Republic of the Congo in general. Numerous individuals are applying and participating as victims in the proceedings of three situations.

6. The Court has further developed its external communications with the aim of enhancing awareness and understanding of the Court in order to increase support. By the same token, it carries out extensive outreach activities in all situations to ensure that the proceedings before the Court are explained and understood, especially by the affected communities. The Court has intensified and enhanced its efforts to build the networks of support and cooperation necessary for the implementation of its mandate, in particular the arrest and surrender of persons.

7. Overall, the Court's activities are related not only to the functions of a court but also to a full international criminal justice system, including investigative, prosecutorial, defence, victim participation and reparation, cooperation, security and detention functions.

Assumptions 2008

8. The Office of the Prosecutor will continue to monitor at least five situations. However, for the purposes of this budget, the assumption is that there are no plans to open investigations into new situations in 2008. In four situations, the Prosecutor will pursue investigative steps in a total of at least five cases, including the three in which arrest warrants have been issued. At least one trial is envisaged for 2008. Additional trials will depend on the arrest and surrender of the individuals named in the arrest warrants and will be financed by the Contingency Fund. Until the trials begin, investigations and pre-trial activities will continue and appeals may arise.

Objectives 2008

9. The Court's main objectives in 2008 are directly linked to the Strategic Plan and can be summarized as follows:

- Trial and investigations (including cooperation for arrest and surrender);
- Witness and victim protection;
- Outreach;
- Human resources;
- Premises (interim and permanent).

Activities 2008

Situations

10. The Court's field activities include investigations by the Office of the Prosecutor and critical functions relating to defence, victim participation and reparations, witness protection, and outreach to affected populations.

11. As each situation unfolds, certain Court activities will wind down while new activities will commence in another or possibly even the same situation. Given the developments in the different situations, resources previously granted and no longer required in the context of one investigation are reassigned to new investigations.

12. The Court's activities in 2008 will significantly depend on factors outside the Court's control, in particular the arrest and surrender of accused persons.

Uganda

13. In **Uganda**, the Prosecutor has completed his investigations into the crimes allegedly committed by the Lord's Resistance Army. He will proactively maintain contact with witnesses in order to preserve the results of the previous work and continue to monitor the situation with respect to crimes committed after the arrest warrants were issued. The whole situation remains under analysis.

14. Although investigative activities will decrease, the Court will continue substantial field activities. Witness protection needs to be maintained and outreach activities will continue, in particular towards affected communities in the north of Uganda.

15. Pre-trial proceedings will continue before Chambers on issues such as victim participation and victim and witness protection. Follow-ups on witness resettlements will become part of routine

operations. Victims are participating in the proceedings. These proceedings may give rise to appeals. If one or more warrants are executed, there could be substantial pre-trial proceedings related to the confirmation of charges. The Court will continue to pursue securing cooperation for the arrest and surrender of the four individuals at large.

Democratic Republic of the Congo

16. In the situation in the **Democratic Republic of the Congo (DRC)**, the trial of Mr Thomas Lubanga Dyilo is expected to continue through 2008. While investigations in this case will wind down soon, trial support activities, including those related to the defence and victim participation, will increase.

17. The Prosecutor is investigating another case involving different militia groups. It is envisaged that this investigation will be completed at the beginning of 2008, allowing the reallocation of investigative resources to a third case within this situation.

18. Similar to the situation in Uganda, field activities will continue in relation to witness protection and victim assistance. In 2008, victims are expected to participate in the proceedings. Commensurate with the increased judicial proceedings, the Court will conduct sustained outreach activities. These activities will be focused on providing access to and understanding of the trial.

19. Further efforts will be made to maintain the level of assistance to investigations and other field activities as well as to galvanize support for the arrest and surrender of other accused persons in the near future.

Darfur

20. In the situation in **Darfur**, arrest warrants for two individuals have been issued. The Court will pursue efforts to ensure that the warrants are executed. If they are executed, pre-trial proceedings related to the confirmation of charges will take place. In any event, pre-trial proceedings will continue before Pre-Trial Chamber I on issues related to victims.

21. The Prosecutor will continue his investigation into crimes committed in the Darfur region and to monitor any new crimes in 2008.

22. Witness protection activities will likely increase as a result of continued insecurity in the region. Outreach activities which began in 2007 will continue with the training of local community representatives and enhanced dissemination of materials in Arabic. The move of the field office in Abeche into larger premises in 2007 will accommodate these requirements. The Court will continue its intensified contacts on the Darfur situation with relevant intergovernmental organizations, such as the African Union and the Arab League.

Central African Republic

23. In May 2007, the Prosecutor opened an investigation into crimes allegedly committed on the territory of the **Central African Republic (CAR)**. The investigation is scheduled to be completed by the end of 2008. Resources needed to carry out the investigation have been reallocated from other situations, given the reduced need for certain operations described above.

24. A location has been identified for the Court's new field office and its initial set-up has started with the establishment of the transportation and communication infrastructure.

25. With the aim to optimize the Court's outreach activities, consultations are being conducted with NGOs and civil society.

Human resources

26. In its Strategic Plan, the Court defined several human-resources-related strategic objectives. At its eighth session in April 2007, the Committee on Budget and Finance acknowledged and underlined the importance of this subject and will be seized with it during its next session. Recognizing staff as its most important asset, in 2007 the Court began the development of a comprehensive strategy for the implementation of the human-resources-related strategic objectives.

27. Even though considerable activities are planned for 2008, only minor budget implications are foreseen. The activities will focus on the exploration of alternatives for the remuneration of staff within the common system, including broad-banding, performance-based pay, measures to enhance career development and leadership development programmes for managers.

Premises

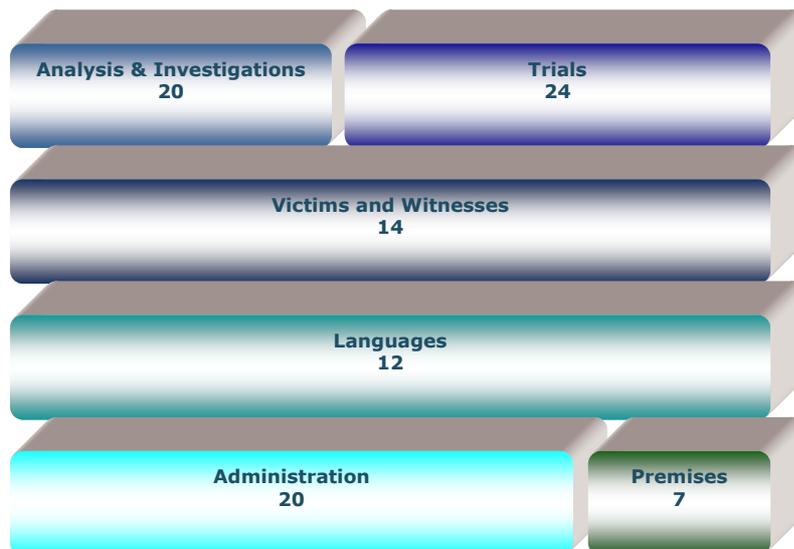
28. With regard to its current premises, the situation remains difficult for the Court. With its headquarters spread over four different locations, investments and recurring costs for security of premises, IT infrastructure and facilities management remain significantly higher than if the Court occupied one centralized location. A solution with a reduced number of locations has been proposed by the host State for mid-2008. However, occupying a new building in 2008 will again generate additional investments and expenditures for the move of staff and equipment. The Court envisions that the costs of multiple locations, which are beyond its control for 2008, will amount to €2.6 million.

29. The Court will continue to pursue its objectives of ensuring adequate permanent premises, in terms of functionality, image and budget, in close collaboration with The Hague Working Group and the host State. With a view to accelerating the process, the Court is seeking to strengthen its project office, resulting in an increase of €170,000.

Macro-analysis

Activity analysis

Figure 1. 2008 budget breakdown by activity (in millions of euros)



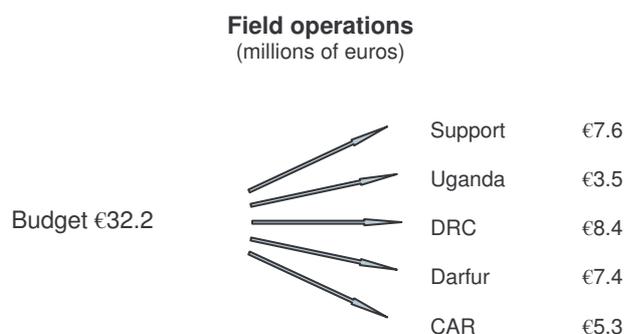
30. Provision for analysis and investigation amounts to €20 million to support analysis of situations for possible investigation and the conduct of investigations in accordance with the Rome Statute. In support of one trial (*The Prosecutor v. Thomas Lubanga Dyilo*), €24 million is budgeted.

Victim and witness protection and participation activities, including public counsel, amount to €14 million. Language support in terms of interpretation and translation services amounts to €12 million for 2008, of which €10 million is related to support of the judicial process. In order to provide all non-judicial administrative support functions to the Court, an amount of €20 million is budgeted. Finally, the premises budget reflects the requirements for the interim premises as well as for further development of the Project Office for the Permanent Premises.

31. Approximately €68 million or 70 per cent of the 2008 budget will be spent in connection with the different phases of the judicial process. At 21 per cent, administration costs are reasonably proportioned whilst premises costs are inflated by the costs for interim premises, which would not occur if the Court were located in one building rather than spread out over several buildings and locations.

32. The Court's situation-related budget is split into field operations and court in session. Field operations can be summarized with the graph below which details the proposed 2008 total costs by situation. Operational support costs reflect the support provided to the overall field operations which cannot be attributed to a specific situation.

Figure 2. Budget for field operations per situation



33. The budget for court in session amounts to €13.6 million.

Growth analysis

34. Although basic costs are starting to level off, the Court will see costs for operations develop in line with the different phases of the judicial process, the number of situations and cases under investigation and/or at trial at any one time, and the number of victims participating. In this context, the number of trials resulting from each case is crucially important since the standard costs for each additional trial can be considered significant (see annex XI).

35. In its 2008 budget proposal, the Court requests additional funds of €8.70 million or 9.8 per cent. This increase is characterized by two major components: “in-built costs” which are beyond the Court's control, and “resources net growth”. Since for the year 2008 there are no significant changes to the assumptions of the Court, only limited net increases in resources have been accepted based on well-justified business cases and almost exclusively in the context of operations.

- In-built costs

36. In-built costs mainly result from the generation by previous-year commitments of additional costs in subsequent years. They account for an increase of €5.26 million, or 5.9 per cent, and can be differentiated as follows:

- Common system costs €2.74 million
- Vacancy rate/classification €1.97 million

- Interim premises €0.70 million
- Pension scheme for judges €0.24 million
- Detention – €0.39 million

37. Since the majority of these costs (common system, vacancy rate/classification) relate to staff and represent more than 60 per cent of the Court's budget increase, it explains why the increases are evenly spread throughout all sub-programmes.

38. The provisions granted for the year 2007 plus the in-built costs for 2008 establish the Court's zero growth budget.

- Net resource growth

39. Net increases for resources are foreseen in the amount of €3.43 million or 3.9 per cent of the proposed funds for the year 2008.

40. The most significant increases are detailed below, whilst other increases are detailed in each sub-programme:

- Victims and witnesses €0.76 million
- Infrastructure €0.51 million
- Security €0.46 million
- Legal aid €0.36 million

Victims and witnesses

41. Witness protection is not only one of the Court's first priorities but also a function which is becoming continuously more complex and therefore relevant to the budget.

42. For the first time last year the Court experienced a dramatic increase in the number of witnesses and families requiring protection. In connection with one of its cases, the Court had to relocate a very large number of people to secure locations in order to ensure the safety of witnesses and their families. An operation of this magnitude required major logistical efforts involving several airplanes flying simultaneous sorties, in addition to several trucks and all-terrain vehicles ensuring ground transport. This operation also involved organizing the lives of the people involved. This evacuation exercise alone generated unbudgeted costs of €400,000.

43. The Court has included provision for an additional €410,000 in the 2008 budget proposal.

44. The Secretariat for the Trust Fund for Victims has become operational. An elaborate donor network is being developed to foster increased resource mobilization while financial and programmatic procedures are being set in place to ensure that resources are providing the greatest benefit to victims. The year 2008 will be the first year that the Fund operates in full partnership with the victims in all the countries in which the Court currently has situations. The additional resources requested in 2008 amount to €350,000.

Infrastructure

45. Lessons learned have shown that the present infrastructure (premises, transportation and communication) of the field offices is not a satisfactory response to the needs of the Court's activities. One important consequence will be the implementation of a new field office concept, defining the field office as the "public face" of the Court while organizing confidential activities off site.

46. As space within the offices appears to be a crucial challenge, the implementation of the concept also strives to achieve the highest level of scalability by selecting new sites which allow for the addition of accommodation and office containers.

47. For these activities and additional measures in connection with transportation and communication for the new situation in the Central African Republic, the Court requests additional funds of €510,000.

Security

48. The Court has had to evacuate its premises four times during the last year due to serious security incidents, in one case under very critical circumstances endangering the well-being of staff. In the previous year's budget preparation, the Court temporarily considered changing the security regime of its field offices by establishing professional security posts in its field offices but postponed the request. The Court has now come to the conclusion that the present organizational structure is not meeting the requirements resulting from the complex security challenges of its operations in the field and requests funds in the amount of €460,000.

Legal aid

49. A revision of the Legal Aid Programme was organized, based on experience gained from the first case of the Court. The revised scheme for legal aid was presented to the Committee on Budget and Finance, which is reflected in the Committee's recommendations at its eighth session. Additional provision is requested in the amount of €360,000 in order to support the proposed amendments of the scheme.

Approach to the budget

Budget structure

50. The budget document 2008 tries to address issues – agreed on with the Committee at its eighth session – which are intended to increase the transparency and support an easier analysis of the subjects presented.

51. In preparing the draft budget, the Court has reviewed the need to continue presenting individual budgets for very small sub-programmes and has compressed them into larger units. The total number of 44 budget units has been reduced to 30.

52. In the presentation of each individual sub-programme, information is given about the need for new resources in the context of existing resources. Where possible, this has been supported by workload indicator analysis explaining current levels of capacity compared to expected workloads for the upcoming year. Special emphasis has been given to the financing of new requirements by efficiency improvements or prioritization. To the extent possible, explanations have been provided to justify non-recurrent resources.

53. In order to improve the quality of performance indicators, the Court has reduced the number of indicators measured on the programme level only. Further efforts have been undertaken to make the indicators especially more meaningful and measurable. The Court is committed to continuing its activities with a view to further improvements in the years ahead.

54. As required by the Financial Rules and Regulations and recommended by the Committee on Budget and Finance, tables have been included in annexes IX, X(a) and X(b) to reflect all income and, where applicable, related expenses of the Court.

Contingency Fund

55. As in the 2007 budget, the Court proposes expenditures only if they are justified by established facts. In the case of trials, for example, the determinant for requesting funds is the arrest and surrender of individuals to the seat of the Court at the day of submission of the proposal to the Assembly of States Parties. Any arrest and surrender after this date will trigger a request to approach the Contingency Fund.

56. Further, the Court intends to meet other unforeseen costs from the Contingency Fund established by the Assembly. In the interests of transparency, the Court has prepared general budgets for three events which may occur but cannot yet be foreseen: an additional trial, proceedings outside the host State, and forensic investigations. These costs are indicated in annexes XI, XII and XIII.

Implications for 2009

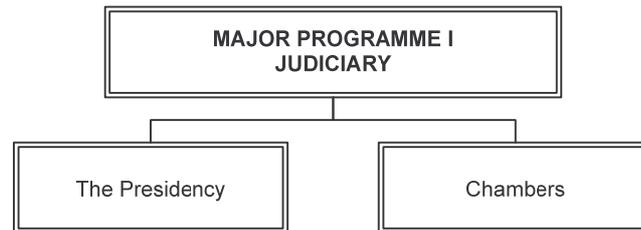
57. The proposed budget for 2008 will have budgetary implications in the total amount of €2.05 million for 2009, attributable as follows:

- Common system costs €1.60 million (estimate)
- Vacancy adjustments €0.45 million (estimate)

58. Should the Contingency Fund be utilized in whole or in part through the course of 2008, replenishment of the Fund for the following year may need to be considered. Starting another trial will also automatically increase costs for the year 2009.

II. Proposed programme budget for 2008

A. Major Programme I: Judiciary



Introduction

59. The proposed budget for 2008 for the Judiciary is divided into two programmes, each corresponding to an organ of the Court as per article 34 of the Rome Statute:

- Presidency, inclusive of the New York Liaison Office, and
- Chambers.

A. The Presidency

60. The Presidency will continue to exercise its three major functions. First, in its administrative function, the Presidency ensures the proper administration of the Court and strengthens the One Court principle by means of managerial oversight. Second, in its external relations function, the Presidency strives to raise awareness and understanding of the Court and coordinates the external relations activities of the different organs. Third, the Presidency also exercises judicial/legal functions as an appellate body in the field of administrative law, as an appellate body in the field of criminal law, in negotiating and concluding agreements with States and international organizations, and as a disciplinary body for complaints of misconduct.

61. In 2008, the Presidency will contribute to the further development and implementation of the Strategic Plan through the Strategic Planning and Coordination Officer, together with the Registry and Office of the Prosecutor.

62. Attached to the Presidency is the New York Liaison Office, which enhances understanding and cooperation between the Court and the United Nations, promotes awareness of the Court to non-States parties and provides logistical support for meetings of the Assembly of States Parties and its subsidiary organs. The New York Liaison Office will continue to act as a focal point between the United Nations and the Court. Additionally, the Office will organize and support high-level meetings and conferences to further promote the Court.

B. Chambers

63. Chambers is divided into three divisions: Pre-Trial, Trial and Appeals. The Chambers within each division deal with cases or situations that are assigned to them.

64. In 2008, the most significant judicial activity will be the Court's first trial, which will take place before Trial Chamber I. The Pre-Trial Chambers will be responsible for pre-trial proceedings arising from any of the four situations currently under investigation. The Appeals Chamber, consisting of five judges, will continue to address the appeals at the pre-trial stage, as well as address appeals at the trial stage.

Table 2. Major Programme I: Proposed budget for 2008

<i>Judiciary</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Judges	2,971.4		2,971.4	5,833.1		5,833.1	6,269.7		6,269.7	436.6	7.5
Professional staff	No breakdown available			2,094.9	382.9	2,477.8	2,440.0	386.9	2,826.9	349.1	14.1
General Service staff	No breakdown available			755.8	171.9	927.7	792.3	178.8	971.1	43.4	4.7
<i>Subtotal staff</i>	2,238.7	127.0	2,365.7	2,850.7	554.8	3,405.5	3,232.3	565.7	3,798.0	392.5	11.5
General temporary assistance	167.6	24.4	192.0	96.5	90.0	186.5	317.4		317.4	130.9	70.2
Consultants	11.7		11.7	35.0		35.0	26.4		26.4	-8.6	-24.6
<i>Subtotal other staff</i>	179.3	24.4	203.7	131.5	90.0	221.5	343.8		343.8	122.3	55.2
Travel	116.5		116.5	188.5	70.0	258.5	227.0	34.4	261.4	2.9	1.1
Hospitality	10.7		10.7	11.0		11.0	11.0		11.0		
Contractual services incl. training	76.4		76.4	30.7		30.7	25.5		25.5	-5.2	-16.9
General operating expenses	20.5		20.5	47.0		47.0	74.3		74.3	27.3	58.1
Supplies and materials	2.3		2.3	5.0		5.0	5.0		5.0		
Furniture and equipment	101.5		101.5	10.0		10.0	10.0		10.0		
<i>Subtotal non-staff</i>	327.9		327.9	292.2	70.0	362.2	352.8	34.4	387.2	25.0	6.9
Distributed maintenance				155.9	21.0	176.9	133.5	13.5	147.0	-29.9	-16.9
Total	5,717.3	151.4	5,868.7	9,263.4	735.8	9,999.2	10,332.1	613.6	10,945.7	946.5	9.5

Table 3. Major Programme I: Proposed staffing for 2008

<i>Judiciary</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic					2		20	1	1	24	1	12	13	37
	Situation-related					1	2				3		3	3	6
	<i>Subtotal</i>					3	2	20	1	1	27	1	15	16	43
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
Redeployed /Returned	Basic							-1	1						
	Situation-related														
	<i>Subtotal</i>							-1	1						
<i>Total</i>						3	2	19	2	1	27	1	15	16	43

1. Programme 1100: The Presidency

Objectives

1. Conduct five investigations into cases and one trial, subject to external cooperation received (SO 1).
2. Constantly increase support for the Court through enhancing communication and mutual understanding with stakeholders, stressing the Court's role and its independence (SO 8).

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2008</i>
Objective 1 <ul style="list-style-type: none"> • Assistance to Chambers in efficient use of existing resources. 	<ul style="list-style-type: none"> • Number of measures taken to improve efficiency of proceedings and workflow. 	3
Objective 2 <ul style="list-style-type: none"> • Improved awareness and understanding of the Court through communication with the diplomatic community. 	<ul style="list-style-type: none"> • Number of briefings and meetings. 	3 diplomatic briefings. 1 meeting ICC/UN officials.

Staff resources

Basic resources

Judges' salaries and allowances

65. The Presidency's proposed budget for 2008 allocates funds to cover remuneration for the three judges presiding in the Presidency. The allocation provides coverage for the judges' salaries as well as their allowances, such as education grants, home leave, death and disability pension, and insurance for service-incurred sickness and accidents. In addition, provision is included for the related costs of an incoming full-time judge on the Court.

Reclassification

66. The Presidency budget reflects the downgrading of the post of Administration Officer from a P-3 to a P-2 level.

Consultancy

67. As reflected in previous years, consultancy funds have been requested for the Presidency to provide expert advice to the Presidency or Chambers on specialist topics that might arise. Additionally, provision has been made for a consultant to be allocated for the needs of the Advisory Committee on Legal Texts.

68. Based on the actual expenditure of 2006, the 2008 allocation for consultancy has been decreased by €8,600 compared to the approved 2007 budget. The saving will be incorporated to cover the increases in other categories.

Non-staff resources

Basic resources

Travel

69. Provision for travel in the amount of €43,700 has been included in the basic resources to cover the travel costs of the three judges presiding in the Presidency. Additionally, provision has

been made to cover the travel of staff. Provision has also been made to cover the travel costs of all the members of the Advisory Committee on Legal Texts who will be required to attend four meetings in The Hague.

General operating expenses

70. Provision has been included for the rental and running costs of the New York Liaison Office.

71. The total increase of €280,200, less in-built costs of €158,700, less the difference in distributed maintenance costs of -€7,900 = net increase of €129,400.

Table 4. Programme 1100: Proposed budget for 2008

<i>The Presidency (including NY Liaison Office)</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Judges	611.1		611.1	1,056.0		1,056.0	1,259.0		1,259.0	203.0	19.2
Professional staff	No breakdown available			807.0		807.0	857.6		857.6	50.6	6.3
General Service staff	No breakdown available			297.4		297.4	315.5		315.5	18.1	6.1
<i>Subtotal staff</i>	743.8		743.8	1,104.4		1,104.4	1,173.1		1,173.1	68.7	6.2
General temporary assistance	54.9	0.3	55.2	46.5		46.5	66.6		66.6	20.1	43.2
Consultants	11.7		11.7	35.0		35.0	26.4		26.4	-8.6	-24.6
<i>Subtotal other staff</i>	66.6	0.3	66.9	81.5		81.5	93.0		93.0	11.5	14.1
Travel	52.0		52.0	96.3		96.3	100.9		100.9	4.6	4.8
Hospitality	9.8		9.8	10.0		10.0	10.0		10.0		
Contractual services incl. training	66.5		66.5	16.0		16.0	10.0		10.0	-6.0	-37.5
General operating expenses	20.5		20.5	47.0		47.0	53.3		53.3	6.3	13.4
Supplies and materials	2.3		2.3	5.0		5.0	5.0		5.0		
Furniture and equipment	37.8		37.8								
<i>Subtotal non-staff</i>	188.9		188.9	174.3		174.3	179.2		179.2	4.9	2.8
Distributed maintenance				54.8		54.8	46.9		46.9	-7.9	-14.4
Total	1,610.4	0.3	1,610.7	2,471.0		2,471.0	2,751.2		2,751.2	280.2	11.3

Table 5. Programme 1100: Proposed staffing for 2008

<i>The Presidency (including NY Liaison Office)</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic					2		4	1	1	8	1	4	5	13
	Situation-related														
	<i>Subtotal</i>					2		4	1	1	8	1	4	5	13
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
Redeployed /Returned	Basic							-1	1						
	Situation-related														
	<i>Subtotal</i>							-1	1						
<i>Total</i>						2		3	2	1	8	1	4	5	13

2. Programme 1200: Chambers

Objectives

1. Conduct five investigations into cases and one trial, subject to external cooperation received (SO 1).
2. Conduct fair, effective and expeditious public proceedings in accordance with the Rome Statute and high legal standards, ensuring full exercise of the rights of all participants (SG 1).

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2008</i>
Objective 1 <ul style="list-style-type: none"> • Improved efficiency of proceedings. 	<ul style="list-style-type: none"> • Number of measures taken to improve efficiency of proceedings and workflow. 	3
Objective 2 <ul style="list-style-type: none"> • Develop key performance indicators for Chambers. 	<ul style="list-style-type: none"> • Number of key performance indicators developed. 	2

Staff resources

72. Quantitative statistics cannot accurately reflect the past workload of Chambers. Some Chambers have already been involved very heavily in judicial proceedings resulting in the issuance of a considerable number of orders and decisions, as well as the holding of a number of hearings. Other Chambers meanwhile have focused on the necessary preparatory work for them to be ready to conduct fair, effective and expeditious judicial proceedings.

73. Table 6 therefore is a mere indication of some of the judicial activities performed by the Presidency and Chambers in the year 2006. Early indications for the year 2007 confirm the general expectation that the workload of the Presidency and Chambers will increase substantially in the years 2007 and 2008.

74. However, any attempt to produce statistics in relation to the anticipated workload of Chambers would be purely speculative. The number of cases which will be assigned to any Chamber in the course of future judicial proceedings is largely unpredictable as it is not known whether or when existing arrest warrants will be executed. Even if the number of cases were known, the number and scope of charges which will arise in a specific case, the number of victims who will be allowed to participate in a given case and the number of requests for reparations will have a significant impact on the workload and are unknown at this stage.

75. Judicial activities, which are the priority activity of the Chambers, will take up most of the resources. In addition, some legal activities required in the course of the preparation of the proceedings, such as research on relevant procedural and substantive legal issues, which result in the drafting of hundreds of pages of legal memoranda, consume a significant share of the resources. These important activities cannot be measured in case-related statistics. Furthermore, other activities – such as the participation of judges (assisted by their legal staff) in working groups on issues of interest to judicial proceedings (e.g. the working group on expediting proceedings) and in the Advisory Committee on Legal Texts – will take up some of the resources. These activities will allow Chambers to fulfil the goal of conducting fair, effective and expeditious judicial proceedings in accordance with the Rome Statute, ensuring the full exercise of the rights of all participants.

Table 6. Workload indicators for Chambers

<i>Item</i>	<i>Filings</i>		<i>Decisions/Orders/Judgments</i>		<i>Days in Court</i>
	Number	Pages	Number	Pages	
Presidency	17	72	4	30	-
<i>Pre-Trial Chamber I</i>	426	3,008	1,314	24,924	40-50
<i>Pre-Trial Chamber II</i>	72	4,254	17	137	-
<i>Pre-Trial Chamber III</i>	4	38	2	7	-
Pre-Trial Division – Total	502	7,300	1,333	25,068	40-50
Trial Division	-	-	-	-	-
Appeals Division	46	655	37	235	3

Basic resources

Judges' salaries and allowances

76. As with the Presidency, the proposed 2008 budget for Chambers sets aside €2.3 million to fund the pension scheme for 13 judges, in accordance with the recommendation of resolution ICC-ASP/4/Res. 9. The remaining three judges are allocated under the Presidency. Following the decision to provide for the two trial judges serving on a non-full-time basis from basic resources, the proposed 2008 budget provides for €80,000 to cover salaries, special allowances and provision for an assignment grant, as well as removal costs. Additionally, provision of €60,000 has been made to cover the resignation of a judge on the grounds of disability.

Pre-Trial Chambers

77. The Pre-Trial Chambers are currently staffed with 14 FTE:¹ one P-5 Senior Legal Adviser (situation-related), seven P-3 Legal Officers (basic), five GS-OL Administrative Assistants (four basic and one situation-related), and one P-2 GTA (situation-related).

Anticipated workload of Pre-Trial Chambers in 2007 and 2008

78. The Pre-Trial Chambers are currently engaged in judicial proceedings emanating from four situations (Democratic Republic of the Congo [DRC], Darfur/Sudan, Uganda and Central African Republic [CAR]). At the 29 March 2007 Diplomatic Briefing, the Prosecutor referred to the ongoing second investigation and announced the selection of a third case to investigate in the summer of 2007, both in the situation of the DRC. He also opened an investigation in the CAR. Pre-Trial Chamber I has issued two warrants of arrest in the situation of Sudan and Pre-Trial Chamber II has issued five warrants of arrest in the situation of Uganda. Moreover, Chambers adjudicate on the participation of an increasing number of victims during the various pre-trial proceedings.

79. Against this background and bearing in mind that judicial proceedings are not easily quantifiable, it is clear that the workload for the Pre-Trial Chambers will increase further in the year 2008.

Situation-related resources

General temporary assistance

80. The Pre-Trial Division requests that the resources needed for 2008 remain essentially the same as in 2007, namely by requesting only the necessary funds for the recruitment of one legal support staff member on a GTA basis at the P-2 level for 12 months.

¹ FTE = Full-time equivalent.

Trial Chambers

81. The Trial Chambers are currently staffed with eight FTE: one P-4 Legal Adviser (situation-related), four P-3 Legal Officers (basic), and three GS-OL Administrative Assistants (two basic and one situation-related).

Anticipated workload of Trial Chambers in 2007 and 2008

82. The case record of the *Lubanga* case which has been transmitted to the Trial Chamber totals over 17,000 pages. Even assuming that the review of the record is divided among the legal support staff to maximize effectiveness, the minimum level of familiarization needed to assist the Trial Chamber effectively in the preparation of the trial and during it will require considerable resources. Novel issues, both of a procedural and substantive nature, will be raised by the parties and participants in the proceedings, who are likely to file a number of motions in the absence of previous practice on the applicable law and trial procedure (during the pre-trial phase, the parties and participants in the proceedings filed 799 documents with the Chamber). At trial, most of the time of the three judges composing Trial Chamber I will be spent in the courtroom. In addition, one to two staff will need to be in court in order, among other things, to annotate and summarize witness testimony through the use of LiveNote and to assist the Trial Chamber in the management of the case and evidence. In addition, regular tasks of the legal staff of the Trial Chamber during trial will include: in-depth research and drafting of legal memoranda on complex issues, careful analysis and review of thousands of pages of testimony and evidence presented at trial, drafting of orders and decisions, and liaison with the parties and participants in the proceedings as well as other organs of the Court. The consideration and issuance of decisions on the legal issues raised is a very time-consuming exercise in terms of staffing (legal research and drafting, etc.). Further, as the trial progresses, a considerable amount of time will need to be spent on assisting the Trial Chamber in the drafting of the judgment. In the absence of the additional resources requested, only two legal staff (including the P-4 who also performs coordinating and managerial functions) would be able to perform those tasks full-time while the other staff attend trial.

Situation-related resources

General temporary assistance

83. Trial Chamber I requests funds for the recruitment of a GTA legal support staff member at the P-2 level for 12 months to assist in the performance of its tasks during the upcoming first trial before the Court (the *Lubanga* case).

Non-staff resources

Basic/situation-related resources

Travel

84. In order to increase transparency of expenditures, the proposed 2008 budget distinguishes between the basic budget and situation-related budget for the travel of judges (€126,100 basic and €34,400 situation-related).

85. Within this provision, allocations have been set aside for the travel of the two non-full-time judges. It is envisaged that these judges will travel to The Hague to participate in two plenary sessions of two days each, and that they will each travel to The Hague to conduct preparatory work for the beginning of the second trial.

Basic resources*General operating expenses*

86. The proposed 2008 budget reflects the allocation of €21,000 for office furniture for the judges' chambers.

87. The total increase of €666,300, less in-built costs of €476,400, less the difference in distributed maintenance costs of -€22,000 = net increase of €211,900.

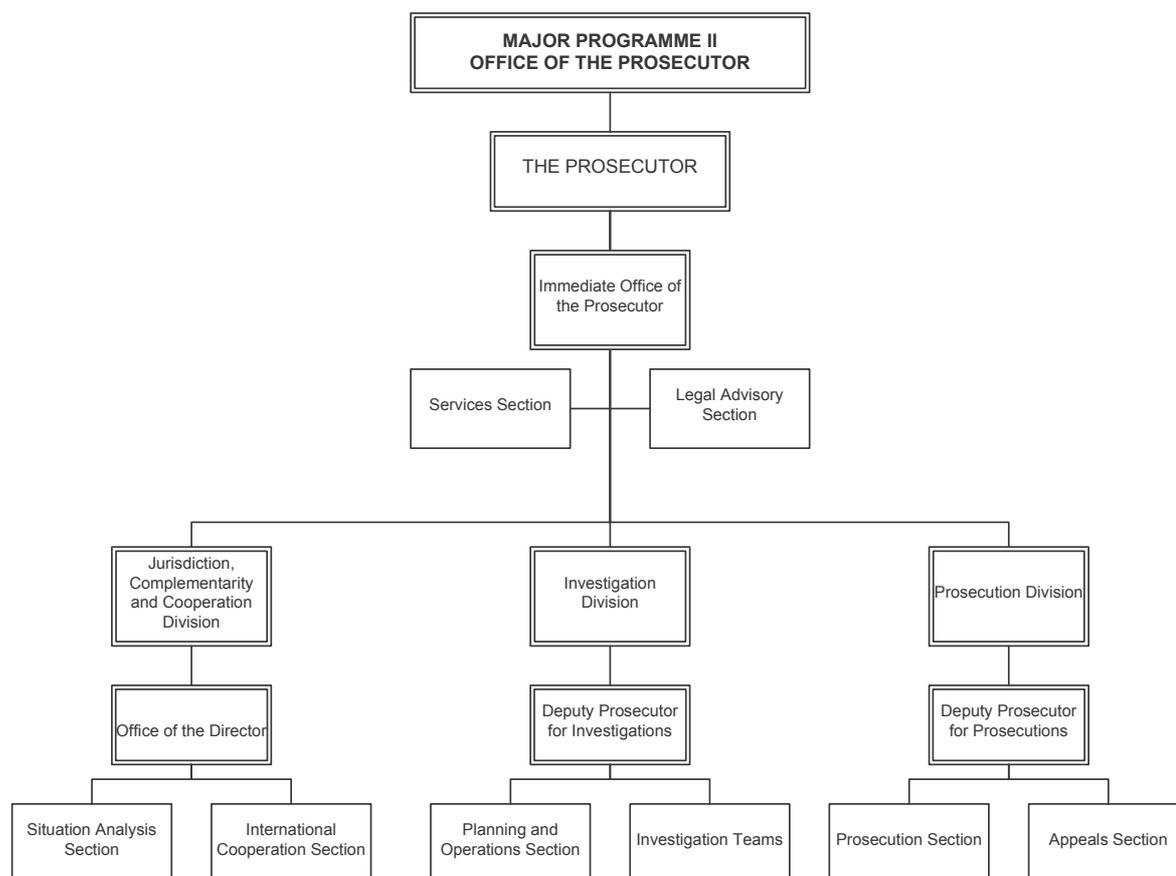
Table 7. Programme 1200: Proposed budget for 2008

<i>Chambers</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Judges	2,360.3		2,360.3	4,777.1		4,777.1	5,010.7		5,010.7	233.6	4.9
Professional staff	No breakdown available			1,287.9	382.9	1,670.8	1,582.4	386.9	1,969.3	298.5	17.9
General Service staff	No breakdown available			458.4	171.9	630.3	476.8	178.8	655.6	25.3	4.0
<i>Subtotal staff</i>	<i>1,494.9</i>	<i>127.0</i>	<i>1,621.9</i>	<i>1,746.3</i>	<i>554.8</i>	<i>2,301.1</i>	<i>2,059.2</i>	<i>565.7</i>	<i>2,624.9</i>	<i>323.8</i>	<i>14.1</i>
General temporary assistance	112.7	24.1	136.8	50.0	90.0	140.0	250.8		250.8	110.8	79.1
<i>Subtotal other staff</i>	<i>112.7</i>	<i>24.1</i>	<i>136.8</i>	<i>50.0</i>	<i>90.0</i>	<i>140.0</i>	<i>250.8</i>		<i>250.8</i>	<i>110.8</i>	<i>79.1</i>
Travel	64.5		64.5	92.2	70.0	162.2	126.1	34.4	160.5	-1.7	-1.0
Hospitality	0.9		0.9	1.0		1.0	1.0		1.0		
Contractual services incl. training	9.9		9.9	14.7		14.7	15.5		15.5	0.8	5.4
General operating expenses							21.0		21.0	21.0	
Furniture and equipment	63.7		63.7	10.0		10.0	10.0		10.0		
<i>Subtotal non-staff</i>	<i>139.0</i>		<i>139.0</i>	<i>117.9</i>	<i>70.0</i>	<i>187.9</i>	<i>173.6</i>	<i>34.4</i>	<i>208.0</i>	<i>20.1</i>	<i>10.7</i>
Distributed maintenance				101.1	21.0	122.1	86.6	13.5	100.1	-22.0	-18.0
Total	4,106.9	151.1	4,258.0	6,792.4	735.8	7,528.2	7,580.9	613.6	8,194.5	666.3	8.9

Table 8. Programme 1200: Proposed staffing for 2008

<i>Chambers</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic							16			16		8	8	24
	Situation-related					1	2				3		3	3	6
	<i>Subtotal</i>					<i>1</i>	<i>2</i>	<i>16</i>			<i>19</i>		<i>11</i>	<i>11</i>	<i>30</i>
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
<i>Total</i>						<i>1</i>	<i>2</i>	<i>16</i>			<i>19</i>		<i>11</i>	<i>11</i>	<i>30</i>

B. Major Programme II: Office of the Prosecutor



Note: For budgetary presentation, a number of programmes/sub-programmes have been combined. This is indicated in the relevant programmes.

Introduction

88. The Office of the Prosecutor made a strong commitment to conduct cost-effective operations.² In this regard the Office has attempted to cater for all additional resource needs through a flexible approach that allows a minimal growth budget. As has been presented previously, the activities that are related to the situations and cases under investigation are conducted by the Joint Teams, supported by the rest of the Office. This holistic, project-oriented approach provides the Office with the flexibility to rotate and bolster resources in areas where limitations or bottlenecks have been experienced, thus achieving maximum efficiency. This concept is most clearly demonstrated by the roll-over of resources from the Uganda to the CAR investigation or in the Office's response to periodic surges in analytical, investigative and (pre-)trial demands in any one situation.

89. The Office also took heed of the recommendation of the Committee on Budget and Finance³ to rationalize the number of sub-programmes, reducing their number to six. This, together with the Management Information Restructure (MIR), will assist the Office with its budget implementation in 2008. It should be noted, however, that this rationalization has not changed the reporting structure of the Office; with the exception of the transfer of the staff-training

² See http://www.icc-cpi.int/library/organs/otp/030905_Policy_Paper.pdf.

³ See *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Sixth session, New York, 30 November to 14 December 2007* (International Criminal Court publication, ICC-ASP/6/20, vol. II), part B.1, para. 26 (v).

responsibility from the Services Section to the Immediate Office (Chef de Cabinet) and the reallocation of all non-working-language transcription functions from the Services Section to the Investigation Division there are no functional changes within the Office. In view of this shift of resources, the significant increases in the budgets of the Planning and Operations Section (sub-programme 2320) and the Immediate Office (sub-programme 2110) need to be viewed in the context of an almost reciprocal decrease in the budget request for the Services Section (sub-programme 2120).

90. Overall, the requested budget of the Office amounts to a 3.1 per cent net increase over 2007. This growth is entirely confined to situation-related activities; the basic resources remain unchanged (net increase 0 per cent). The situation-related budget comprises operational support resources, i.e. those that support all situations in accordance with workload fluctuations and priorities enabling economies of scale, and the situation-specific funds for the post-investigation maintenance of the Uganda situation, the multiple case situations of the DRC and Darfur, a trial in the first DRC case and the investigation in the CAR.

91. It is through careful reassignment (within sub-programmes) or redeployment (between sub-programmes) that the Office has been able to provide for the majority of its additional situation-related needs to meet the 2008 objectives. The three principal areas of growth are:

- Staff costs with a net increase of €496,600;
- General temporary assistance with a net increase of €323,500; and
- General operating costs, increasing by €114,100 to meet the costs of interviewing witnesses and the general operating costs of field operators supporting the interviews in remote locations and assisting the witnesses.

92. In contrast, the key areas of reduction to offset the above budgetary increases are:

- Travel reduced in real terms by €341,000;
- Outsourcing services for translation and transcription reduced by €153,000 due to cost and confidentiality restrictions preventing their effective use in 2007; and
- Reduction in equipment and supplies budgets by €60,000.

93. As has been recognized by the Committee on Budget and Finance,⁴ the costs of protecting the investments made during the investigation pending an arrest or surrender are not insignificant, but it should be recognized that, wherever feasible, the Office is rotating resources between the situations to maximize output. This can be seen in the table below comparing the situation-specific funding and staffing over the last three years.

Table 9. Situation-related budget composition 2006-2008

<i>Budget (# staff)</i>	<i>Operational support</i>	<i>Uganda</i>	<i>DRC</i>	<i>Darfur</i>	<i>Situation 4 CAR</i>
2006 approved	3,428,100 (29)	3,549,700 (27)	4,770,900 (28)	4,055,500 (15)	N/A
2007 approved	3,788,400 (41)	1,109,500 (4)	5,851,400 (51)	4,532,500 (35)	2,553,800 (21)
2008 proposed	4,709,100 (51)	1,033,700 (4)	5,835,200 (48)	4,417,800 (31)	3,393,400 (24)

94. The Prosecutorial Strategy⁵ remains central to the Office's activities presented for 2008, in the same way that it governed the activities of the Office in the previous fiscal year.⁶ The Office remains committed to supporting the Strategic Goals of the Court and continues to contribute actively to the implementation of the Court's Strategic Plan.

⁴ Ibid., part B.1, para. 19.

⁵ See http://www.icc-cpi.int/library/organs/otp/OTP_Prosecutorial-Strategy-20060914_English.pdf.

⁶ See *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fifth session, The Hague, 23 November to 1 December 2006* (International Criminal Court publication, ICC-ASP/5/32), part II.D.5, para. 59.

95. As the basic budget remains unchanged and comprises mainly staff costs and since all resource changes occur in the situation-related budget, the narrative is not separated into basic and situation-related resource justifications. Instead, new staff resources are justified as a whole for any sub-programme, wherever appropriate, and non-recurrent budget requests (GTA, consultancy and non-staff costs) are justified collectively under the respective budget line headings.

Table 10. Major Programme II: Proposed budget for 2008

<i>Office of the Prosecutor</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			3,525.1	9,370.0	12,895.1	3,689.4	10,622.6	14,312.0	1,416.9	11.0
General Service staff				933.7	2,610.4	3,544.1	977.4	2,707.2	3,684.6	140.5	4.0
<i>Subtotal staff</i>	<i>3,628.7</i>	<i>6,313.1</i>	<i>9,941.8</i>	<i>4,458.8</i>	<i>11,980.4</i>	<i>16,439.2</i>	<i>4,666.8</i>	<i>13,329.8</i>	<i>17,996.6</i>	<i>1,557.4</i>	<i>9.5</i>
General temporary assistance	483.7	2,813.4	3,297.1	36.1	3,194.5	3,230.6	40.5	3,513.6	3,554.1	323.5	10.0
Temporary assistance for meetings	3.0	26.3	29.3								
Overtime		3.0	3.0	15.0		15.0	15.0		15.0		
Consultants	38.3	160.7	199.0		77.9	77.9		67.8	67.8	-10.1	-13.0
<i>Subtotal other staff</i>	<i>525.0</i>	<i>3,003.4</i>	<i>3,528.4</i>	<i>51.1</i>	<i>3,272.4</i>	<i>3,323.5</i>	<i>55.5</i>	<i>3,581.4</i>	<i>3,636.9</i>	<i>313.4</i>	<i>9.4</i>
Travel	130.0	1,546.0	1,676.0	175.7	1,893.7	2,069.4	180.0	1,812.7	1,992.7	-76.7	-3.7
Hospitality	8.3		8.3	10.0		10.0	10.0		10.0		
Contractual services incl. training	122.4	471.5	593.9	51.2	390.5	441.7	51.2	309.5	360.7	-81.0	-18.3
General operating expenses		171.6	171.6		160.5	160.5		274.6	274.6	114.1	71.1
Supplies and materials	31.5	78.4	109.9	53.0	88.2	141.2	53.0	48.0	101.0	-40.2	-28.5
Furniture and equipment	44.1	221.5	265.6		50.0	50.0		30.0	30.0	-20.0	-40.0
<i>Subtotal non-staff</i>	<i>336.3</i>	<i>2,489.0</i>	<i>2,825.3</i>	<i>289.9</i>	<i>2,582.9</i>	<i>2,872.8</i>	<i>294.2</i>	<i>2,474.8</i>	<i>2,769.0</i>	<i>-103.8</i>	<i>-3.6</i>
Distributed maintenance				202.3	533.1	735.4	219.6	508.9	728.5	-6.9	-0.9
Total	4,490.0	11,805.5	16,295.5	5,002.1	18,368.8	23,370.9	5,236.1	19,894.9	25,131.0	1,760.1	7.5

Table 11. Major Programme II: Proposed staffing for 2008

<i>Office of the Prosecutor</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic	1	2		2	6	6	7	6	1	31	1	16	17	48
	Situation-related					4	21	33	34	12	104		48	48	152
	<i>Subtotal</i>	<i>1</i>	<i>2</i>		<i>2</i>	<i>10</i>	<i>27</i>	<i>40</i>	<i>40</i>	<i>13</i>	<i>135</i>	<i>1</i>	<i>64</i>	<i>65</i>	<i>200</i>
New	Basic														
	Situation-related							2	3	1	6				6
	<i>Subtotal</i>							<i>2</i>	<i>3</i>	<i>1</i>	<i>6</i>				<i>6</i>
<i>Total</i>		<i>1</i>	<i>2</i>		<i>2</i>	<i>10</i>	<i>27</i>	<i>42</i>	<i>43</i>	<i>14</i>	<i>141</i>	<i>1</i>	<i>64</i>	<i>65</i>	<i>206</i>

1. Programme 2100: The Prosecutor

Introduction

96. The Office of the Prosecutor comprises the Immediate Office, the Legal Advisory Section and the Services Section, which all assist the Prosecutor with the coordination and provision of services to the operational divisions and joint teams. It is here that the policies of the Office are developed and evaluated with the aim of continuously *improving the quality of justice*.

97. To ensure a *well-recognized and adequately supported institution*, the Prosecutor directs, through the Executive Committee made up of the Heads of Divisions, the major activities that seek to achieve the objectives of the Prosecutorial Strategy with minimal resources and maximum accountability.

98. In this regard, the Chef de Cabinet coordinates internal and inter-organ activities ensuring that the *staff are well qualified and motivated*, that information-sharing is effective and operating procedures are standardized across the Office, and that *a common Court culture is developed*.

99. The Legal Advisory Section provides timely responses to requests for legal advice for the Prosecutor and all operational divisions. It also coordinates legal training and contributes to the development of the online legal tools.

100. The Services Section aims to become a *non-bureaucratic model of public administration*, endeavouring to provide high quality and timely OTP-specific administrative, linguistic and technical services, by adopting a flexible approach to meeting clients' needs with minimal resources and by interfacing with the Registry to coordinate seamless common services.

Objectives

1. Develop policies for implementing the quality standards specified in the Statute and the Rules of Procedure and Evidence with respect to all participants in proceedings and persons otherwise affected by the Court's activities, in a manner that is respectful of diversity (SO 3).
2. Become a non-bureaucratic administration focused on results rather than processes, relying on rules where necessary to guarantee rights and minimize risks (SO 11).

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2008</i>
Objective 1 <ul style="list-style-type: none"> • All protocols and standard operating procedures planned for 2008 finalized and implemented. • Systematic development of academic legal network and implementation of the annual Legal Tools Project plan. 	<ul style="list-style-type: none"> • Actual proportion of planned protocols/standard operating procedures developed and implemented. • Proportion of 2008 legal network development plan and Legal Tools Project objectives achieved. 	100% 100%
Objective 2 <ul style="list-style-type: none"> • Delivery of at least the level of service indicated in the SLAs relevant to the units. • All OTP-specific language, administrative, budgetary and technical development and improvement objectives for 2008 implemented. 	<ul style="list-style-type: none"> • Actual service standards compared to published service standards. • Actual proportion of improvements/developments implemented. 	100% > SLA 100%

Table 12. Programme 2100: Proposed budget for 2008

<i>The Prosecutor</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			1,932.8	228.6	2,161.4	2,042.4	366.3	2,408.7	247.3	11.4
General Service staff	No breakdown available			607.9	705.9	1,313.8	639.0	620.4	1,259.4	-54.4	-4.1
<i>Subtotal staff</i>	<i>1,928.8</i>	<i>415.1</i>	<i>2,343.9</i>	<i>2,540.7</i>	<i>934.5</i>	<i>3,475.2</i>	<i>2,681.4</i>	<i>986.7</i>	<i>3,668.1</i>	<i>192.9</i>	<i>5.6</i>
General temporary assistance	431.1	1,190.1	1,621.2	36.1	2,688.3	2,724.4	40.5	1,385.1	1,425.6	-1,298.8	-47.7
Temporary assistance for meetings	3.0	26.3	29.3								
Overtime				15.0		15.0	15.0		15.0		
Consultants	38.3	127.6	165.9		77.9	77.9		67.8	67.8	-10.1	-13.0
<i>Subtotal other staff</i>	<i>472.4</i>	<i>1,344.0</i>	<i>1,816.4</i>	<i>51.1</i>	<i>2,766.2</i>	<i>2,817.3</i>	<i>55.5</i>	<i>1,452.9</i>	<i>1,508.4</i>	<i>-1,308.9</i>	<i>-46.5</i>
Travel	84.8	205.0	289.8	79.5	422.5	502.0	98.8	346.9	445.7	-56.3	-11.2
Hospitality	8.3		8.3	10.0		10.0	10.0		10.0		
Contractual services incl. training	122.4	326.7	449.1	51.2	282.5	333.7	51.2	249.5	300.7	-33.0	-9.9
General operating expenses		1.1	1.1		30.0	30.0		10.0	10.0	-20.0	-66.7
Supplies and materials	31.5	24.9	56.4	53.0	48.0	101.0	53.0	28.0	81.0	-20.0	-19.8
Furniture and equipment	44.1	168.4	212.5		40.0	40.0		30.0	30.0	-10.0	-25.0
<i>Subtotal non-staff</i>	<i>291.1</i>	<i>726.1</i>	<i>1,017.2</i>	<i>193.7</i>	<i>823.0</i>	<i>1,016.7</i>	<i>213.0</i>	<i>664.4</i>	<i>877.4</i>	<i>-139.3</i>	<i>-13.7</i>
Distributed maintenance				126.4	56.1	182.5	137.4	48.3	185.7	3.2	1.8
Total	2,692.3	2,485.2	5,177.5	2,911.9	4,579.8	7,491.7	3,087.3	3,152.3	6,239.6	-1,252.1	-16.7

Table 13. Programme 2100: Proposed staffing for 2008

<i>The Prosecutor</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic	1				3	3	6	5	1	19	1	10	11	30
	Situation-related								1	2	3		13	13	16
	<i>Subtotal</i>	<i>1</i>				<i>3</i>	<i>3</i>	<i>6</i>	<i>6</i>	<i>3</i>	<i>22</i>	<i>1</i>	<i>23</i>	<i>24</i>	<i>46</i>
New	Basic														
	Situation-related							1			1				1
	<i>Subtotal</i>							<i>1</i>			<i>1</i>				<i>1</i>
Redeployed /Returned	Basic														
	Situation-related												-2	-2	-2
	<i>Subtotal</i>												-2	-2	-2
<i>Total</i>		<i>1</i>				<i>3</i>	<i>3</i>	<i>7</i>	<i>6</i>	<i>3</i>	<i>23</i>	<i>1</i>	<i>21</i>	<i>22</i>	<i>45</i>

(a) Sub-programme 2110: Immediate Office of the Prosecutor / LAS

101. The Legal Advisory Section (sub-programme 2130) is incorporated for purposes of budgetary presentation into the Immediate Office of the Prosecutor. All previous-year expenditures and approved budgets for sub-programme 2130 have been integrated with the data for the Immediate Office.

Staff resources**Redeployment**

102. There are no new posts requested for this sub-programme.

103. In accordance with the principle of minimal growth and in furtherance of the Office's response to the Committee on Budget and Finance regarding the former Staff Strategy Unit, but also mindful of the critical need to continue the development and maintenance of the Office's most valuable resource – well-qualified and satisfied staff – the Chef de Cabinet will effectively collaborate with and rely on the Court's Human Resources Section with the assistance of an Human Resources Liaison Officer and Coordinator. This need will be met by redeploying the former post of Training and Development Officer from the Services Section. The grade of this post has been reduced from P-3 to P-2 in order to offset the reclassification costs of the Administration Officer in the Services Section. The budgetary impact of this increase in headcount is thus neutral.

General temporary assistance

104. This amount concerns the five months of GTA recurrently approved for the Legal Advisory Section and transferred to the Immediate Office to rationalize the number of sub-programmes. The request remains for five months of GTA at the P-2 level to support the ad hoc projects or peaks in workload foreseen in relation to the legal advisory capacity of the Office.

Overtime

105. Provision remains at €15,000 to meet legal requirements to compensate for overtime in the GS category. Whilst spending in this area has been significantly less than approved budgets, it is envisaged that these costs will significantly increase with field operations for five simultaneous investigations.

Consultancy

106. As in 2007, the Office will need to engage situation-related expert advisers and expert witnesses. For this the Office requests the reduced amount of €68,000. The budget remains centralized in the Immediate Office.

Non-staff resources*Travel*

107. The travel of the Prosecutor is necessary in order to raise awareness and enhance support and concrete cooperation for the Office's activities with key stakeholders at the highest levels, to keep the public informed, and to contribute to maximizing the impact of the Rome Statute. The provision within the Immediate Office has always incorporated the travel projections for the Prosecutor, Spokespersons, Chef de Cabinet and key stakeholders invited to meet with the Prosecutor, specifically those unable to fund the costs of such travel. There is no net increase in the travel budget of the Immediate Office; the growth is the result of the higher flight and DSA costs since 2007 and the amalgamation of the unchanged basic travel budget of the Legal Advisory Section necessary for the furtherance of their academic network development objectives.

108. Altogether, the travel budget provides for 47 missions, 23 of which relate to the travel of legal advisory and public information personnel on behalf of the Office. This is comparable to the 48 missions undertaken by the IOP and LAS in 2006, 50 per cent of which related directly to the situations under investigation.

Contractual services including training

109. The training budget of the Office has been transferred to the Immediate Office (previously in the Services Section) in order to reflect the changed responsibility for the training and development of the Office's staff. The increased amount of €88,000 is requested to support continued professional development in the fields of advocacy, appeals, investigation and external relations, as well as field safety and witness protection.

110. An amount of €20,000 is requested, as last year, to support the public information costs of independent and joint outreach missions in the countries of operation. Typical costs incurred relate to radio broadcasts, the rental of appropriate facilities for press conferences, and production and distribution costs for materials in the countries of operation.

111. The total increase of €275,800, less in-built costs of €68,900, less the difference in distributed maintenance costs of €9,600 = net increase of €197,300, of which €163,500 represents previously approved resources transferred from the Services Section.

Table 14. Sub-programme 2110: Proposed budget for 2008

<i>Immediate Office of the Prosecutor</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			1,009.3		1,009.3	1,151.6		1,151.6	142.3	14.1
General Service staff	No breakdown available			282.1		282.1	300.6		300.6	18.5	6.6
<i>Subtotal staff</i>	<i>916.4</i>		<i>916.4</i>	<i>1,291.4</i>		<i>1,291.4</i>	<i>1,452.2</i>		<i>1,452.2</i>	<i>160.8</i>	<i>12.5</i>
General temporary assistance	329.4		329.4	36.1		36.1	40.5		40.5	4.4	12.2
Overtime				15.0		15.0	15.0		15.0		
Consultants	38.3	38.0	76.3		77.9	77.9		67.8	67.8	-10.1	-13.0
<i>Subtotal other staff</i>	<i>367.7</i>	<i>38.0</i>	<i>405.7</i>	<i>51.1</i>	<i>77.9</i>	<i>129.0</i>	<i>55.5</i>	<i>67.8</i>	<i>123.3</i>	<i>-5.7</i>	<i>-4.4</i>
Travel	77.2	25.0	102.2	71.0	51.4	122.4	85.3	60.0	145.3	22.9	18.7
Hospitality	8.3		8.3	10.0		10.0	10.0		10.0		
Contractual services incl. training	8.4		8.4		20.0	20.0	26.2	82.0	108.2	88.2	441.0
<i>Subtotal non-staff</i>	<i>93.9</i>	<i>25.0</i>	<i>118.9</i>	<i>81.0</i>	<i>71.4</i>	<i>152.4</i>	<i>121.5</i>	<i>142.0</i>	<i>263.5</i>	<i>111.1</i>	<i>72.9</i>
Distributed maintenance				59.0		59.0	68.6		68.6	9.6	16.3
Total	1,378.0	63.0	1,441.0	1,482.5	149.3	1,631.8	1,697.8	209.8	1,907.6	275.8	16.9

Table 15. Sub-programme 2110: Proposed staffing for 2008

<i>Immediate Office of the Prosecutor</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic	1				2	2	1	2	1	9	1	4	5	14
	Situation-related														
	<i>Subtotal</i>	<i>1</i>				<i>2</i>	<i>2</i>	<i>1</i>	<i>2</i>	<i>1</i>	<i>9</i>	<i>1</i>	<i>4</i>	<i>5</i>	<i>14</i>
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
Redeployed /Returned	Basic								1		1				1
	Situation-related														
	<i>Subtotal</i>								<i>1</i>		<i>1</i>				<i>1</i>
<i>Total</i>		<i>1</i>				<i>2</i>	<i>2</i>	<i>1</i>	<i>3</i>	<i>1</i>	<i>10</i>	<i>1</i>	<i>4</i>	<i>5</i>	<i>15</i>

(b) Sub-programme 2120: Services Section**Staff resources****Redeployment**

One P-2 Associate Administration Officer (Field Operations) and one GS-OL Finance and General Administration Assistant (Field Operations)

112. The Committee's recommendation⁷ for the 2007 budget proposal that additional administrative capacity requirements be catered for through internal reallocation of existing resources has been implemented. An Associate Administration Officer (Field Operations) (P-2) has been established by way of the reassignment of a post from the Information and Evidence Unit within the Section. This was made possible as a result of process re-engineering and the further improvement of IT tools.

113. Additionally, the requirement of a second Finance and General Administration Assistant (Field Operations) (GS-OL) was met through an internal reassignment. As a result of this reorganization, the Unit is able to meet the operational needs of the Office anticipated for the level of activity presented in the assumptions.

New resources

One P-3 Interpretation Coordinator/Translator

114. As long as the Office is faced with investigations and trials, there will be a substantial workload in terms of recruiting, training, administering rosters, and quality controlling the work of field interpreters. As the Office is the first entity of the Court to require field interpretation in a new situation, this role involves substantial research and technical network development. This function, together with working language translation, has been performed by the incumbent for three years on a GTA basis but it is clear that the work is not transient in nature and for this reason a situation-related, established post is requested over GTA funding.

115. The cost of this post will be met by reducing the approved budget for contractual translation by €105,000.

General temporary assistance

116. GTA resources previously approved for non-working-language transcription were for the most part realigned to the Investigation Division, where the Operational Support Unit assumed responsibility for all transcription and data-entry processes.

117. The remaining functions of the Language Services Unit previously catered for by GTA resources are translation and field interpretation. In this regard, general temporary assistance is required to provide the flexibility and scalability necessary to meet the periodic surges in language services associated with the investigative and prosecutorial activities of the Office, which, due to the transient nature of the linguistic skills required, cannot be satisfied with regular recruitments.

118. The translation workload of the Section is expected to increase to 1.88 million words in 2008 and, due to the confidentiality, sensitivity and rarity of the languages of the majority of these documents, very few can be outsourced. At this time the identified language requirements are Acholi, Lendu, Swahili, Sango, Kingbandi, Lingala, Arabic, French and English.

⁷ See *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fifth session, The Hague, 23 November to 1 December 2006* (International Criminal Court publication, ICC-ASP/5/32), part II.D.6(b), para. 59.

Table 16. Functional distribution of translators (GTA and existing posts) and resultant translation capacity based on anticipated 2008 workloads

Language	FTE Distribution									Total FTE	Capacity vs. Demand		
	Translation	Translation & Field Interpretation Management	Field Interpretation Testing, Training & Support	Mission Interpretation	Telephone Interpretation	Document Scanning	Transcription Support (QC)	Sight Translation	Revision & Proofreading (External Translations)		Anticipated Workload in 2008 (words)	Capacity of 2008 Resource (words)	Surplus/ Shortfall (words)
English - French	1.4		0.2	0.1			0.1		0.2	2	329,044	278,460	-50,583.60
French - English	0.6	1.2							0.2	2	96,071	119,340	23,269.20
English - Arabic	0.6		0.1	0.7	0.4				0.2	2	107,406	119,340	11,934.00
Arabic - English	2.0									2	398,810	397,800	-1,010.16
Swahili/Lingala - French	1.4		0.05			0.2	0.2	0.15		2	314,400	278,460	-35,940.00
Swahili - English	0.2		0.1	0.2		0.15	0.3	0.05		1	37,790	39,780	1,990.00
Sango/Kingbandi/Lendu	1.4			0.2		0.2		0.2		2	314,400	278,460	-35,940.00
Acholi - English	0.6					0.6			0.8	2	280,000	119,340	-160,660.00
Total FTE	8.2	1.2	0.45	1.2	0.4	1.15	0.6	0.4	1.4	15	1,877,921	1,630,980	-246,940.56

119. The Section has estimated that a resource of 15 full-time equivalents (FTE) provides the capacity to meet approximately 90 per cent of this estimated translation workload within the year and cater for the other language services requested by clients (see table 16). The shortfall of 10 per cent is deemed by the Language Services Unit to lie within the acceptable limits of efficiency gains and ensures the level of resource is neither superfluous nor critically short such as to lead to substantial backlogs and delays in core activities.

120. Three FTE are derived from the established posts (two existing and one new post requested above). The remaining twelve FTE are requested on a GTA basis. Twenty work months of this could not be offset by reductions in other approved budget lines which included decreasing field interpretation GTA (€20,000) and non-working-language transcription (€435,000), and deferring project developments to 2009 (€50,000).

Non-staff resources

Travel

121. The 2008 travel budget request of this Section has been reduced in real terms by approximately €150,000. The travel budget allows for 84 situation-related missions, solely for technical staff, field interpreters (local and international) and field interpretation recruitment missions. This amounts to seven missions (with an interpreter and technical support staff member) per investigation/trial.

122. The basic budget provides for seven European missions for the technical, language and administrative staff to participate in professional conferences and one mission to New York for the Senior Administrative Manager in support of the budget presentation.

Contractual services including training

123. The realignment of training resources to the Immediate Office and the reduction of external translation costs have significantly reduced this budget line. Major costs for 2008 relate to OTP-specific ICT projects, principally the integration of established evidence management and analysis systems (€135,000) and the development of a Contact Management Database (€16,500).

124. The amount requested for digitizing services remains unchanged at €9,500. The majority of technical services can be provided in-house but the scanning, digitizing and printing of large evidence items requires the use of very specialized equipment.

125. The reduced amount of €40,000 is requested to support the outsourcing of translations, specifically those of a general public information nature or communications received in neither of the working languages of the Court.

General operating expenses

126. This is reduced to €10,000 to meet in part the costs of the projects outlined previously and to reflect that maintenance costs are budgeted by the Registry and subsequently apportioned to the organs as distributed maintenance.

Supplies and materials

127. €53,000 is requested for the renewal of OTP-specific database/journal subscriptions, the purchase of key reference books and the subscriptions of key staff to professional bodies.

Furniture and equipment

128. The reduced equipment budget of €30,000 is requested to replace and upgrade audio-visual kits used to support all investigative missions and to purchase software for the Contact Management Database project.

129. The total decrease of €1,527,900, less in-built costs of €132,500, less the difference in distributed maintenance costs of -€6,400 = net decrease of €1,654,000. This decrease represents resources transferred to the Immediate Office and the Planning and Operations Section.

Table 17. Sub-programme 2120: Proposed budget for 2008

<i>Services Section</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			923.5	228.6	1,152.1	890.8	366.3	1,257.1	105.0	9.1
General Service staff	No breakdown available			325.8	705.9	1,031.7	338.4	620.4	958.8	-72.9	-7.1
<i>Subtotal staff</i>	<i>1,012.4</i>	<i>415.1</i>	<i>1,427.5</i>	<i>1,249.3</i>	<i>934.5</i>	<i>2,183.8</i>	<i>1,229.2</i>	<i>986.7</i>	<i>2,215.9</i>	<i>32.1</i>	<i>1.5</i>
General temporary assistance	101.7	1,190.1	1,291.8		2,688.3	2,688.3		1,385.1	1,385.1	-1,303.2	-48.5
Temporary assistance for meetings	3.0	26.3	29.3								
Consultants		89.6	89.6								
<i>Subtotal other staff</i>	<i>104.7</i>	<i>1,306.0</i>	<i>1,410.7</i>		<i>2,688.3</i>	<i>2,688.3</i>		<i>1,385.1</i>	<i>1,385.1</i>	<i>-1,303.2</i>	<i>-48.5</i>
Travel	7.6	180.0	187.6	8.5	371.1	379.6	13.5	286.9	300.4	-79.2	-20.9
Contractual services incl. training	114.0	326.7	440.7	51.2	262.5	313.7	25.0	167.5	192.5	-121.2	-38.6
General operating expenses		1.1	1.1		30.0	30.0		10.0	10.0	-20.0	-66.7
Supplies and materials	31.5	24.9	56.4	53.0	48.0	101.0	53.0	28.0	81.0	-20.0	-19.8
Furniture and equipment	44.1	168.4	212.5		40.0	40.0		30.0	30.0	-10.0	-25.0
<i>Subtotal non-staff</i>	<i>197.2</i>	<i>701.1</i>	<i>898.3</i>	<i>112.7</i>	<i>751.6</i>	<i>864.3</i>	<i>91.5</i>	<i>522.4</i>	<i>613.9</i>	<i>-250.4</i>	<i>-29.0</i>
Distributed maintenance				67.4	56.1	123.5	68.8	48.3	117.1	-6.4	-5.2
Total	1,314.3	2,422.2	3,736.5	1,429.4	4,430.5	5,859.9	1,389.5	2,942.5	4,332.0	-1,527.9	-26.1

Table 18. Sub-programme 2120: Proposed staffing for 2008

<i>Services Section</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic					1	1	5	3		10		6	6	16
	Situation-related								1	2	3		13	13	16
	<i>Subtotal</i>					<i>1</i>	<i>1</i>	<i>5</i>	<i>4</i>	<i>2</i>	<i>13</i>		<i>19</i>	<i>19</i>	<i>32</i>
New	Basic														
	Situation-related							1			1				1
	<i>Subtotal</i>							<i>1</i>			<i>1</i>				<i>1</i>
Redeployed /Returned	Basic								-1		-1				-1
	Situation-related												-2	-2	-2
	<i>Subtotal</i>								<i>-1</i>		<i>-1</i>		<i>-2</i>	<i>-2</i>	<i>-3</i>
<i>Total</i>						<i>1</i>	<i>1</i>	<i>6</i>	<i>3</i>	<i>2</i>	<i>13</i>		<i>17</i>	<i>17</i>	<i>30</i>

2. Programme 2200: Jurisdiction, Complementarity and Cooperation Division

Introduction

130. The Division contributes primarily to building the strong and extensive network of support and cooperation with States, international organizations and other stakeholders necessary for the Office to carry out its judicial mandate effectively. It liaises with the other organs in this regard. It leads within the Office on matters of jurisdiction, admissibility, and interests of victims and it conducts the preliminary examination of communications that is key to the selection of cases.

131. Within the Division, the International Cooperation Section channels all requests for assistance, ensuring conformity with relevant procedures/standards and tracking compliance; negotiates cooperation agreements as appropriate; develops information-sharing networks; and provides legal advice on cooperation, including to other organs of the Court. As the Court is operational and eight arrest warrants have been issued, the need for the institution to be *adequately supported* is vital. Since, under the Statute, arrest is a matter of *cooperation*, the Office deploys particular efforts to galvanize support and promote coordination among national/international partners in this regard. The fact that this function is pivotal to the Prosecutorial Strategy was reflected in the recruitment of two P-4 officers focusing on arrest issues at the general cooperation and operational levels.

132. The Situation Analysis Section conducts preliminary examination of communications and information pursuant to article 15 of the Statute, ensuring adherence to consistent and objective procedures/standards, key elements in the process of case selection. In the context of enhancing *fair, effective and expeditious proceedings*, the Section provides advice on complex matters of fact and law regarding complementarity (growing more important as cases develop) and jurisdiction. Collation and assessment of information on the interests of justice, especially in terms of interests of victims, is also a priority. Systematic programme activity is developed to seek and analyse the views of victims and local communities before investigations are launched, so as to assess their interests on an ongoing basis and to enhance understanding/impact of OTP activities.

133. To achieve such goals, staff in the Division carry out diverse functions, including building networks of sources to understand the local context, performing outreach activities with local communities, and undertaking speaking engagements on matters within the Division's competence.

134. This programme comprises three sub-programmes, which have for presentational purposes been merged into one. The reporting structure of the Division remains unchanged with the Office of the Director overseeing the work of the two Sections.

135. All previous year expenditures and approved budgets have been consolidated under one programme as a result of the merger of the three previously discrete sub-programmes.

Objectives

1. Conduct five investigations into cases and one trial, subject to external cooperation received (SO 1).
2. Develop situation-specific mechanisms to provide for all necessary cooperation, in particular the arrest and surrender of persons (SO 7).
3. Constantly increase support for the Court through enhancing communication and mutual understanding with stakeholders, stressing the Court's role and its independence (SO 8).

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2008</i>
<p>Objective 1</p> <ul style="list-style-type: none"> All requested and periodic analytical reports on situations of interest or admissibility or interests of justice for situations under investigation delivered on time and substantiated by the Executive Committee. Efficient and compliant requests for assistance. Expanded range of providers of information and other support (through general and situation-specific agreements) including assistance for investigative/trial purposes. Conclusion of expected 2008 cooperation agreements. 	<ul style="list-style-type: none"> Actual percentage of reports delivered on time and substantiated by the Executive Committee. Proportion of requests that are not timely or where conformity issues are identified; rate of compliance. Range available in 2008 vs. range in 2007. Proportion of expected cooperation agreements established. 	<p>100%</p> <p><5%</p> <p>>10% increase</p> <p>100%</p>
<p>Objective 2</p> <ul style="list-style-type: none"> Adequate progress made in the implementation of cooperation and arrest strategies developed for each situation. 	<ul style="list-style-type: none"> Actual implementation vs. planned implementation. 	<p>100%</p>
<p>Objective 3</p> <ul style="list-style-type: none"> At least 85% implementation of annual objectives contained within cooperation and external relations strategies directly involving OTP. 	<ul style="list-style-type: none"> Actual implementation rate of annual objectives. 	<p>>85%</p>

Staff resources

136. There are no new posts or general temporary assistance requested for the Division.

Non-staff resources

Travel

137. In real terms the travel budget has been reduced by €10,000. The requested budget is above expenditure levels of 2006 and 2007 as previous under-expenditure resulted from staff turnover and protracted vacancies arising from unsuccessful recruitment rounds. It was not possible for all missions to be undertaken during those years. Assuming all posts are filled by the end of 2007, it is envisaged that missions will resume at the adequate level in 2008. Regarding cooperation, the focus will be on consolidation of contacts with regional organizations and their members, in particular with the African Union and the Arab League in relation to Darfur and other situations and with the European Union.

138. The request provides for 13, 26, 31 and 16 cooperation/situation analysis-related missions for the Uganda, DRC, Darfur and CAR situations respectively. A further 16 missions are requested for the purposes of securing cooperation for all situations. The basic budget comprises 25 missions: 16 for the purposes of preliminary analysis for potential situations and 9 for the Director of the Division to attend high-level meetings to secure cooperation together with or on behalf of the Prosecutor.

139. The total increase of €40,200, less in-built costs of €45,100, less the difference in distributed maintenance costs of €600 = net decrease of €5,500.

Table 19. Programme 2200: Proposed budget for 2008

<i>Jurisdiction, Complementary and Cooperation Division</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			685.8	802.8	1,488.6	716.4	812.9	1,529.3	40.7	2.7
General Service staff	No breakdown available			108.6		108.6	112.8		112.8	4.2	3.9
<i>Subtotal staff</i>	<i>737.1</i>	<i>377.3</i>	<i>1,114.4</i>	<i>794.4</i>	<i>802.8</i>	<i>1,597.2</i>	<i>829.2</i>	<i>812.9</i>	<i>1,642.1</i>	<i>44.9</i>	<i>2.8</i>
General temporary assistance	48.1	176.7	224.8								
<i>Subtotal other staff</i>	<i>48.1</i>	<i>176.7</i>	<i>224.8</i>								
Travel	24.7	192.9	217.6	70.8	245.0	315.8	45.7	264.8	310.5	-5.3	-1.7
<i>Subtotal non-staff</i>	<i>24.7</i>	<i>192.9</i>	<i>217.6</i>	<i>70.8</i>	<i>245.0</i>	<i>315.8</i>	<i>45.7</i>	<i>264.8</i>	<i>310.5</i>	<i>-5.3</i>	<i>-1.7</i>
Distributed maintenance				33.7	28.1	61.8	36.6	25.8	62.4	0.6	1.0
Total	809.9	746.9	1,556.8	898.9	1,075.9	1,974.8	911.5	1,103.5	2,015.0	40.2	2.0

Table 20. Programme 2200: Proposed staffing for 2008

<i>Jurisdiction, Complementary and Cooperation Division</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic				1	1	2	1	1		6		2	2	8
	Situation-related						3	3	2		8				8
	<i>Subtotal</i>				<i>1</i>	<i>1</i>	<i>5</i>	<i>4</i>	<i>3</i>		<i>14</i>		<i>2</i>	<i>2</i>	<i>16</i>
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
<i>Total</i>					<i>1</i>	<i>1</i>	<i>5</i>	<i>4</i>	<i>3</i>		<i>14</i>		<i>2</i>	<i>2</i>	<i>16</i>

3. Programme 2300: Investigation Division

140. The Division contributes to the *quality of justice* by supporting OTP decision-making with crime analysis relating to specific situations and cases, and the identification of crime trends, by enhancing the ability of joint teams to carry out impartial and expeditious investigations in accordance with the Rome Statute, by ensuring continuous support of victims' and witnesses' interests, and by ensuring the security and welfare of staff and witnesses in the context of efficient and timely operations.

141. This Programme comprises three sub-programmes, which have for presentational purposes been merged into two. The Office of the Deputy Prosecutor (sub-programme 2310) has been merged with the Investigation Teams (sub-programme 2330). The reporting structure of the Division remains unchanged.

Objectives

1. Conduct five investigations and one trial, subject to external cooperation received (SO 1).

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2008</i>
Objective 1 <ul style="list-style-type: none"> • Collection and analysis objectives set out in the joint team investigation plan reached for the five investigations. • Support to trial teams provided with satisfactory timeliness and quality. 	<ul style="list-style-type: none"> • Planned collection vs. actual collection. • Half-yearly survey of satisfaction (Prosecution Division): number of collection products requested vs. number of products delivered in time and with required quality. 	0% deviation >90% satisfaction

Table 21. Programme 2300: Proposed budget for 2008

<i>Investigation Division</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			460.1	6,357.9	6,818.0	480.7	7,150.4	7,631.1	813.1	11.9
General Service staff				108.6	1,516.1	1,624.7	112.8	1,692.0	1,804.8	180.1	11.1
<i>Subtotal staff</i>	<i>435.6</i>	<i>4,145.5</i>	<i>4,581.1</i>	<i>568.7</i>	<i>7,874.0</i>	<i>8,442.7</i>	<i>593.5</i>	<i>8,842.4</i>	<i>9,435.9</i>	<i>993.2</i>	<i>11.8</i>
General temporary assistance	2.1	1,082.4	1,084.5		302.0	302.0		1,909.0	1,909.0	1,607.0	532.1
Overtime		3.0	3.0								
Consultants		33.1	33.1								
<i>Subtotal other staff</i>	<i>2.1</i>	<i>1,118.5</i>	<i>1,120.6</i>		<i>302.0</i>	<i>302.0</i>		<i>1,909.0</i>	<i>1,909.0</i>	<i>1,607.0</i>	<i>532.1</i>
Travel	1.6	1,040.6	1,042.2	9.6	1,089.3	1,098.9	7.4	1,076.0	1,083.4	-15.5	-1.4
Contractual services incl. training		144.8	144.8		108.0	108.0		60.0	60.0	-48.0	-44.4
General operating expenses		170.5	170.5		130.5	130.5		264.6	264.6	134.1	102.8
Supplies and materials		53.5	53.5		40.2	40.2		20.0	20.0	-20.2	-50.2
Furniture and equipment		53.1	53.1		10.0	10.0				-10.0	-100.0
<i>Subtotal non-staff</i>	<i>1.6</i>	<i>1,462.5</i>	<i>1,464.1</i>	<i>9.6</i>	<i>1,378.0</i>	<i>1,387.6</i>	<i>7.4</i>	<i>1,420.6</i>	<i>1,428.0</i>	<i>40.4</i>	<i>2.9</i>
Distributed maintenance				21.1	354.2	375.3	22.7	341.5	364.2	-11.1	-3.0
Total	439.3	6,726.5	7,165.8	599.4	9,908.2	10,507.6	623.6	12,513.5	13,137.1	2,629.5	25.0

Table 22. Programme 2300: Proposed staffing for 2008

<i>Investigation Division</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic		1		1		1				3		2	2	5
	Situation-related					1	11	29	25	7	73		28	28	101
	<i>Subtotal</i>		<i>1</i>		<i>1</i>	<i>1</i>	<i>12</i>	<i>29</i>	<i>25</i>	<i>7</i>	<i>76</i>		<i>30</i>	<i>30</i>	<i>106</i>
New	Basic														
	Situation-related							1	2		3				3
	<i>Subtotal</i>							<i>1</i>	<i>2</i>		<i>3</i>				<i>3</i>
Redeployed /Returned	Basic														
	Situation-related												2	2	2
	<i>Subtotal</i>												<i>2</i>	<i>2</i>	<i>2</i>
<i>Total</i>			<i>1</i>		<i>1</i>	<i>1</i>	<i>12</i>	<i>30</i>	<i>27</i>	<i>7</i>	<i>79</i>		<i>32</i>	<i>32</i>	<i>111</i>

(a) **Sub-programme 2310: Office of the Deputy Prosecutor (Investigations) / Investigation Teams**

142. All previous year expenditures and approved budgets of the Office of the Deputy Prosecutor (2310) and Investigation Teams (2330) have been consolidated under this one sub-programme.

Staff resources

One P-3 Investigator and two P-2 Associate Investigators

143. Throughout 2008, the Investigation Division will be dealing with multiple parallel activities, having to provide the necessary output for five investigations and one trial in a timely manner. In order to address the requirements for these six activities, the Division will need to adequately balance the capacity within the sub-teams assigned to perform the work. The three FTE requested will bring up to the required speed one such sub-team, granting the Division the necessary capacity to achieve its results effectively.

General temporary assistance

144. Provision is made for a total of 12 months at the Associate Investigator (P-2) level in order to face additional requirements for the three situations and to continue with the initiative of having professionals coming from national war crime units temporarily to work on analytical and investigative projects with the objective of exchanging methods and knowledge with the Division's staff.

Non-staff resources

Travel

145. The Division continues to review its approach to travel in order to further increase the efficiency of its use of resources. As a result, the Division has been able to reduce its travel budget in real terms by €149,300 or 12 per cent.

146. The travel of the Deputy Prosecutor (Investigations) remains unchanged, with a basic travel request of one mission within Europe and one outside Europe in order to further develop networks focused on coordinated investigations. Situation-related travel comprises five missions within Europe and three outside Europe for the purposes of seeking investigative and operational support for the ongoing investigations. Additionally, one five-day mission to each of the DRC, Darfur and the Central African Republic will be made for investigative purposes.

147. The proposed number and duration of missions is decreased over 2007 for Investigation Team members. The request provides for 47 missions for the DRC (including those for the support of the *Lubanga* trial as well as for investigative and evidence-collection duties) and for 47 and 37 missions respectively for investigative missions relating to the Darfur and CAR situations.

148. In order to continue the proper management of witnesses and evidence for the Uganda situation and thus safeguard the investments made in the case as well as its integrity in the event of an arrest and surrender at a later stage, provision has been made for four missions in Uganda.

General operating expenses

149. In order to meet the costs necessarily incurred by witnesses attending interviews and costs relating to the OTP's duty of care towards witnesses assisting the cases, an additional €134,100 is requested. The total amount of €264,600 is based on an extrapolation of the costs incurred in the first months of 2007 and on 2006 benchmarks. An adjustment was made (decrease) to take account

of policies and baselines for such expenses currently being developed by the Office. This increase has been offset by reductions to the travel, contractual services, and supplies and equipment budgets approved in 2007.

Supplies and materials

150. For the replenishment and changing of field kit and the acquisition of communications equipment relating to the management of witnesses in the four situations, the reduced amount of €20,000 is requested.

151. The total decrease of €1,110,200, less in-built costs of €395,600, less the difference in distributed maintenance costs of -€81,800 = net decrease of €1,424,000. This decrease represents the costs of established posts redistributed to the Planning and Operations Section.

Table 23. Sub-programme 2310: Proposed budget for 2008

Office of the Deputy Prosecutor (Investigations) / Investigation Teams	Expenditure 2006 (thousands of euros)			Approved budget 2007 (thousands of euros)			Proposed budget 2008 (thousands of euros)			Resource growth	
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Amount	%
Professional staff	No breakdown available			186.6	4,345.5	4,532.1	192.9	3,697.7	3,890.6	-641.5	-14.2
General Service staff	No breakdown available			54.3	647.3	701.6	56.4	169.2	225.6	-476.0	-67.8
<i>Subtotal staff</i>	<i>122.7</i>	<i>2,772.9</i>	<i>2,895.6</i>	<i>240.9</i>	<i>4,992.8</i>	<i>5,233.7</i>	<i>249.3</i>	<i>3,866.9</i>	<i>4,116.2</i>	<i>-1,117.5</i>	<i>-21.4</i>
General temporary assistance		707.1	707.1		100.0	100.0		105.3	105.3	5.3	5.3
Consultants		2.8	2.8								
<i>Subtotal other staff</i>		<i>709.9</i>	<i>709.9</i>		<i>100.0</i>	<i>100.0</i>		<i>105.3</i>	<i>105.3</i>	<i>5.3</i>	<i>5.3</i>
Travel		826.7	826.7	5.7	825.2	830.9	6.1	804.7	810.8	-20.1	-2.4
Contractual services incl. training		94.8	94.8								
General operating expenses		170.5	170.5		130.5	130.5		264.6	264.6	134.1	102.8
Supplies and materials		33.7	33.7		40.2	40.2		20.0	20.0	-20.2	-50.2
Furniture and equipment		25.3	25.3		10.0	10.0				-10.0	-100.0
<i>Subtotal non-staff</i>		<i>1,151.0</i>	<i>1,151.0</i>	<i>5.7</i>	<i>1,005.9</i>	<i>1,011.6</i>	<i>6.1</i>	<i>1,089.3</i>	<i>1,095.4</i>	<i>83.8</i>	<i>8.3</i>
Distributed maintenance				8.5	220.9	229.4	9.1	138.5	147.6	-81.8	-35.7
Total	122.7	4,633.8	4,756.5	255.1	6,319.6	6,574.7	264.5	5,200.0	5,464.5	-1,110.2	-16.9

Table 24. Sub-programme 2310: Proposed staffing for 2008

Office of the Deputy Prosecutor (Investigations) / Investigation Teams		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P-staff and above	GS-PL	GS-OL	Total GS-staff	Total staff
Existing	Basic		1								1		1		2
	Situation-related						5	25	15	6	51		12	12	63
	<i>Subtotal</i>		<i>1</i>				<i>5</i>	<i>25</i>	<i>15</i>	<i>6</i>	<i>52</i>		<i>13</i>	<i>13</i>	<i>65</i>
New	Basic														
	Situation-related							1	2		3				3
	<i>Subtotal</i>							<i>1</i>	<i>2</i>		<i>3</i>				<i>3</i>
Redeployed /Returned	Basic														
	Situation-related							-8	-6		-14		-9	-9	-23
	<i>Subtotal</i>							<i>-8</i>	<i>-6</i>		<i>-14</i>		<i>-9</i>	<i>-9</i>	<i>-23</i>
	<i>Total</i>		<i>1</i>				<i>5</i>	<i>18</i>	<i>11</i>	<i>6</i>	<i>41</i>		<i>4</i>	<i>4</i>	<i>45</i>

(b) Sub-programme 2320: Planning and Operations Section**Staff resources***Posts*

152. There are no new posts requested for the 2008 budget. Unexpected requirements will be dealt with through the internal reassignment of posts, in line with the priorities and needs set out by the OTP and with the investigative requirements.

153. With the objective of continuing to maximize the use of its current resources and based on the need to address requirements and priorities for 2008, the Division executed a number of reassignments (within the sub-programme) and redeployments (between sub-programmes) of approved posts.

154. In order to increase the capacity of the Investigative Strategies and Analysis Unit (ISAU) and to enable it to provide the Division with the necessary number of analytical products required for the four current situations and for the preliminary examination of potential situations, one Planning and Control Officer (P-2) post was reassigned to ISAU as an Associate Analyst. Furthermore, situation-specific analysts from the Investigation Teams have been redeployed to ISAU to reflect appropriately the reporting lines. The work of these analysts continues to be situation-related but centralizing the resource in one unit establishes a pool of analysts whose deployment can be maximized in the provision of services to the different end-users.

155. The situation-specific field personnel allocated previously to the Investigation Teams (Field Operations Officers (P-3) and local staff) have been redeployed to the Operations Support Unit (OSU) with the objective of centralizing supervision and, therefore, better coordinating and harmonizing their work, especially in regard to witness protection and management.

156. In view of the decision to centralize all transcription functions in the OSU, the posts of Transcription Coordinator and Transcription Assistant (both GS-OL) have been redeployed from the Services Section (sub-programme 2120).

General temporary assistance

157. The above-mentioned transfer of the function of non-working-language transcription from the Language Services Unit (LSU) to the Operational Support Unit (OSU) was carried out with the objective of increasing efficiency through the synergies and economies of scale that can be derived through multiple tasking in regard to transcription, data-coding and document review.

158. As a result of this centralization, the total general temporary assistance required has decreased from the 31 GTA posts approved in 2007 (28 in LSU and three in OSU) to 24 requested for the 2008 budget. These posts are distributed as follows:

- Seven for completing the transcription of intercepts, interviews and manuscripts and the review of documents for the Uganda situation;
- Six for transcription, data-coding and document review for the DRC situation;
- Six for transcription, data-coding and document review for the Darfur situation;
- Five for transcription, data-coding and document review for the CAR situation.

159. Funds are also requested to retain the services of psychology experts from the roster used for the assessment of victims and witnesses prior to interview. The total of €16,200 is equivalent to two months at the P-2 level.

Non-staff resources

Travel

160. Provision is made for 10 missions within Europe to enable the development and maintenance of professional and cooperation networks in relation to investigations, victim issues, forensic activities and crime analysis. This will all support ISAU's continued development and implementation of the investigative and analytical project with Interpol, as well as liaison activity in the fields of research and development.

161. Three missions are envisaged for each situation under investigation for analysts to support investigative work by participating in interviews when required and performing other investigative tasks.

162. Six missions are envisaged for each situation under investigation to enable the Associate Victims Expert or a psychological expert from the roster to perform pre-interview assessments and/or assist with the interviewing of highly traumatized victims/witnesses by the investigators.

163. On average, 13 missions are envisaged for each situation for staff of the OSU for the purpose of developing risk assessments, ensuring the compliance and operational effectiveness of the system in place, ensuring the security of field personnel and dealing with emergency situations.

Contractual services including training

164. The funds requested for the outsourcing of transcriptions and data-coding has been reduced by 45 per cent to €60,000 in order to finance in part the aforementioned increase in general operating expenses (witness-related costs) within the investigation teams. The remaining resources are still needed to support the timely completion of requests and peaks in workload.

165. The total increase of €3,739,700, less in-built costs of €286,400, less the difference in distributed maintenance costs of €70,700 = net increase of €3,382,600. This increase comprises previously approved GTA transcription resources (€1,711,000) transferred from the Services Section and the costs of established posts transferred from the Investigation Teams (€1,781,700), coupled with efficiency gains in the travel budget.

Table 25. Sub-programme 2320: Proposed budget for 2008

<i>Planning and Operations Section</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			273.5	2,012.4	2,285.9	287.8	3,452.7	3,740.5	1,454.6	63.6
General Service staff	No breakdown available			54.3	868.8	923.1	56.4	1,522.8	1,579.2	656.1	71.1
<i>Subtotal staff</i>	<i>312.9</i>	<i>1,372.6</i>	<i>1,685.5</i>	<i>327.8</i>	<i>2,881.2</i>	<i>3,209.0</i>	<i>344.2</i>	<i>4,975.5</i>	<i>5,319.7</i>	<i>2,110.7</i>	<i>65.8</i>
General temporary assistance	2.1	375.3	377.4		202.0	202.0		1,803.7	1,803.7	1,601.7	792.9
Overtime		3.0	3.0								
Consultants		30.3	30.3								
<i>Subtotal other staff</i>	<i>2.1</i>	<i>408.6</i>	<i>410.7</i>		<i>202.0</i>	<i>202.0</i>		<i>1,803.7</i>	<i>1,803.7</i>	<i>1,601.7</i>	<i>792.9</i>
Travel	1.6	213.9	215.5	3.9	264.1	268.0	1.3	271.3	272.6	4.6	1.7
Contractual services incl. training		50.0	50.0		108.0	108.0		60.0	60.0	-48.0	-44.4
Supplies and materials		19.8	19.8								
Furniture and equipment		27.8	27.8								
<i>Subtotal non-staff</i>	<i>1.6</i>	<i>311.5</i>	<i>313.1</i>	<i>3.9</i>	<i>372.1</i>	<i>376.0</i>	<i>1.3</i>	<i>331.3</i>	<i>332.6</i>	<i>-43.4</i>	<i>-11.5</i>
Distributed maintenance				12.6	133.3	145.9	13.6	203.0	216.6	70.7	48.5
Total	316.6	2,092.7	2,409.3	344.3	3,588.6	3,932.9	359.1	7,313.5	7,672.6	3,739.7	95.1

Table 26. Sub-programme 2320: Proposed staffing for 2008

<i>Planning and Operations Section</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic				1		1				2		1	1	3
	Situation-related					1	6	4	10	1	22		16	16	38
	<i>Subtotal</i>				<i>1</i>	<i>1</i>	<i>7</i>	<i>4</i>	<i>10</i>	<i>1</i>	<i>24</i>		<i>17</i>	<i>17</i>	<i>41</i>
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
Redeployed /Returned	Basic														
	Situation-related							8	6		14		11	11	25
	<i>Subtotal</i>							<i>8</i>	<i>6</i>		<i>14</i>		<i>11</i>	<i>11</i>	<i>25</i>
<i>Total</i>					<i>1</i>	<i>1</i>	<i>7</i>	<i>12</i>	<i>16</i>	<i>1</i>	<i>38</i>		<i>28</i>	<i>28</i>	<i>66</i>

4. Programme 2400: Prosecution Division

Introduction

166. The Prosecution Division is central to the core business of the Court, namely the conduct of *fair, effective and expeditious public proceedings* in accordance with the Rome Statute. It is responsible for litigating cases before the Chambers of all three judicial divisions, preparing all written submissions to the Chambers and supervising investigative and case-preparatory activities in the Joint Teams.

167. This Programme comprises three sub-programmes, which have for presentational purposes been merged into one. The reporting structure of the Division remains unchanged.

168. All previous year expenditures and approved budgets have been consolidated under one programme as a result of the merger of three previously discrete sub-programmes.

Objectives

1. Conduct five investigations and one trial, subject to external cooperation received (SO 1).

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2008</i>
Objective 1 <ul style="list-style-type: none"> • High-quality and compact applications delivered within the stipulated time frames (on time and approved by peer review/Deputy Prosecutor). • Efficient presentation of evidence before the Pre-Trial and Trial Chambers. 	<ul style="list-style-type: none"> • Proportion of draft submissions approved by a peer review board and delivered on time. • Proportion of bi-monthly reviews of case progress and updates to case-approach approved by the Prosecutor and Deputy Prosecutor. 	<p>100%</p> <p>100%</p>

Staff resources

One P-1 Case Manager

169. With the exception of the Central African Republic Trial Team, each situation-related trial team has a dedicated Case Manager. A Case Manager position was requested for the CAR pre-trial team in the 2007 budget. This was not approved by the Assembly. The current CAR Trial Team comprises only one Senior Trial Lawyer (P-5), one Trial Lawyer (P-4) and an Associate Trial Lawyer (P-2) who is currently supplementing resources in the Lubanga and DRC-II Trial Teams.

170. The Case Manager function, with the intimate knowledge of the case repository required, is pivotal to each trial team from the point that the investigation is initiated, through the pre-trial and trial phases and continuing throughout the appeals. The incumbent will be responsible for preparing and updating the case record specifically for the CAR situation, inputting material, ensuring efficient migration to TRIM and Ringtail of all documents, keeping track of LiveNote and Ringtail records, and coordinating all filings from the pre-trial stage to final proceedings.

171. In all cases to date, there have been numerous interlocutory appeals. It should be noted that the case management role for the appeals (whether interlocutory or final) involves completely different documents and searches, and thus derives no benefits from the activities related to the pre-trial work.

172. The workload for the case manager can be estimated by an analysis of the document volumes registered in the system (and administered by the case managers of the current trial teams).

Table 27. Caseload of Case Managers for the first three situations of the Office of the Prosecutor

<i>Situation</i>	<i>Case Managers (FTE)</i>	<i>Materials and records to be managed</i>
DRC (two cases)	1.9	26,917 records registered, 91,116 ERNs (=pages) assigned, 449 items of audio/video material
UGANDA (one case)	0.1	13,186 records registered, 59,723 ERNs assigned, 610 items of audio/video material
DARFUR (one case)	1.0	12,383 records registered, 59,443 ERNs assigned, 39 items of audio/video material
AVERAGE	1.0	17,495 records registered, 70,094 ERNs assigned, 366 items of audio/video material

173. There is no indication that the amount of documents in the CAR situation will be lower than the average shown in the table above nor that the number of interlocutory appeals will be lower than in other cases.

174. It is not feasible to reassign one of the other Case Managers to the CAR team. The Case Manager working for the Uganda Team has essentially been reassigned (0.9 FTE) to the DRC-II Pre-Trial Team. The other two Case Managers are fully occupied with the *Lubanga* trial and the Darfur pre-trial activity. Therefore, in the event that the post is not approved, the work will need to be assigned to GS trial support staff outside the CAR team. This not only impacts upon the more advanced cases but might create a legal obligation to reclassify the GS post in the future. Alternatively, work could be assigned to an Associate Trial Lawyer (P-2), which would block this resource and lead to higher expenses to cover the functions than actually needed.

175. The absence of this post will affect the pace of either the CAR or another situation and ultimately impede trial readiness and efficacy.

One Associate Trial Lawyer (P-2)

176. The Associate Trial Lawyer is primarily foreseen for the DRC-II Pre-Trial Team, but will have the secondary task of reinforcing the Darfur/CAR Pre-Trial Teams as needed. The main duties will lie in the fields of drafting of submissions, preparation of disclosure, review of information received and participation in investigative activities (in particular interviews of witnesses).

177. Both the DRC-II and Darfur situations are at an advanced stage. In the Darfur situation, arrest warrants have been issued. Reactions from the Sudanese Government show that, in case of an arrest or surrender, massive interventions regarding the admissibility of the case can be expected. It can also be anticipated that victims will apply to participate in proceedings (this happened also in the other situations after arrest warrants were issued), resulting in a significant increase in filings necessary by the Prosecution. This likewise applies to the CAR situation, where NGOs are already involved. Given the nature of the alleged crimes, increased interest in victim participation can be anticipated.

178. The DRC-II Pre-Trial Team is currently far advanced in its preparation of the case and arrest warrant applications are expected to be submitted soon, in any case before the current budget proposal is examined by the Committee on Budget and Finance in September and the Assembly in December.

179. The experience of the *Lubanga* case, the first to have completed pre-trial proceedings, shows significant workload at this procedural stage. In the case of *The Prosecutor vs. Thomas Lubanga*, the OTP has made 221 substantial submissions (comprising 936 different documents) to the Pre-Trial Chamber and an additional 44 submissions to the Appeals Chamber. The Pre-Trial Team appeared before the Chamber in 58 different sessions. This clearly demonstrates that the workload during the pre-trial phase is significant, in particular in the area of written submissions. It is the explicit purpose of the pre-trial phase to resolve questions of admissibility, jurisdiction and

other legal issues before the trial commences in order to save resources, especially those relating to the testimony of witnesses in court. In view of this, the workload at the pre-trial phase cannot be seen as "smaller business" compared to a trial but rather equal to or above that of the trial proper.

180. The Associate Trial Lawyer of the CAR Team was temporarily assigned to provide additional capacity to the Darfur and DRC-II Teams. However, the increasing workload in the CAR case has necessitated the return of the incumbent to the CAR Team on a full-time basis. The supplementary functions are being assumed by other overstretched members of the Darfur and DRC-II Teams: from the perspective of staff welfare this situation is unsustainable in 2008.

181. The non-approval of this post will prevent the augmentation of both the joint teams' capacities for activity planning and accommodating the increased workload driven by statutory requirements, again with the likely result of delaying trial readiness.

General temporary assistance

182. GTA continues to be requested in support of the *Lubanga* trial and the Darfur situation.

183. In the *Lubanga* case, it is a fact that many legal questions are being discussed and decided (and if one party so decides, appealed) for the first time. This is unavoidable since the Rome Statute is being applied for the first time. The number of submissions and hearings during the first cases of the Court will therefore be higher than that of a court which has already been operating at all stages of proceedings for a number of years.

Non-staff resources

Travel

184. The travel budget has decreased in real terms by €32,000. The number and duration of missions in support of investigations has been reduced to reflect actual activities in 2006 and 2007. In contrast, travel to the DRC will increase in 2007, reflecting the field activity envisaged to support the trial process. There is a pending decision on remote testimony for witnesses. This decision may result in a need to increase the travel budget of the Prosecution Division and would require the budget to be supplemented from another sub-programme of the Office.

185. The travel budget of the Deputy Prosecutor (Prosecutions) has been augmented by the decrease in travel anticipated by the Appeals Section.

186. The total increase of €342,500, less in-built costs of €132,300, less the difference in distributed maintenance costs of €400 = net increase of €209,800.

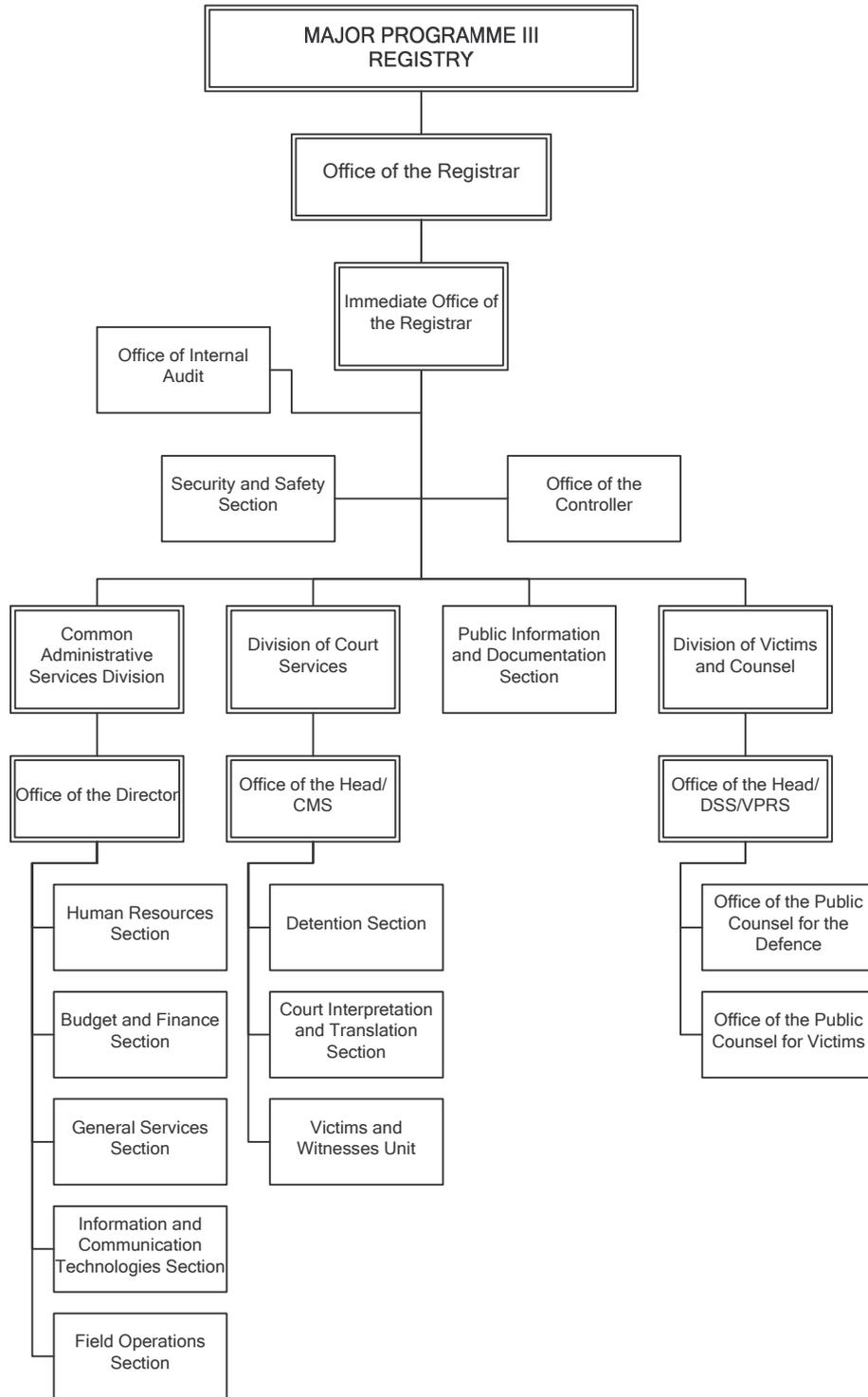
Table 28. Programme 2400: Proposed budget for 2008

<i>Prosecution Division</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			446.4	1,980.7	2,427.1	449.9	2,293.0	2,742.9	315.8	13.0
General Service staff	No breakdown available			108.6	388.4	497.0	112.8	394.8	507.6	10.6	2.1
<i>Subtotal staff</i>	<i>527.2</i>	<i>1,375.2</i>	<i>1,902.4</i>	<i>555.0</i>	<i>2,369.1</i>	<i>2,924.1</i>	<i>562.7</i>	<i>2,687.8</i>	<i>3,250.5</i>	<i>326.4</i>	<i>11.2</i>
General temporary assistance	2.4	364.2	366.6		204.2	204.2		219.5	219.5	15.3	7.5
<i>Subtotal other staff</i>	<i>2.4</i>	<i>364.2</i>	<i>366.6</i>		<i>204.2</i>	<i>204.2</i>		<i>219.5</i>	<i>219.5</i>	<i>15.3</i>	<i>7.5</i>
Travel	18.9	107.5	126.4	15.8	136.9	152.7	28.1	125.0	153.1	0.4	0.3
<i>Subtotal non-staff</i>	<i>18.9</i>	<i>107.5</i>	<i>126.4</i>	<i>15.8</i>	<i>136.9</i>	<i>152.7</i>	<i>28.1</i>	<i>125.0</i>	<i>153.1</i>	<i>0.4</i>	<i>0.3</i>
Distributed maintenance				21.1	94.7	115.8	22.9	93.3	116.2	0.4	0.3
Total	548.5	1,846.9	2,395.4	591.9	2,804.9	3,396.8	613.7	3,125.6	3,739.3	342.5	10.1

Table 29. Programme 2400: Proposed staffing for 2008

<i>Prosecution Division</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic		1			2					3		2	2	5
	Situation-related					3	7	1	6	3	20		7	7	27
	<i>Subtotal</i>		<i>1</i>			<i>5</i>	<i>7</i>	<i>1</i>	<i>6</i>	<i>3</i>	<i>23</i>		<i>9</i>	<i>9</i>	<i>32</i>
New	Basic														
	Situation-related								1	1	2				2
	<i>Subtotal</i>								<i>1</i>	<i>1</i>	<i>2</i>				<i>2</i>
<i>Total</i>			<i>1</i>			<i>5</i>	<i>7</i>	<i>1</i>	<i>7</i>	<i>4</i>	<i>25</i>		<i>9</i>	<i>9</i>	<i>34</i>

C. Major Programme III: Registry



Introduction

187. With a view to ensuring minimal growth in the 2008 budget, the Office of the Registrar has scrutinized its internal budget submission in light of the five priorities identified by the Court for the year ahead. It has also undertaken all efforts to realize savings to keep the overall increase to a minimum.

188. The most important increase can be found in the area of field operations, which represents the main focus of the Registry's work. These operations encompass witness protection and support, security, outreach and the field offices.

189. Reading the Registry's budget against the Court's budget, it is particularly important to bear in mind that the monetary impact of the services provided by the Registry is not in a linear relationship with the workload of the Office of the Prosecutor. In Uganda, for instance, where the Office of the Prosecutor has downsized its operations to so-called post-investigation maintenance, the Registry will not be able to reduce its expenditures due to the continued support and protection necessary for witnesses.

190. With regard to judicial proceedings, two issues must be highlighted. First, the Registry organized a revision of the Court's Legal Aid Programme based on the experiences gained from the first case. Initially recommended by the Committee on Budget and Finance,⁸ this revision was conducted in close consultation with members of the legal profession and demonstrated that the resources of the Division of Victims and Counsel had to be augmented. Second, the Registry commits itself to using existing resources to meet a possible increased workload resulting from increased victim applications attributable to the start of the trial.

191. A considerable decrease in funds is evident in the Detention Section. This was possible following renewed negotiations with the host State, which provides the detention facilities, further to the Committee's recommendation.

192. The overall increase for the Registry is €4.95 million, which represents an increase of 10.3 per cent over the previous year's budget. However, for the Registry, as for the entire Court, this amount is largely the product of in-built costs. The net increase, therefore, amounts to €2.25 million, representing an increase of 4.6 per cent.

⁸ See *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Sixth session, New York, 30 November to 14 December 2007* (International Criminal Court publication, ICC-ASP/6/20, vol. II), part B.1, paras. 79-82.

Table 30. Major Programme III: Proposed budget for 2008

Registry	Expenditure 2006 (thousands of euros)			Approved budget 2007 (thousands of euros)			Proposed budget 2008 (thousands of euros)			Resource growth	
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Amount	%
Professional staff	No breakdown available			9,391.8	4,780.0	14,171.8	10,652.0	6,623.2	17,275.2	3,103.4	21.9
General Service staff				6,857.6	4,755.7	11,613.3	7,413.4	5,520.9	12,934.3	1,321.0	11.4
<i>Subtotal staff</i>	<i>13,185.3</i>	<i>4,745.3</i>	<i>17,930.6</i>	<i>16,249.4</i>	<i>9,535.7</i>	<i>25,785.1</i>	<i>18,065.4</i>	<i>12,144.1</i>	<i>30,209.5</i>	<i>4,424.4</i>	<i>17.2</i>
General temporary assistance	2,461.9	965.7	3,427.6	1,259.5	1,471.3	2,730.8	1,239.4	1,656.4	2,895.8	165.0	6.0
Temporary assistance for meetings	347.4	29.0	376.4	312.5	45.0	357.5	310.2	44.7	354.9	-2.6	-0.7
Overtime	227.1	25.8	252.9	176.1	84.3	260.4	202.6	95.4	298.0	37.6	14.4
Consultants	52.7	130.4	183.1	27.0	99.0	126.0	39.0	207.2	246.2	120.2	95.4
<i>Subtotal other staff</i>	<i>3,089.1</i>	<i>1,150.9</i>	<i>4,240.0</i>	<i>1,775.1</i>	<i>1,699.6</i>	<i>3,474.7</i>	<i>1,791.2</i>	<i>2,003.7</i>	<i>3,794.9</i>	<i>320.2</i>	<i>9.2</i>
Travel	259.1	620.9	880.0	192.6	1,142.3	1,334.9	230.9	1,561.6	1,792.5	457.6	34.3
Hospitality	6.6	0.3	6.9	10.0		10.0	10.0		10.0		
Contractual services incl. training	5,156.2	1,934.7	7,090.9	1,780.1	3,798.5	5,578.6	1,739.3	4,057.4	5,796.7	218.1	3.9
General operating expenses	3,190.8	1,221.2	4,412.0	5,749.9	4,790.1	10,540.0	5,355.9	5,109.6	10,465.5	-74.5	-0.7
Supplies and materials	542.0	369.5	911.5	776.3	386.7	1,163.0	687.8	370.1	1,057.9	-105.1	-9.0
Furniture and equipment	1,589.3	1,353.1	2,942.4	691.1	529.0	1,220.1	596.3	295.0	891.3	-328.8	-26.9
<i>Subtotal non-staff</i>	<i>10,744.0</i>	<i>5,499.7</i>	<i>16,243.7</i>	<i>9,200.0</i>	<i>10,646.6</i>	<i>19,846.6</i>	<i>8,620.2</i>	<i>11,393.7</i>	<i>20,013.9</i>	<i>167.3</i>	<i>0.8</i>
Distributed maintenance				-429.8	-554.1	-983.9	-371.8	-571.0	-942.8	41.1	-4.2
Total	27,018.4	11,395.9	38,414.3	26,794.7	21,327.8	48,122.5	28,105.0	24,970.5	53,075.5	4,953.0	10.3

Table 31. Major Programme III: Proposed staffing for 2008

Registry		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P-staff and above	GS-PL	GS-OL	Total GS-staff	Total staff
Existing	Basic		1		4	15	21	34	20		95	8	117	125	220
	Situation-related						10	28	21	7	66	10	91	101	167
	<i>Subtotal</i>		<i>1</i>		<i>4</i>	<i>15</i>	<i>31</i>	<i>62</i>	<i>41</i>	<i>7</i>	<i>161</i>	<i>18</i>	<i>208</i>	<i>226</i>	<i>387</i>
New	Basic							1	3		4	1	4	5	9
	Situation-related							5	2		7		8	8	15
	<i>Subtotal</i>							<i>6</i>	<i>5</i>		<i>11</i>	<i>1</i>	<i>12</i>	<i>13</i>	<i>24</i>
Redeployed /Returned	Basic												1	1	1
	Situation-related											-1		-1	-1
	<i>Subtotal</i>											<i>-1</i>	<i>1</i>		
Total			1		4	15	31	68	46	7	172	18	221	239	411

1. Programme 3100: Office of the Registrar

Introduction

193. The Office of the Registrar is comprised of four sub-programmes: the Immediate Office of the Registrar (encompassing the Legal Advisory Services Section), the Office of Internal Audit, the Security and Safety Section, and the Office of the Controller.

194. Relying upon well-established communication channels and adequate planning, the Immediate Office of the Registrar provides the necessary guidance to and effective management and oversight of the Registry.

195. The Legal Advisory Services Section plays an important role in guaranteeing a sound regulatory framework for the Court so that it can operate efficiently, including in its interaction with the various stakeholders.

196. The Security and Safety Section provides essential support for operations both at headquarters and in the field.

197. The Office of Internal Audit and the Office of the Controller ensure that the principles of accountability and efficient use of resources are upheld by all units of the organization.

Objectives

1. Conduct five investigations into cases and one trial, subject to external cooperation received (SO 1).
2. Put in place a system to address all security risks, striving for maximum security of all participants consistent with the Rome Statute (SO 2).
3. Become a non-bureaucratic administration focused on results rather than processes, relying on rules where necessary to guarantee rights or minimize risks (SO 11).

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2008</i>
Objective 1 <ul style="list-style-type: none"> Support of investigations and trials delivered in keeping with the statutory framework. 	<ul style="list-style-type: none"> Regular assessments with stakeholders conducted as foreseen in the bi-annual plan. 	(*)
Objective 2 <ul style="list-style-type: none"> Maintenance of a secure and safe environment at the seat of the Court. Field security management system in accordance with UN / international standards. Controlled and consistent information security management process. 	<ul style="list-style-type: none"> Screening of all persons and items entering the Court's premises. Response by a security officer to all emergencies within two minutes. Compliance with UN Field Security training programmes (both Basic and Advanced Security in the Field). Compliance with Minimum Operating Security Standards (MOSS) and Minimum Operating Residential Security Standards (MORSS). Increased maturity score during periodic ISO 27001 assessment. 	100% 100% 100% 100% (*)
Objectives 1 and 3 <ul style="list-style-type: none"> Protection of the Court's legal interests. 	<ul style="list-style-type: none"> Number of framework agreements concluded in support of the Court's operations. Number of cases resolved satisfactorily. 	6 14
Objective 3 <ul style="list-style-type: none"> Maintenance of an effective system of internal controls with regards to budget implementation. Reduced financial risk. 	<ul style="list-style-type: none"> Expenditure in line with the approved budget. Number of issues identified by internal audit. Delivery of independent, assurance-based performance audits, objective information and advice. 	Zero overspend Zero (*)

* The Court is working to develop baselines for these objectives.

Table 32. Programme 3100: Proposed budget for 2008

Office of the Registrar	Expenditure 2006 (thousands of euros)			Approved budget 2007 (thousands of euros)			Proposed budget 2008 (thousands of euros)			Resource growth	
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Amount	%
Professional staff	No breakdown available			2,009.8	85.7	2,095.5	2,306.6	389.3	2,695.9	600.4	28.7
General Service staff	No breakdown available			2,366.7	1,204.7	3,571.4	2,424.6	1,321.9	3,746.5	175.1	4.9
<i>Subtotal staff</i>	<i>3,612.7</i>	<i>613.9</i>	<i>4,226.6</i>	<i>4,376.5</i>	<i>1,290.4</i>	<i>5,666.9</i>	<i>4,731.2</i>	<i>1,711.2</i>	<i>6,442.4</i>	<i>775.5</i>	<i>13.7</i>
General temporary assistance	892.6	92.9	985.5	803.4	20.0	823.4	891.4	20.9	912.3	88.9	10.8
Overtime	153.3	17.8	171.1	124.4	54.3	178.7	132.6	37.4	170.0	-8.7	-4.9
Consultants	14.0		14.0								
<i>Subtotal other staff</i>	<i>1,059.9</i>	<i>110.7</i>	<i>1,170.6</i>	<i>927.8</i>	<i>74.3</i>	<i>1,002.1</i>	<i>1,024.0</i>	<i>58.3</i>	<i>1,082.3</i>	<i>80.2</i>	<i>8.0</i>
Travel	103.0	186.9	289.9	48.1	435.8	483.9	52.3	567.2	619.5	135.6	28.0
Hospitality	6.6	0.3	6.9	10.0		10.0	10.0		10.0		
Contractual services incl. training	237.6	140.8	378.4	206.2	244.5	450.7	217.1	283.9	501.0	50.3	11.2
General operating expenses	147.8	0.2	148.0	117.0		117.0	100.0	30.0	130.0	13.0	11.1
Supplies and materials	78.9	29.1	108.0	96.5	21.8	118.3	75.0	22.4	97.4	-20.9	-17.7
Furniture and equipment	96.0	72.8	168.8	103.0		103.0	1.3		1.3	-101.7	-98.7
<i>Subtotal non-staff</i>	<i>669.9</i>	<i>430.1</i>	<i>1,100.0</i>	<i>580.8</i>	<i>702.1</i>	<i>1,282.9</i>	<i>455.7</i>	<i>903.5</i>	<i>1,359.2</i>	<i>76.3</i>	<i>5.9</i>
Distributed maintenance				257.1	52.6	309.7	223.8	45.0	268.8	-40.9	-13.2
Total	5,342.5	1,154.7	6,497.2	6,142.2	2,119.4	8,261.6	6,434.7	2,718.0	9,152.7	891.1	10.8

Table 33. Programme 3100: Proposed staffing for 2008

Office of the Registrar		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P-staff and above	GS-PL	GS-OL	Total GS-staff	Total staff
Existing	Basic		1		2	4	4	5	2		18	3	39	42	60
	Situation-related							1	1		2		14	14	16
	<i>Subtotal</i>		<i>1</i>		<i>2</i>	<i>4</i>	<i>4</i>	<i>6</i>	<i>3</i>		<i>20</i>	<i>3</i>	<i>53</i>	<i>56</i>	<i>76</i>
New	Basic							1	1		2				2
	Situation-related							3			3		1	1	4
	<i>Subtotal</i>							<i>4</i>	<i>1</i>		<i>5</i>		<i>1</i>	<i>1</i>	<i>6</i>
<i>Total</i>			<i>1</i>		<i>2</i>	<i>4</i>	<i>4</i>	<i>10</i>	<i>4</i>		<i>25</i>	<i>3</i>	<i>54</i>	<i>57</i>	<i>82</i>

(a) Sub-programme 3110: Immediate Office of the Registrar / LASS

198. The Legal Advisory Services Section (LASS – sub-programme 3130) is incorporated for purposes of budgetary presentation into the Immediate Office of the Registrar. All previous year expenditures and approved budgets for sub-programme 3130 have been integrated with the data for the Immediate Office.

Staff resources

199. Streamlined procedures for the adoption of Administrative Issuances (AIs) will result in an increase in the number of AIs for review and adoption. The involvement of LASS in the initial drafting and negotiation of AIs will create further efficiencies and facilitate the quicker processing and review of AIs.

200. There has been increased awareness on the part of States Parties of the need to cooperate fully with the Court through the conclusion of framework agreements. By relying on precedents and developing strategies to identify and resolve the most common problems, the Section will be able to absorb the expected increases.

201. The increase in field operations and procured goods and services entails more risks and legal liability, thereby necessitating extensive scrutiny of more complex contracts. Greater use of the United Nations contracts database will create efficiencies in handling the anticipated increase.

202. Continued GTA funding in 2008 will make it possible to extensively research, analyse and identify the options for handling complex staff issues. If the trend continues, more sustainable and predictable additional resources will be required in 2009 to deal with the increase.

Table 34. Workload Indicators for the Legal Advisory Services Section

<i>Anticipated workload 2007</i>	<i>Number of FTE 2007</i>	<i>Anticipated workload 2008</i>	<i>Number of FTE 2008</i>	<i>Estimated capacity 2008</i>	<i>Shortfall with additional resources</i>	<i>Shortfall without additional resources</i>
Number of AIs reviewed = 10	1	25	1	10		15
Number of framework agreements = 4	1	8	1	6		2
Number of commercial contracts reviewed = 10	1	20	1	15		5
Number of reviews, and Appeals Board, Disciplinary Board and ILOAT cases handled = 15	1	25	1	18	4	7

Basic resources*One P-3 Writer/Editor*

203. Reporting requirements have steadily increased and now need to be coordinated throughout the Major Programme. The incumbent will be responsible for scheduling the production of reports, coordinating input within the Major Programme and within the Court, and writing and editing input as required in order to ensure that deadlines are met. This new position cannot be offset by internal redeployments or efficiency gains.

General temporary assistance

204. General provision (continued from 2007) under the Immediate Office of the Registrar for ad hoc support as required and for the migration of all documents into TRIM.

205. One P-2 Assistant Legal Officer (LASS – 5 months): To help LASS facilitate basic research, draft briefs and opinions, and generally assist in analysing and identifying options for handling complex staff issues.

Non-staff resources

Basic resources

Travel

206. Travel for the Registrar in support of his functions, i.e. meetings with United Nations and government officials, donors, NGOs, and organizations relevant for cooperation with the Court.

Situation-related resources

Travel

207. Travel is also required to negotiate and conclude various agreements, notably on witness relocation, sentence enforcement, and other cooperation issues. Arrest and surrender procedures require clarification, in light of the current lack of implementing legislation and the unclear or varying procedures among States.

208. The total increase of €164,300, less in-built costs of €80,600, less the difference in distributed maintenance costs of -€4,800 = net increase of €88,500.

Table 35. Sub-programme 3110: Proposed budget for 2008

<i>Immediate Office of the Registrar</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			1,154.7		1,154.7	1,297.0		1,297.0	142.3	12.3
General Service staff				227.8		227.8	244.2		244.2	16.4	7.2
<i>Subtotal staff</i>	<i>1,078.6</i>		<i>1,078.6</i>	<i>1,382.5</i>		<i>1,382.5</i>	<i>1,541.2</i>		<i>1,541.2</i>	<i>158.7</i>	<i>11.5</i>
General temporary assistance	74.6		74.6	143.4		143.4	143.4		143.4		
<i>Subtotal other staff</i>	<i>88.6</i>		<i>88.6</i>	<i>143.4</i>		<i>143.4</i>	<i>143.4</i>		<i>143.4</i>		
Travel	59.2	72.3	131.5	29.7	26.8	56.5	29.7	37.2	66.9	10.4	18.4
Hospitality	6.6	0.3	6.9	10.0		10.0	10.0		10.0		
Contractual services incl. training	19.5		19.5								
<i>Subtotal non-staff</i>	<i>85.3</i>	<i>72.6</i>	<i>157.9</i>	<i>39.7</i>	<i>26.8</i>	<i>66.5</i>	<i>39.7</i>	<i>37.2</i>	<i>76.9</i>	<i>10.4</i>	<i>15.6</i>
Distributed maintenance				59.0		59.0	54.2		54.2	-4.8	-8.1
Total	1,252.5	72.6	1,325.1	1,624.6	26.8	1,651.4	1,778.5	37.2	1,815.7	164.3	9.9

Table 36. Sub-programme 3110: Proposed staffing for 2008

<i>Immediate Office of the Registrar</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic		1		1	2	2	2	2		10	1	3	4	14
	Situation-related														
	<i>Subtotal</i>		<i>1</i>		<i>1</i>	<i>2</i>	<i>2</i>	<i>2</i>	<i>2</i>		<i>10</i>	<i>1</i>	<i>3</i>	<i>4</i>	<i>14</i>
New	Basic							1			1				1
	Situation-related														
	<i>Subtotal</i>							<i>1</i>			<i>1</i>				<i>1</i>
<i>Total</i>			<i>1</i>		<i>1</i>	<i>2</i>	<i>2</i>	<i>3</i>	<i>2</i>		<i>11</i>	<i>1</i>	<i>3</i>	<i>4</i>	<i>15</i>

(b) Sub-programme 3120: Office of Internal Audit

209. The total increase of €68,200, less in-built costs of €70,700, less the difference in distributed maintenance costs of -€2,500 = net increase of €0.

Table 37. Sub-programme 3120: Proposed budget for 2008

<i>Office of Internal Audit</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			312.9		312.9	381.5		381.5	68.6	21.9
General Service staff				54.3		54.3	56.4		56.4	2.1	3.9
<i>Subtotal staff</i>	<i>351.4</i>		<i>351.4</i>	<i>367.2</i>		<i>367.2</i>	<i>437.9</i>		<i>437.9</i>	<i>70.7</i>	<i>19.3</i>
Travel	3.9	6.2	10.1	5.3	10.2	15.5	5.3	10.2	15.5		
Contractual services incl. training				30.0		30.0	30.0		30.0		
Furniture and equipment	0.8		0.8								
<i>Subtotal non-staff</i>	<i>4.7</i>	<i>6.2</i>	<i>10.9</i>	<i>35.3</i>	<i>10.2</i>	<i>45.5</i>	<i>35.3</i>	<i>10.2</i>	<i>45.5</i>		
Distributed maintenance				16.9		16.9	14.4		14.4	-2.5	-14.8
Total	356.1	6.2	362.3	419.4	10.2	429.6	487.6	10.2	497.8	68.2	15.9

Table 38. Sub-programme 3120: Proposed staffing for 2008

<i>Office of Internal Audit</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic				1		1	1			3		1	1	4
	Situation-related														
	<i>Subtotal</i>				<i>1</i>		<i>1</i>	<i>1</i>			<i>3</i>		<i>1</i>	<i>1</i>	<i>4</i>
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
<i>Total</i>					<i>1</i>		<i>1</i>	<i>1</i>			<i>3</i>		<i>1</i>	<i>1</i>	<i>4</i>

(c) **Sub-programme 3140: Security and Safety Section**

Staff resources

Basic resources

One P-2 Security Analyst

210. To collect and analyse security and safety-related information to strengthen security management and provide a basis for the assessment of prevailing security situations. The position is currently filled by GTA funding. This new position cannot be offset by internal redeployments or efficiency gains.

General temporary assistance

211. Twenty-two GS-OL Security Support Assistants (12 months each, continued from 2007): As previously approved by the Committee on Budget and Finance, GTA staff undertake security screening, general building patrols, and initial emergency response duties. The 2008 request is based on actual costs incurred in 2006. A 2008 market survey will help determine the relative merits of maintaining in-house capacity or outsourcing security services.

Overtime, including night differential

212. Maintenance of a full 24-hour security presence requires permanent manning of a number of posts. Night work is compensated according to the Staff Rules. Overtime regularly occurs due to official holidays and staff shortages. This cost cannot be offset by internal redeployments or efficiency gains.

Situation-related resources

Three P-3 Field Security Coordination Officers

213. To meet the minimum standard of one Professional level and one General Services level security officer in each situation. The new positions will provide the necessary management, leadership and coordination of security operations in support of investigations, victim and witness operations, outreach programmes and general staff security and safety in the field. This new position cannot be offset by internal redeployments or efficiency gains.

One GS-OL Assistant Field Security Officer

214. To enable the Field Security Unit to meet the increased demand for security support in the field, especially in witness protection support. The current staffing level is no longer able to absorb any further increase in the workload. This new position cannot be offset by internal redeployments or efficiency gains.

Overtime

215. The increase in field security staff will result in an overall reduced requirement for overtime. However, some level of support from the Headquarters Protective Security Unit is still expected, especially in situations 3 and 4. This cost cannot be offset by internal redeployments or efficiency gains.

Non-staff resources**Basic resources***Travel*

216. To attend briefings and coordination meetings with partners in other international organizations, including the Inter-Agency Security Management Network, which has increased the number of its meetings from one to two each year.

Contractual services including training

217. Contractual services include key holding services, the maintenance of security systems at the residences of senior Court officials, and security vetting. All Court security staff require both basic and refresher training in first aid, fire-fighting and the use of firearms in order to maintain qualifications and permits.

General operating expenses

218. The upgrade of security screening training equipment has been postponed, thereby reducing costs.

Supplies and materials

219. As no new uniformed positions are included in the budget for 2008, this item has been reduced.

Furniture and equipment

220. The replacement programme for security screening equipment and the establishment of surge capacity for personal protection equipment has been delayed to 2009, resulting in an overall reduction in this item.

Situation-related resources*Travel*

221. Travel requirements include one detainee escort mission, attendance at United Nations Field Security Coordination meetings, close protection for senior Court officials in the field, other security support missions, and security management team field missions. Each permanent field security staff member is expected to travel to headquarters once every four months for briefings, training, maintenance of qualifications, and general staff welfare. In part, the increase in this item reflects the increased number of security staff.

Contractual services including training

222. All Court field security staff require the same level of training in first aid, fire-fighting and the use of firearms as security staff at headquarters. Field security staff also require specialized training in field security-related matters, such as 4x4 driving. In part, the increase in this item reflects the increased number of security staff.

223. The costs of outsourcing guard functions at the Court's field offices have increased during the past year due to a rise in the costs of the existing contracts and higher than anticipated costs in situation 4.

General operating expenses

224. The Court is a member of the United Nations Security Management System, which includes both global and local cost-sharing elements. The global cost-sharing element is included in the basic budget. Local cost-sharing arrangements, which are not included in the basic budget, are in place in Uganda and the DRC.

225. The total increase of €651,100, less in-built costs of €223,500, less the difference in distributed maintenance costs of -€32,400 = net increase of €460,000.

Table 39. Sub-programme 3140: Proposed budget for 2008

<i>Security and Safety Section</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			412.3	85.7	498.0	499.6	389.3	888.9	390.9	78.5
General Service staff				2,019.7	1,204.7	3,224.4	2,049.0	1,321.9	3,370.9	146.5	4.5
<i>Subtotal staff</i>	<i>2,043.0</i>	<i>613.9</i>	<i>2,656.9</i>	<i>2,432.0</i>	<i>1,290.4</i>	<i>3,722.4</i>	<i>2,548.6</i>	<i>1,711.2</i>	<i>4,259.8</i>	<i>537.4</i>	<i>14.4</i>
General temporary assistance	742.0	92.9	834.9	660.0		660.0	748.0		748.0	88.0	13.3
Overtime	150.6	17.8	168.4	124.4	52.3	176.7	130.6	37.4	168.0	-8.7	-4.9
<i>Subtotal other staff</i>	<i>892.6</i>	<i>110.7</i>	<i>1,003.3</i>	<i>784.4</i>	<i>52.3</i>	<i>836.7</i>	<i>878.6</i>	<i>37.4</i>	<i>916.0</i>	<i>79.3</i>	<i>9.5</i>
Travel	38.0	108.4	146.4	11.1	398.8	409.9	15.3	519.8	535.1	125.2	30.5
Contractual services incl. training	209.0	140.8	349.8	166.2	244.5	410.7	178.0	283.9	461.9	51.2	12.5
General operating expenses	147.8	0.2	148.0	117.0		117.0	100.0	30.0	130.0	13.0	11.1
Supplies and materials	78.9	29.1	108.0	96.5	21.8	118.3	75.0	22.4	97.4	-20.9	-17.7
Furniture and equipment	95.2	72.8	168.0	103.0		103.0	1.3		1.3	-101.7	-98.7
<i>Subtotal non-staff</i>	<i>568.9</i>	<i>351.3</i>	<i>920.2</i>	<i>493.8</i>	<i>665.1</i>	<i>1,158.9</i>	<i>369.6</i>	<i>856.1</i>	<i>1,225.7</i>	<i>66.8</i>	<i>5.8</i>
Distributed maintenance				172.8	52.6	225.4	148.0	45.0	193.0	-32.4	-14.4
Total	3,504.5	1,075.9	4,580.4	3,883.0	2,060.4	5,943.4	3,944.8	2,649.7	6,594.5	651.1	11.0

Table 40. Sub-programme 3140: Proposed staffing for 2008

<i>Security and Safety Section</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic					1	1	2			4	1	35	36	40
	Situation-related							1	1		2		14	14	16
	<i>Subtotal</i>					<i>1</i>	<i>1</i>	<i>3</i>	<i>1</i>		<i>6</i>	<i>1</i>	<i>49</i>	<i>50</i>	<i>56</i>
New	Basic								1		1				1
	Situation-related							3			3		1	1	4
	<i>Subtotal</i>							<i>3</i>	<i>1</i>		<i>4</i>		<i>1</i>	<i>1</i>	<i>5</i>
<i>Total</i>						<i>1</i>	<i>1</i>	<i>6</i>	<i>2</i>		<i>10</i>	<i>1</i>	<i>50</i>	<i>51</i>	<i>61</i>

(d) Sub-programme 3150: Office of the Controller

Staff resources

Situation-related resources

General temporary assistance

226. One GS-OL Control Assistant (4 months, continued from 2007): To assist with the processing of exceptional situation-related issues.

227. The total increase of €7,500, less in-built costs of €8,700, less the difference in distributed maintenance costs of -€1,200 = net increase of €0.

Table 41. Sub-programme 3150: Proposed budget for 2008

<i>Office of the Controller</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			129.9		129.9	128.5		128.5	-1.4	-1.1
General Service staff	No breakdown available			64.9		64.9	75.0		75.0	10.1	15.6
<i>Subtotal staff</i>	<i>139.7</i>		<i>139.7</i>	<i>194.8</i>		<i>194.8</i>	<i>203.5</i>		<i>203.5</i>	<i>8.7</i>	<i>4.5</i>
General temporary assistance	76.0		76.0		20.0	20.0		20.9	20.9	0.9	4.5
Overtime	2.7		2.7		2.0	2.0	2.0		2.0		
<i>Subtotal other staff</i>	<i>78.7</i>		<i>78.7</i>		<i>22.0</i>	<i>22.0</i>	<i>2.0</i>	<i>20.9</i>	<i>22.9</i>	<i>0.9</i>	<i>4.1</i>
Travel	1.9		1.9	2.0		2.0	2.0		2.0		
Contractual services incl. training	9.1		9.1	10.0		10.0	9.1		9.1	-0.9	-9.0
<i>Subtotal non-staff</i>	<i>11.0</i>		<i>11.0</i>	<i>12.0</i>		<i>12.0</i>	<i>11.1</i>		<i>11.1</i>	<i>-0.9</i>	<i>-7.5</i>
Distributed maintenance				8.4		8.4	7.2		7.2	-1.2	-14.3
Total	229.4		229.4	215.2	22.0	237.2	223.8	20.9	244.7	7.5	3.2

Table 42. Sub-programme 3150: Proposed staffing for 2008

<i>Office of the Controller</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic					1					1	1		1	2
	Situation-related														
	<i>Subtotal</i>					<i>1</i>					<i>1</i>	<i>1</i>		<i>1</i>	<i>2</i>
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
<i>Total</i>						<i>1</i>					<i>1</i>	<i>1</i>		<i>1</i>	<i>2</i>

2. Programme 3200: Common Administrative Services Division

Introduction

228. The Common Administrative Services Division (CASD) provides all non-judicial services to the entire Court. Regardless of the specific 2008 Court objectives, the CASD must always aim to provide the Court with “a model for public administration” by delivering timely, reliable and effective high quality operational services in response to client needs. These needs include dedicated logistics as well as administrative and information infrastructure for both field and trial activities. In this context, the Court considers the implementation of an integrated management information system a priority.

229. The 2008 budget objectives clearly focus on the Court’s field operations. The Division is implementing a new concept of field office infrastructure that will provide simultaneous support to several of the Court’s objectives for next year. The new concept defines the field office as the “public face” of the Court, which will include dedicated facilities to enhance communications with local communities while improving security for all participants. In addition, technical cooperation agreements with United Nations agencies supporting the Court’s communications infrastructure facilitate all outreach activities from the seat of the Court to the various countries, including live broadcasting of trial activities.

230. As a result of its operational needs, the Court’s Strategic Plan specified human resources as one of next year’s priorities. The Committee on Budget and Finance also identified this issue as an important item on the 2008 agenda. The Division will play a leading role in developing strategies to achieve the objectives of advancement opportunities, a caring environment and other related matters. However, due to funding approval cycles, the implementation of some of the objectives with budgetary implications may extend into 2009.

231. Furthermore, the CASD will be closely involved in the different challenges associated with the Court’s interim premises. The Division will focus primarily on the implementation of an interim premises solution which will provide the Court with an infrastructure that will last until the Court moves to permanent premises.

Objectives

1. Become a non-bureaucratic administration focused on results rather than processes, relying on rules where necessary to guarantee rights or minimize risks (SO 11).
2. Develop and implement a structure to ensure publicity of all proceedings for local and global audiences (SO 9).
3. Offer development and employment advancement opportunities to well-performing staff (SO 17).
4. Formulate options for different geographical locations of the Court’s resources and activities, including the requirements for the permanent premises (SO 5).

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2008</i>
Objective 1 <ul style="list-style-type: none"> Implement integrated management information systems. 	<ul style="list-style-type: none"> Number of information system modules available. Number of available accepted reports. 	38 30
Objective 2 <ul style="list-style-type: none"> Implement complete communication infrastructure for all field offices. 	<ul style="list-style-type: none"> Number of field offices allowing public access and use. Number of field offices technically set up for all required communication types. 	4 4
Objective 3 <ul style="list-style-type: none"> Implement strategy for advancement opportunities. 	<ul style="list-style-type: none"> Number of sub-objectives implemented with no budgetary implications. Number of sub-objectives implemented with budgetary implications. 	80% of all sub-objectives 20% of all sub-objectives
Objective 4 <ul style="list-style-type: none"> Secure sufficient workspace to support all activities of the Court. 	<ul style="list-style-type: none"> Number of workspaces provided for. 	960

Table 43. Programme 3200: Proposed budget for 2008

<i>Common Administrative Services Division</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			3,059.1	871.9	3,931.0	3,456.9	997.0	4,453.9	522.9	13.3
General Service staff	No breakdown available			3,603.2	1,173.2	4,776.4	3,935.9	1,677.5	5,613.4	837.0	17.5
<i>Subtotal staff</i>	<i>5,706.2</i>	<i>1,481.1</i>	<i>7,187.3</i>	<i>6,662.3</i>	<i>2,045.1</i>	<i>8,707.4</i>	<i>7,392.8</i>	<i>2,674.5</i>	<i>10,067.3</i>	<i>1,359.9</i>	<i>15.6</i>
General temporary assistance	711.0	143.9	854.9	187.5	764.9	952.4	198.6	665.2	863.8	-88.6	-9.3
Temporary assistance for meetings				32.5		32.5	32.5		32.5		
Overtime	69.4	6.9	76.3	51.7		51.7	70.0	28.0	98.0	46.3	89.6
Consultants	6.9	26.2	33.1				20.0		20.0	20.0	
<i>Subtotal other staff</i>	<i>787.3</i>	<i>177.0</i>	<i>964.3</i>	<i>271.7</i>	<i>764.9</i>	<i>1,036.6</i>	<i>321.1</i>	<i>693.2</i>	<i>1,014.3</i>	<i>-22.3</i>	<i>-2.2</i>
Travel	56.4	119.5	175.9	89.7	107.6	197.3	96.3	203.4	299.7	102.4	51.9
Contractual services incl. training	3,091.3	528.4	3,619.7	1,110.1	1,024.8	2,134.9	1,046.2	894.5	1,940.7	-194.2	-9.1
General operating expenses	3,041.0	1,059.6	4,100.6	4,131.0	2,768.1	6,899.1	4,148.9	3,035.1	7,184.0	284.9	4.1
Supplies and materials	204.8	287.5	492.3	425.9	261.5	687.4	421.6	231.7	653.3	-34.1	-5.0
Furniture and equipment	1,257.7	1,235.8	2,493.5	536.9	314.0	850.9	477.4	242.0	719.4	-131.5	-15.5
<i>Subtotal non-staff</i>	<i>7,651.2</i>	<i>3,230.8</i>	<i>10,882.0</i>	<i>6,293.6</i>	<i>4,476.0</i>	<i>10,769.6</i>	<i>6,190.4</i>	<i>4,606.7</i>	<i>10,797.1</i>	<i>27.5</i>	<i>0.3</i>
Distributed maintenance				-939.6	-974.9	-1,914.5	-830.2	-881.3	-1,711.5	203.0	-10.6
Total	14,144.7	4,888.9	19,033.6	12,288.0	6,311.1	18,599.1	13,074.1	7,093.1	20,167.2	1,568.1	8.4

Table 44. Programme 3200: Proposed staffing for 2008

<i>Common Administrative Services Division</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic				1	4	5	15	7		32	4	62	66	98
	Situation-related						3	6			9	2	26	28	37
	<i>Subtotal</i>				<i>1</i>	<i>4</i>	<i>8</i>	<i>21</i>	<i>7</i>		<i>41</i>	<i>6</i>	<i>88</i>	<i>94</i>	<i>135</i>
New	Basic								2		2	1	2	3	5
	Situation-related							1			1		5	5	6
	<i>Subtotal</i>							<i>1</i>	<i>2</i>		<i>3</i>	<i>1</i>	<i>7</i>	<i>8</i>	<i>11</i>
<i>Total</i>					<i>1</i>	<i>4</i>	<i>8</i>	<i>22</i>	<i>9</i>		<i>44</i>	<i>7</i>	<i>95</i>	<i>102</i>	<i>146</i>

(a) Sub-programme 3210: Office of the Director**Proposed recurrent non-staff requirements****Basic resources***Travel*

232. Almost all travel requirements are related to meetings and cooperation activities with States Parties and meetings for networking purposes. Additional provision is made for members of the Committee on Budget and Finance travelling to The Hague for informal meetings.

Situation-related resources*Travel*

233. This item includes travel to the situation countries to review progress on the implementation of the field offices as the "public face" of the Court.

234. The total increase of €65,200, less in-built costs of €67,700, less the difference in distributed maintenance costs of -€2,500 = net increase of €0.

Table 45. Sub-programme 3210: Proposed budget for 2008

<i>Office of the Director</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			284.3		284.3	349.9		349.9	65.6	23.1
General Service staff	No breakdown available			54.3		54.3	56.4		56.4	2.1	3.9
<i>Subtotal staff</i>	<i>278.6</i>		<i>278.6</i>	<i>338.6</i>		<i>338.6</i>	<i>406.3</i>		<i>406.3</i>	<i>67.7</i>	<i>20.0</i>
Consultants	1.2		1.2								
<i>Subtotal other staff</i>	<i>1.2</i>		<i>1.2</i>								
Travel	14.5		14.5	24.6	7.9	32.5	24.3	8.2	32.5		
<i>Subtotal non-staff</i>	<i>14.5</i>		<i>14.5</i>	<i>24.6</i>	<i>7.9</i>	<i>32.5</i>	<i>24.3</i>	<i>8.2</i>	<i>32.5</i>		
Distributed maintenance				16.9		16.9	14.4		14.4	-2.5	-14.8
Total	294.3		294.3	380.1	7.9	388.0	445.0	8.2	453.2	65.2	16.8

Table 46. Sub-programme 3210: Proposed staffing for 2008

<i>Office of the Director</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic				1			1	1		3		1	1	4
	Situation-related														
	<i>Subtotal</i>				<i>1</i>			<i>1</i>	<i>1</i>		<i>3</i>		<i>1</i>	<i>1</i>	<i>4</i>
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
<i>Total</i>					<i>1</i>			<i>1</i>	<i>1</i>		<i>3</i>		<i>1</i>	<i>1</i>	<i>4</i>

(b) Sub-programme 3220: Human Resources Section**Staff resources**

235. The intention is to cover the shortfall in the number of applications processed by implementing an e-recruitment solution, which is expected to become operational in 2008. In 2007, the shortfall in the number of applications processed is covered through GTA resources.

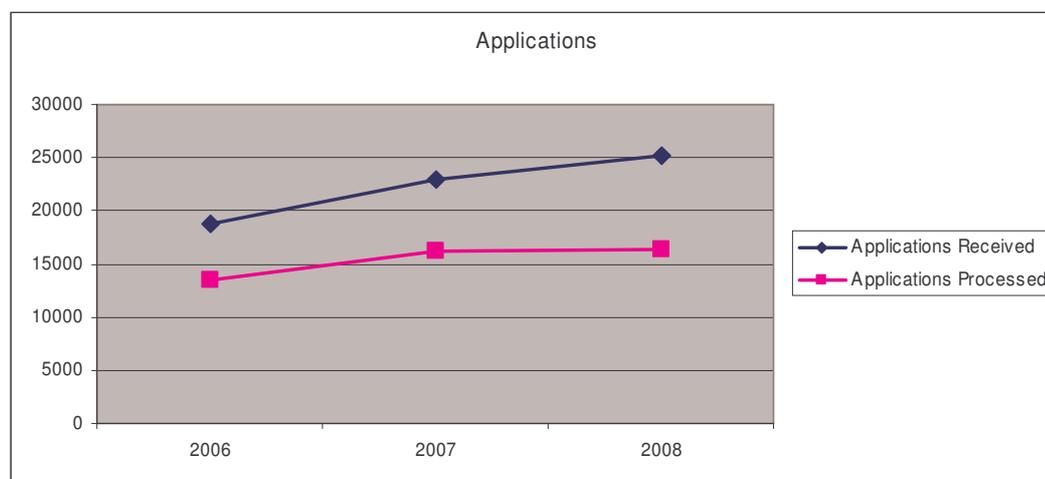
Table 47. Workload indicators for the Human Resources Section

Anticipated workload 2007	Number of FTE 2007	Anticipated workload 2008	Number of FTE 2008	Estimated capacity 2008	Shortfall with additional resources	Shortfall without additional resources
Number of applications processed = 16,200 ⁽¹⁾	3	16,320	3	8,100	0	8,100
Number of contracts processed = 800 ⁽²⁾	4	900	4	656	0	335
Number of personnel actions = 1,900 ⁽³⁾	4	2,040	4	1,580	0	320
Number of training events = 177	1	180	1	177	0	0

(1) Reflects all the relevant processes to bring new staff on board (e.g. screening applications, compiling of shortlists and establishing grades and levels).

(2) Includes staff, temporary assistance, translators and interpreters.

(3) Takes into account all changes which impact the contractual status of staff.

Figure 3. Applications**Basic resources***One P-2 Associate Human Resources Officer*

236. This resource will primarily be responsible for the administration of staffing resources including, but not limited to, recruitment, job evaluation, maintenance of the post classification system, internal reassignments and aspects of career development. Moreover, he or she will be the focal point for the implementation of the e-recruitment solution, which is crucial for closing the gap between the number of applications processed and the number of applications received as illustrated in the graph above. It should be noted that the P-2 Associate Human Resources Officer was also requested but not approved in the 2006 and 2007 budgets. As a result, the Human Resources Section borrowed a post from another section, which was in turn replaced by a GTA. The position is

now requested again, in light of the range of ongoing activities and new demands to be met by the Human Resources Section.

General temporary assistance

237. One GS-OL IT Support Clerk (12 months, continued from 2007) will be required to test SAP sub-modules as part of the implementation process. Moreover, in addition to being responsible for troubleshooting, he or she will provide support to Section staff during the implementation.

238. One GS-OL HR Assistant (12 months, continued from 2007) will provide first-line support and knowledge base to HR staff during SAP implementation. SAP needs continuous configuration and complex modifications which require testing. The resource will also support other HR-related modules such as the MIR Project, Business Warehouse and Pension Fund reporting. The Support Clerk will also provide statistical analysis and ad hoc reports.

Consultants

239. In line with the recommendation of the Committee on Budget and Finance at its eighth session,⁹ the Court will require expert advice on new HR policy initiatives, notably broadbanding and performance-based pay. Costs will be covered through efficiencies in other areas.

Non-staff resources

Basic resources

Travel

240. This item is required for the participation of HR managers in relevant specialized meetings for the development and implementation of new policy initiatives, including the HR Network, the annual career development round table and the annual Learning Managers Forum.

Contractual services including training

241. To cover language and substantive skills training as well as the full roll-out of the new Leadership Development Programme, commenced in 2007.

242. The total increase of €162,700, less in-built costs of €76,000, less the difference in distributed maintenance costs of -€10,400 = net increase of €97,100.

⁹ See *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Sixth session, New York, 30 November to 14 December 2007* (International Criminal Court publication, ICC-ASP/6/20, vol. II), part B.1, paras. 58-63.

Table 48. Sub-programme 3220: Proposed budget for 2008

<i>Human Resources Section</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			632.0		632.0	744.7		744.7	112.7	17.8
General Service staff	No breakdown available			607.9	139.9	747.8	639.0	169.2	808.2	60.4	8.1
<i>Subtotal staff</i>	<i>1,239.2</i>	<i>88.6</i>	<i>1,327.8</i>	<i>1,239.9</i>	<i>139.9</i>	<i>1,379.8</i>	<i>1,383.7</i>	<i>169.2</i>	<i>1,552.9</i>	<i>173.1</i>	<i>12.5</i>
General temporary assistance	205.0	19.2	224.2	125.0		125.0	125.4		125.4	0.4	0.3
Consultants	5.7	1.3	7.0				20.0		20.0	20.0	
<i>Subtotal other staff</i>	<i>210.7</i>	<i>20.5</i>	<i>231.2</i>	<i>125.0</i>		<i>125.0</i>	<i>145.4</i>		<i>145.4</i>	<i>20.4</i>	<i>16.3</i>
Travel	3.8	1.9	5.7	4.1	7.0	11.1	18.7	7.3	26.0	14.9	134.2
Contractual services incl. training	238.8	141.7	380.5	156.0	360.0	516.0	178.3	327.6	505.9	-10.1	-2.0
General operating expenses	3.8		3.8								
Supplies and materials	10.2	35.5	45.7	20.0	30.0	50.0	24.8		24.8	-25.2	-50.4
<i>Subtotal non-staff</i>	<i>256.6</i>	<i>179.1</i>	<i>435.7</i>	<i>180.1</i>	<i>397.0</i>	<i>577.1</i>	<i>221.8</i>	<i>334.9</i>	<i>556.7</i>	<i>-20.4</i>	<i>-3.5</i>
Distributed maintenance				71.6	10.5	82.1	65.0	6.7	71.7	-10.4	-12.7
Total	1,706.5	288.2	1,994.7	1,616.6	547.4	2,164.0	1,815.9	510.8	2,326.7	162.7	7.5

Table 49. Sub-programme 3220: Proposed staffing for 2008

<i>Human Resources Section</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic					1	2	3			6	1	10	11	17
	Situation-related												3	3	3
	<i>Subtotal</i>					<i>1</i>	<i>2</i>	<i>3</i>			<i>6</i>	<i>1</i>	<i>13</i>	<i>14</i>	<i>20</i>
New	Basic								1		1				1
	Situation-related														
	<i>Subtotal</i>								<i>1</i>		<i>1</i>				<i>1</i>
<i>Total</i>						<i>1</i>	<i>2</i>	<i>3</i>	<i>1</i>		<i>7</i>	<i>1</i>	<i>13</i>	<i>14</i>	<i>21</i>

(c) Sub-programme 3240: Budget and Finance Section**Staff resources**

243. The anticipated increase in workload will be accommodated at the current staffing level. The productivity of existing staff will increase due to increased experience in using the ERP system. Other staff within the Section will continue to support the preparation of monthly closures of accounts, contributions management and the yearly budget preparation exercise.

Table 50. Workload indicators for Finance Assistants

<i>Anticipated workload 2007</i>	<i>Number of FTE 2007</i>	<i>Anticipated workload 2008</i>	<i>Number of FTE 2008</i>	<i>Estimated capacity 2008</i>	<i>Shortfall with additional resources</i>	<i>Shortfall without additional resources</i>
Invoices processed = 7,200	5	9,000	5	9,200	0	0
Travel claims processed = 5,100	3	6,400	3	6,500	0	0
Payroll transactions = 9,000	3	10,800	3	11,400	0	0
Treasury payments = 14,700	2	18,400	2	18,600	0	0

Situation-related resources*General temporary assistance*

244. Two GS-OL Financial Assistants will be required (12 months each, continued from 2007) to finalize work related to the TRIM and SAP projects. TRIM will require six months. This will include analysing and restructuring the financial data of the Section with a view to its storage in TRIM for record keeping and auditing purposes. The finalization of several SAP projects, including the Business Warehouse project for the design, testing and production of all reports required daily by the Finance Section and those required by other sections of the Court and by senior management will last 18 months. Once completed, efficiencies are envisaged in data retrieval and reporting.

Non-staff resources**Situation-related resources***General operating expenses*

245. Increased banking costs reflect actual expenditures over 2006 and 2007 in line with the growth of the Court's activities. This increase has been offset by a decrease in contractual services (training).

246. The total increase of €86,200, less in-built costs of €102,200, less the difference in distributed maintenance costs of -€16,000 = net increase of €0.

Table 51. Sub-programme 3240: Proposed budget for 2008

<i>Budget and Finance Section</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			667.9		667.9	709.7		709.7	41.8	6.3
General Service staff	No breakdown available			488.7	259.1	747.8	507.6	300.6	808.2	60.4	8.1
<i>Subtotal staff</i>	<i>715.1</i>	<i>84.4</i>	<i>799.5</i>	<i>1,156.6</i>	<i>259.1</i>	<i>1,415.7</i>	<i>1,217.3</i>	<i>300.6</i>	<i>1,517.9</i>	<i>102.2</i>	<i>7.2</i>
General temporary assistance	250.0		250.0		125.0	125.0		125.4	125.4	0.4	0.3
Overtime	19.4	1.2	20.6								
<i>Subtotal other staff</i>	<i>269.4</i>	<i>1.2</i>	<i>270.6</i>		<i>125.0</i>	<i>125.0</i>		<i>125.4</i>	<i>125.4</i>	<i>0.4</i>	<i>0.3</i>
Travel	2.7		2.7	7.0		7.0	7.0		7.0		
Contractual services incl. training	56.0		56.0	65.0		65.0	56.0		56.0	-9.0	-13.8
General operating expenses	86.6		86.6	35.0		35.0	43.6		43.6	8.6	24.6
<i>Subtotal non-staff</i>	<i>145.3</i>		<i>145.3</i>	<i>107.0</i>		<i>107.0</i>	<i>106.6</i>		<i>106.6</i>	<i>-0.4</i>	<i>-0.4</i>
Distributed maintenance				67.4	17.5	84.9	57.7	11.2	68.9	-16.0	-18.8
Total	1,129.8	85.6	1,215.4	1,331.0	401.6	1,732.6	1,381.6	437.2	1,818.8	86.2	5.0

Table 52. Sub-programme 3240: Proposed staffing for 2008

<i>Budget and Finance section</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic					1	1	4	1		7		9	9	16
	Situation-related											1	4	5	5
	<i>Subtotal</i>					<i>1</i>	<i>1</i>	<i>4</i>	<i>1</i>		<i>7</i>	<i>1</i>	<i>13</i>	<i>14</i>	<i>21</i>
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
<i>Total</i>						<i>1</i>	<i>1</i>	<i>4</i>	<i>1</i>		<i>7</i>	<i>1</i>	<i>13</i>	<i>14</i>	<i>21</i>

(d) Sub-programme 3250: General Services Section

247. The Procurement Section (sub-programme 3270) was merged with the General Services Section in 2007. All previous year expenditures and approved budgets for sub-programme 3270 have been integrated with the data for the General Services Section.

Staff resources

248. GSS expects increased workloads, particularly in the Travel and Host-State Affairs Unit and the Logistics and Transport Unit/Correspondence Centre. These workload increases will be met with efficiencies within the Section.

Table 53. Workload indicators for GSS Assistants

<i>Anticipated workload 2007</i>	<i>Number of FTE 2007</i>	<i>Anticipated workload 2008</i>	<i>Number of FTE 2008</i>	<i>Estimated capacity 2008⁽¹⁾</i>	<i>Shortfall with additional resources</i>	<i>Shortfall without additional resources</i>
<i>Records Management Unit</i> Help desk queries = 1,200 Trim actions = 6,600 Mail/courier items = 61,000	7	1,320 7,000 68,200	7	1,200 6,600 61,000	0 0 0	120 400 7,200
<i>Logistics & Transport Unit</i> Transport requests = 4,500 Internal deliveries/supplies = 4,020	13	5,400 4,820	13	4,500 4,020	0 0	900 800
<i>Facilities Management Unit</i> Help desk queries = 4,800 Requisitions raised = 220	12	5,300 220	12	4,800 220	0 0	500 0
<i>Travel & Host State Affairs Unit</i> Trip numbers raised = 3,500 Applications processed = 2,300	6	4,000 2,520	6	3,500 2,300	0 0	500 220

(1) The estimated capacity for 2008 cited above for the General Services Section is based on rough estimates as the Section is still working out its capacity levels.

Basic resources*Overtime*

249. This item is based on actual and forecasted 2007 requirements for drivers. This cost assumes that staff from other units will be available as part-time drivers to help contain costs. Facilities Management requires overtime for out-of-hours emergency maintenance, such as breakdowns of cooling systems for the computer centre, electrical, plumbing, elevator malfunctions, etc. This increased cost is offset by non-staff cost savings.

Situation-related resources*General temporary assistance*

250. Two GS-OL Travel Clerks (12 months each, continued from 2007) are necessary to maintain travel operations and protocol matters (such as visas, customs, registration with the Ministry of Foreign Affairs, vehicle registration, etc). Experience over 2007 and 2008 will help determine whether these posts should be requested as established posts in 2009.

Overtime

251. This item is based on actual and forecasted 2007 requirements for drivers.

Non-staff resources**Basic and situation-related resources***Travel*

252. This item is required to attend the meeting of the Inter-Agency Network of Facility Managers and for required asset inventory in field offices.

Contractual services including training

253. Based on actual increased usage of photocopiers in 2006 and in 2007 to date. Also includes contractual services for bi-annual deep cleaning of the cafeteria, office moves and a blanket contract for consulting services for structural and technical projects for the maintenance of premises.

General operating expenses

254. Overall costs have decreased. The main items contributing to the provision requested are set out below.

255. Maintenance of premises includes the cost for regular office cleaning, fire alarm testing and the inspection and repair of fire separators and maintenance of installations such as speed gates, uninterrupted power supply and security systems at the ARC building. Costs have been partially offset by the postponement of some major maintenance projects until 2009.

256. Utility costs are increased based on past actual consumption, use of additional areas (D wing, Saturnusstraat) and staff expansion. Rental of furniture and equipment includes photocopiers and ticket printers. These items will be subject to a new procurement bidding procedure for 2008, conducted jointly with other organizations in order to gain competitive advantage.

257. Maintenance of furniture and equipment includes the maintenance of vehicles, kitchenette and non-IT office equipment, and miscellaneous repairs. It also includes maintenance of the security systems, expanded in 2006 and 2007. Increases are expected in 2009 due to the ageing of the vehicle fleet.

Furniture and equipment

258. This item includes replacement of standard office furniture as a result of wear and tear. Costs have been partially offset by reducing stocks of certain specialist cabinets.

259. The total increase of €186,700, less in-built costs of €230,900, less the difference in distributed maintenance costs of -€28,700 = net decrease of €15,500.

Table 54. Sub-programme 3250: Proposed budget for 2008

<i>General Services Section</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			641.1		641.1	703.4		703.4	62.3	9.7
General Service staff				1,769.4	148.2	1,917.6	1,860.6	225.6	2,086.2	168.6	8.8
<i>Subtotal staff</i>	<i>2,068.4</i>	<i>49.6</i>	<i>2,118.0</i>	<i>2,410.5</i>	<i>148.2</i>	<i>2,558.7</i>	<i>2,564.0</i>	<i>225.6</i>	<i>2,789.6</i>	<i>230.9</i>	<i>9.0</i>
General temporary assistance	146.3	0.5	146.8		125.0	125.0		125.4	125.4	0.4	0.3
Overtime	38.0		38.0	21.7		21.7	40.0	10.0	50.0	28.3	130.4
<i>Subtotal other staff</i>	<i>184.3</i>	<i>0.5</i>	<i>184.8</i>	<i>21.7</i>	<i>125.0</i>	<i>146.7</i>	<i>40.0</i>	<i>135.4</i>	<i>175.4</i>	<i>28.7</i>	<i>19.6</i>
Travel	1.3		1.3	9.0		9.0	15.8		15.8	6.8	75.6
Contractual services incl. training	238.8		238.8	310.9	15.0	325.9	330.5	21.0	351.5	25.6	7.9
General operating expenses	1,820.1		1,820.1	2,306.3	124.0	2,430.3	2,281.6	101.5	2,383.1	-47.2	-1.9
Supplies and materials	170.3		170.3	305.9	38.0	343.9	296.8	38.0	334.8	-9.1	-2.6
Furniture and equipment	24.3		24.3	133.2	5.0	138.2	82.9	35.0	117.9	-20.3	-14.7
<i>Subtotal non-staff</i>	<i>2,254.8</i>		<i>2,254.8</i>	<i>3,065.3</i>	<i>182.0</i>	<i>3,247.3</i>	<i>3,007.6</i>	<i>195.5</i>	<i>3,203.1</i>	<i>-44.2</i>	<i>-1.4</i>
Distributed maintenance				164.4	14.0	178.4	140.7	9.0	149.7	-28.7	-16.1
Total	4,507.5	50.1	4,557.6	5,661.9	469.2	6,131.1	5,752.3	565.5	6,317.8	186.7	3.0

Table 55. Sub-programme 3250: Proposed staffing for 2008

<i>General Services Section</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic					1	1	3	2		7	3	29	32	39
	Situation-related												4	4	4
	<i>Subtotal</i>					<i>1</i>	<i>1</i>	<i>3</i>	<i>2</i>		<i>7</i>	<i>3</i>	<i>33</i>	<i>36</i>	<i>43</i>
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
<i>Total</i>						<i>1</i>	<i>1</i>	<i>3</i>	<i>2</i>		<i>7</i>	<i>3</i>	<i>33</i>	<i>36</i>	<i>43</i>

(e) Sub-programme 3260: Information and Communication Technologies Section

260. The ICT budget request reflects a planned change in strategy which involves reducing dependence on external consultancy by enhancing internal capacity to further develop and maintain all ICT systems. This is in line with the recommendation of the External Auditor. Whilst a minimum level of consulting will be maintained to provide specialized expert services for issues that cannot be performed internally, this approach will result in long-term efficiency gains (i.e. Customer Competency Centre).

Staff resources**Basic resources****Customer Competency Centre (CCC)**

261. The Section wishes to increase its internal support to the organization by creating an SAP FACTS Customer Competency Centre which will bear responsibility for the day-to-day production, support and implementation of SAP. Moreover, this Centre will have key responsibility for the technical implementation of the organizational management information system. The creation of the Centre will result in increased in-house knowledge and capacities which will benefit key business users throughout the Court, as this work will be performed by staff rather than various consultants. This initiative will be largely covered by a continued reduction of SAP consultant fees (contractual services).

262. All the proposed new staff resources in the Customer Competency Centre are funded from savings due to efficiency/productivity gains.

One P-2 Associate SAP Technical Officer (CCC)

263. Provides overall system technical support to the existing P-3.

One GS-PL Senior Application Integration Assistant (CCC)

264. Provides support for integration between SAP, Court Management Systems, TRIM, and other applications where SAP is used for integration purposes.

One GS-OL SAP Financial Technical Assistant (CCC)

265. Provides support for all budget, control, financial, audit and financial reporting systems.

One GS-OL SAP Applications Assistant (CCC)

266. Provides overall support for all modules including travel, HR, medical, timekeeping, portals, Trust Fund and Legal Aid.

Other staff requirements*General temporary assistance*

267. One GS-OL Project Support Assistant (eight months, continued from 2007). This resource will reduce the large backlog of system and project documentation. Additionally, this post will support the ICT Project Manager at times of heavy workload and provide assistance in maintaining the document libraries of the two major ICT projects, SAP and e-Court systems, ensuring that all documentation of the projects is integrated so as to provide a proper overview.

268. One GS-OL Service Desk Technician (six months, continued from 2007). GTA assistance will help reduce the current backlog in the number of tickets outstanding. For the remaining shortfall, the Section will seek to increase efficiency/productivity.

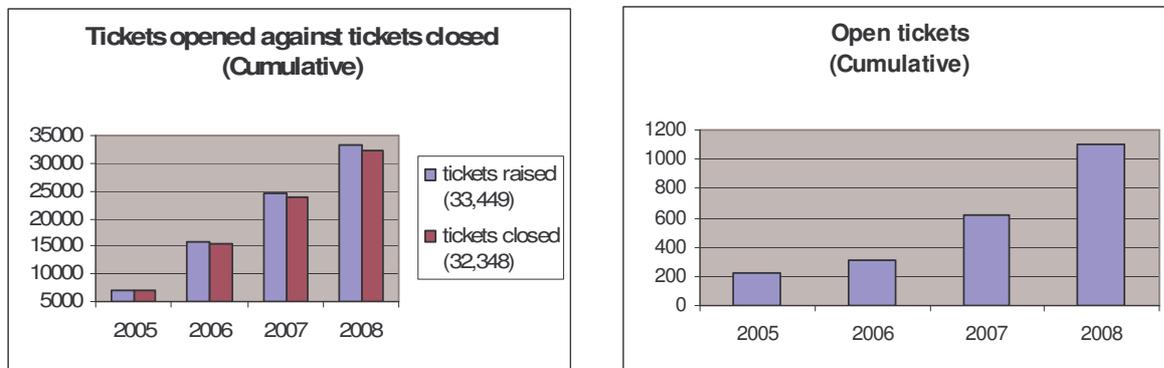
269. As shown in the table, the number of tickets opened consistently exceeds the capacity of the service desk to close them and consequently a backlog of open tickets has arisen. This causes enormous frustration within the user community and leads to inefficient operations. Without any additional resources, the backlog will increase by another 1,100 in 2008.

Table 56. Workload indicators for Service Desk Technicians

Anticipated workload 2007	Number of FTE 2007	Anticipated workload 2008	Number of FTE 2008	Estimated capacity 2008	Shortfall with additional resources	Shortfall without additional resources
Service Desk tickets = 9,000	7	10,500	7.5	8,800	0 (*)	1,100

(*) Estimated capacity is 1,173 per FTE. No shortfall is envisaged should the provision for 0.5 GTA continue in 2008.

Figure 4. Tickets



Situation-related resources

Global Communications and Data Network (GCDN)

270. The GCDN manages the field activities and satellite infrastructure in terms of supporting the vehicle fleet with more sophisticated radio requirement, close protection and increased demands for MOSS compliance, as well as the new remote access (Citrix) infrastructure for 300 users. The additional activity in the field has increased the amount of nodes on the network that require management.

One GS-OL Communications Technician

271. This post is requested for the purpose of managing the additional field activities, satellite infrastructure and deployment. There is also a larger vehicle fleet to support with more sophisticated radio requirement, close protection and increased demands for MOSS compliance. The additional field activity has increased the amount of devices requiring management. This new position is funded by efficiency gains.

272. Provided the requested Communications Technician is approved, the estimated shortfall will be absorbed by the Section through productivity gains. However, should the resource not be approved, this will seriously impact the communication system to be set up for the new field office in the CAR.

Table 57. Workload indicators for GCDN

<i>Anticipated workload 2007</i>	<i>Number of FTE 2007</i>	<i>Anticipated workload 2008</i>	<i>Number of FTE 2008</i>	<i>Estimated capacity* 2008</i>	<i>Shortfall with additional resources</i>	<i>Shortfall without additional resources</i>
Number of communication and network devices = 877	5	965	6	900	65	215

* Estimated capacity is 150 per FTE

One GS-OL System Administrator

273. This resource is requested for the purpose of managing the increased volume of devices on the data network by decentralizing SAP, Trim and e-Court systems to the field for an estimated 300 users. In addition, this resource will manage/support the Citrix (remote access) environment. The cost of this resource is covered by a reduction of non-staff costs.

274. Provided the requested system administrator is approved, the estimated shortfall will be absorbed by the Section through productivity gains. However, should the resource not be approved, the roll-out of SAP to field offices would be postponed and only limited access to the e-Court systems can be provided to the defence and legal teams.

Table 58. Workload indicators for GCDN

<i>Anticipated workload 2007</i>	<i>Number of FTE 2007</i>	<i>Anticipated workload 2008</i>	<i>Number of FTE 2008</i>	<i>Estimated capacity* 2008</i>	<i>Shortfall with additional resources</i>	<i>Shortfall without additional resources</i>
Number of data devices = 174	5	191	6	180	11	41

* Estimated capacity is 30 per FTE

Other staff requirements

One GS-OL Application Security Assistant

275. This resource is requested to improve the basic level of controlled access to systems and implement tighter security procedures, as recommended by the External Auditor. User access in the legal environment is becoming more complex since the systems are integrated and require closer administration. This new position is compensated for by internal redeployments and efficiency gains.

One GS-OL Field ICT Technician

276. The new situation in the CAR will require a Field ICT Technician to establish and manage ICT requirements for the region, assist in local ICT procurement and contracts, provide network, communications, telephone, fax and desktop support and assist with the set-up and operation of remote testimony by videoconferencing. This new position cannot be compensated for by efficiency gains.

Non-staff resources

Basic resources

Contractual services including training

277. Contractual consultancy services are requested for the creation of the Customer Competency Centre, specialized production support for SAP and the Court Management System

and support for public events. This provision has been reduced against the 2007 requirement to accommodate the request for new staff.

General operating expenses

278. The increased cost is attributable to new activities in the Central African Republic, including set-up costs for creating a sustainable communication network to support the initial work of the OTP while working towards a fully operational structure in support of field office and outreach activities.

Supplies and materials

279. For peripheral devices, spare parts, network cards, data cables, portable data devices, etc.

Furniture and equipment

280. This item is based on a four-year cycle of replacement of office equipment, and also includes upgrading of the GCDN, including hardware, software and network components. Reduced costs reflect the overall slower growth of the Court as compared to previous years.

Situation-related resources

Travel

281. The posting of Field ICT Technicians will help to reduce much of the travel being undertaken currently. However, considerable travel to the CAR is anticipated in 2008 to establish the IT infrastructure relating to the new situation.

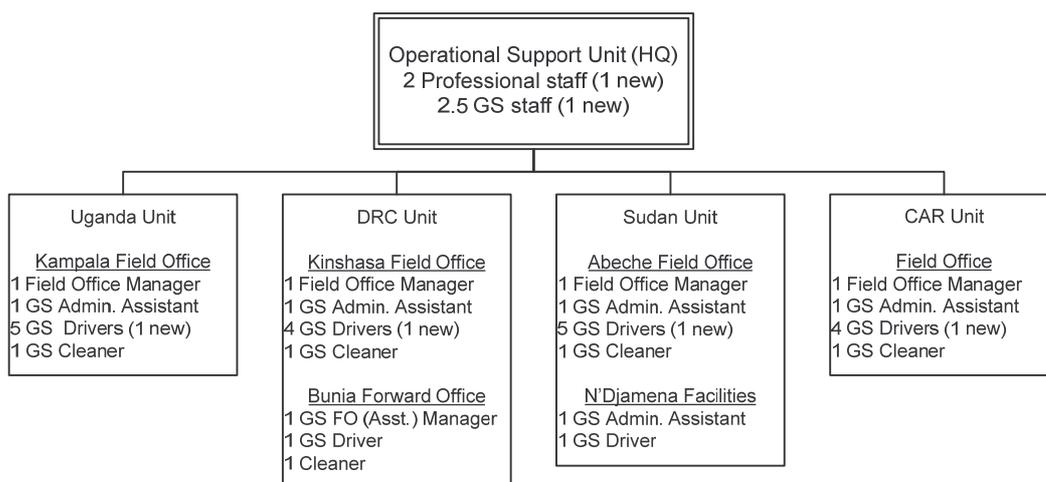
282. The total increase of €680,600, less in-built costs of €247,900, less the difference in distributed maintenance costs of €263,700 = net increase of €169,000.

Table 59. Sub-programme 3260: Proposed budget for 2008

<i>Information and Communication Technologies Section</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			833.8	463.5	1,297.3	949.2	519.1	1,468.3	171.0	13.2
General Service staff	No breakdown available			682.9	577.4	1,260.3	872.3	872.4	1,744.7	484.4	38.4
<i>Subtotal staff</i>	<i>1,404.9</i>	<i>794.6</i>	<i>2,199.5</i>	<i>1,516.7</i>	<i>1,040.9</i>	<i>2,557.6</i>	<i>1,821.5</i>	<i>1,391.5</i>	<i>3,213.0</i>	<i>655.4</i>	<i>25.6</i>
General temporary assistance	109.7	3.0	112.7	62.5		62.5	73.2		73.2	10.7	17.1
Temporary assistance for meetings				32.5		32.5	32.5		32.5		
Overtime	12.0	5.7	17.7	30.0		30.0	30.0	18.0	48.0	18.0	60.0
<i>Subtotal other staff</i>	<i>121.7</i>	<i>8.7</i>	<i>130.4</i>	<i>125.0</i>		<i>125.0</i>	<i>135.7</i>	<i>18.0</i>	<i>153.7</i>	<i>28.7</i>	<i>23.0</i>
Travel	34.1	39.4	73.5	45.0	37.1	82.1	30.5	67.6	98.1	16.0	19.5
Contractual services incl. training	2,557.7	316.2	2,873.9	578.2	223.0	801.2	481.4	194.0	675.4	-125.8	-15.7
General operating expenses	1,130.5	613.9	1,744.4	1,789.7	2,342.5	4,132.2	1,823.7	2,355.3	4,179.0	46.8	1.1
Supplies and materials	24.3	16.6	40.9	100.0	30.0	130.0	100.0	10.0	110.0	-20.0	-15.4
Furniture and equipment	1,233.4	1,122.6	2,356.0	403.7	285.0	688.7	394.5	110.0	504.5	-184.2	-26.7
<i>Subtotal non-staff</i>	<i>4,980.0</i>	<i>2,108.7</i>	<i>7,088.7</i>	<i>2,916.6</i>	<i>2,917.6</i>	<i>5,834.2</i>	<i>2,830.1</i>	<i>2,736.9</i>	<i>5,567.0</i>	<i>-267.2</i>	<i>-4.6</i>
Distributed maintenance				-1,259.9	-1,038.0	-2,297.9	-1,108.0	-926.2	-2,034.2	263.7	-11.5
Total	6,506.6	2,912.0	9,418.6	3,298.4	2,920.5	6,218.9	3,679.3	3,220.2	6,899.5	680.6	10.9

Table 60. Sub-programme 3260: Proposed staffing for 2008

<i>Information and Communication Technologies Section</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic					1	1	4	3		9		13	13	22
	Situation-related						2	3			5		14	14	19
	<i>Subtotal</i>					<i>1</i>	<i>3</i>	<i>7</i>	<i>3</i>		<i>14</i>		<i>27</i>	<i>27</i>	<i>41</i>
New	Basic								1		1	1	2	3	4
	Situation-related												4	4	4
	<i>Subtotal</i>								<i>1</i>		<i>1</i>	<i>1</i>	<i>6</i>	<i>7</i>	<i>8</i>
<i>Total</i>						<i>1</i>	<i>3</i>	<i>7</i>	<i>4</i>		<i>15</i>	<i>1</i>	<i>33</i>	<i>34</i>	<i>49</i>

(f) Sub-programme 3280: Field Operations Section

Field Operations staff resources consists of 8 established posts (2 new) and 31.5 GTAs (4 new).

Staff resources

283. The additional situation-related resources are required to support the increasing scope of field operations being administered by the Court. The headquarters support staff has remained static with a section chief and a GS level assistant for the past two years, while the number of field operations has increased from two (Uganda and DRC) to six with the addition of two locations in Chad in September 2005, a second location in the DRC (Bunia) in May 2006, and in the CAR (Bangui) in August 2007. The workload indicators below illustrate the need for additional headquarters staff. Provision for general temporary assistance has been re-costed to bring the 2008 request into line with actual costs. The previous year included provision for travel, which has been separately identified with the submission. Moreover, the costs of the requested four new temporary staff can be absorbed from the re-costing exercise and do not represent an increase in resources.

Table 61. Workload indicators for Field Operations Section staff

Anticipated workload 2007	Number of FTE 2007	Anticipated workload 2008	Number of FTE 2008	Estimated capacity 2008 ⁽¹⁾	Shortfall with additional resources	Shortfall without additional resources
Number of monthly mission plans = 24	1	32	2	26	6	19
Number of yearly requisitions = 194	1	258	2	300	0	108

(1) For 2007, the shortfall in resources has been alleviated by the employment of a GTA to assist in mission planning.

One P-3 Logistics Officer

284. This resource is requested to ensure comprehensive coordination of all logistics operations in the field and provide support or stand-in as required in temporary replacement of Field Office Managers. This post is funded from savings in the GTA budget.

One GS-OL Logistics Assistant

285. This resource is requested to manage the increased workload resulting from the increase in field offices, which can no longer be absorbed by the current Logistics/Administrative Assistant. The resource will support the decentralization of SAP to all field offices and liaise with respective sections at headquarters to resolve field-related issues in a timely matter. Moreover, s/he will

support the new “public face” initiative for field offices. This post is funded from savings in the GTA budget.

General temporary assistance

286. Twenty GS-OL Drivers (18 for 12 months each, 2 for 6 months each): 16 drivers are in place in the various field offices and four additional drivers are being requested in 2008. Increased activities, locations and compliance with safety procedures require an increase in the number of vehicles and drivers.

Table 62. Workload indicators for Drivers

<i>Anticipated workload 2007</i>	<i>Number of FTE 2007</i>	<i>Anticipated workload 2008</i>	<i>Number of FTE 2008</i>	<i>Estimated capacity 2008</i>	<i>Shortfall with additional resources</i>	<i>Shortfall without additional resources</i>
Number of vehicles = 23 ⁽¹⁾	16	29 vehicles	20	29 vehicles	0	4 ⁽²⁾

(1) Currently, the Court has 23 vehicles and an additional four vehicles will be purchased in 2007.

(2) The Court’s ability to carry out its field activities is dependent upon the additional drivers requested.

287. Five GS-OL Administrative Assistants (12 months each, continued from 2007) are required to maintain routine logistic, administrative and financial functions in each of the field locations, under the overall supervision of the Field Office Manager.

288. Five GS-OL Cleaners (12 months each, continued from 2007) are required to clean office premises in the field locations.

289. One GS-OL Administrative Assistant (6 months, continued from 2007). This resource is shared with PIDS and will provide assistance during peak periods in performing generic administrative tasks and taking minutes.

Non-staff resources

Situation-related resources

Travel

290. Field offices host an increasing number of missions, which requires an increase in the DSA for drivers.

Contractual services including training

291. This cost mainly relates to the provision for first line medical support in the field for potential health issues, including paramedic and airlift assistance.

General operating expenses

292. The opening of the CAR field office requires additional operating costs. Provision will include maintenance of premises and utility costs for field offices (€142,000).

293. Maintenance of furniture and equipment reflects the increase in field operations and the consequent rise in assets requiring maintenance, such as vehicles, generators, air conditioning systems, etc. The regular use of armoured vehicles also entails additional maintenance requirements, given the conditions of the roads and nature of field trips (€80,000).

294. Provision is included for insurance coverage, MORSS compliance and transit costs in the field.

Supplies and materials

295. Reflects the increase in field operations and consequent rise in the demand for fuel and spare parts for vehicles (€20,000).

Furniture and equipment

296. Includes two additional 4-wheel drive vehicles for the DRC Kinshasa field office (€100,000).

297. The total increase of €386,700, less in-built costs of €47,100, less the difference in distributed maintenance costs of -€3,100 = net increase of €342,700.

Table 63. Sub-programme 3280: Proposed budget for 2008

<i>Field Operations Section</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			408.4		408.4	477.9		477.9	69.5	17.0
General Service staff				48.6		48.6	109.7		109.7	61.1	125.7
<i>Subtotal staff</i>		463.9	463.9		457.0	457.0		587.6	587.6	130.6	28.6
General temporary assistance		121.2	121.2		514.9	514.9		414.4	414.4	-100.5	-19.5
Consultants		24.9	24.9								
<i>Subtotal other staff</i>		146.1	146.1		514.9	514.9		414.4	414.4	-100.5	-19.5
Travel		78.2	78.2		55.6	55.6		120.3	120.3	64.7	116.4
Contractual services incl. training		70.5	70.5		426.8	426.8		351.9	351.9	-74.9	-17.5
General operating expenses		445.7	445.7		301.6	301.6		578.3	578.3	276.7	91.7
Supplies and materials		235.4	235.4		163.5	163.5		183.7	183.7	20.2	12.4
Furniture and equipment		113.2	113.2		24.0	24.0		97.0	97.0	73.0	304.2
<i>Subtotal non-staff</i>		943.0	943.0		971.5	971.5		1,331.2	1,331.2	359.7	37.0
Distributed maintenance					21.1	21.1		18.0	18.0	-3.1	-14.7
Total		1,553.0	1,553.0		1,964.5	1,964.5		2,351.2	2,351.2	386.7	19.7

Table 64. Sub-programme 3280: Proposed staffing for 2008

<i>Field Operations Section</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic														
	Situation-related						1	3			4	1	1	2	6
	<i>Subtotal</i>						1	3			4	1	1	2	6
New	Basic														
	Situation-related							1			1		1	1	2
	<i>Subtotal</i>							1			1		1	1	2
<i>Total</i>							1	4			5	1	2	3	8

3. Programme 3300: Division of Court Services

Introduction

298. The Division of Court Services (DCS) is responsible for the organizational support of courtroom hearings; ensuring the receipt, recording and distribution of information; providing efficient translation and interpretation services in both working languages of the Court as well as services in the official languages of the Court; operating an efficient system of detention which involves the arrival of persons subject to an arrest warrant or to a summons to appear in The Hague, interim release, liaising with the relevant authorities of the host State, custodial State and State of enforcement. Additionally, in cooperation with the Office of the Prosecutor, the Division facilitates arrest operations of persons for whom arrest warrants or summonses to appear have been issued by drafting requests for cooperation and arranging diplomatic, operational and judicial support in the field and in The Hague.

299. The DCS is also responsible for making security arrangements and providing other appropriate assistance for witnesses, victims who appear before the Court and others who are at risk on account of testimony. The DCS will work towards further development of protection mechanisms, including the successful relocation of witnesses.

300. For purposes of budgetary presentation, the Court Management Section (CMS – sub-programme 3320) is merged with the Office of the Head.

Objectives

1. Conduct five investigations and one trial, subject to external cooperation received (SO 1).
2. Put in place a system to address all security risks, striving for maximum security of all participants consistent with the Rome Statute (SO 2).
3. Develop policies for implementing the quality standards specified in the Statute and the Rules of Procedure and Evidence with respect to all participants in proceedings and persons otherwise affected by the Court's activities in a manner that is respectful of diversity (SO 3).
4. Develop situation-specific mechanisms to provide for all necessary cooperation, in particular the arrest and surrender of persons (SO 7).

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2008</i>
Objective 1 <ul style="list-style-type: none"> Support to Court sessions in accordance with the Regulations of the Court and the Regulations of the Registry. Efficient and effective services to requesting parties and to Chambers. 	<ul style="list-style-type: none"> Number of delays or interruptions attributable to the Division. Requests responded to within a week. 	10% maximum 90%
Objective 2 <ul style="list-style-type: none"> A well-ordered detention community. Efficient and effective support, protection and operational/logistical services to victims, witnesses and others at risk, regardless of location, subject to assessment. 	<ul style="list-style-type: none"> Number of incidents. Number of incidents due to inadequate protection. Positive ICRC reviews. Number of “good” or “very good” service reviews. 	(*) (*) 100% 75%
Objective 3 <ul style="list-style-type: none"> Strengthening terminological accuracy and consistency. Effective and accurate translation and interpretation (Court and field) with focus on rare languages 	<ul style="list-style-type: none"> Number of searches performed in language tools per month. Number of qualified interpreters for rare languages working for the Court. 	(*) (*)
Objective 4 <ul style="list-style-type: none"> Successful arrest operations. 	<ul style="list-style-type: none"> Number of complaints by participants, Chambers or civil society regarding arrest operations. Number of agreements with States, organizations and local stakeholders regarding services provided by the DCS. 	(*) (*)

* *The Court is working to develop baselines for these objectives.*

Table 65. Programme 3300: Proposed budget for 2008

Division of Court Services	Expenditure 2006 (thousands of euros)			Approved budget 2007 (thousands of euros)			Proposed budget 2008 (thousands of euros)			Resource growth	
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Amount	%
Professional staff	No breakdown available			2,626.9	2,860.1	5,487.0	2,886.6	3,621.8	6,508.4	1,021.4	18.6
General Service staff	No breakdown available			325.8	1,785.6	2,111.4	394.8	2,059.3	2,454.1	342.7	16.2
<i>Subtotal staff</i>	<i>2,291.8</i>	<i>2,389.5</i>	<i>4,681.3</i>	<i>2,952.7</i>	<i>4,645.7</i>	<i>7,598.4</i>	<i>3,281.4</i>	<i>5,681.1</i>	<i>8,962.5</i>	<i>1,364.1</i>	<i>18.0</i>
General temporary assistance	345.0	653.8	998.8	114.6	623.8	738.4	118.0	714.3	832.3	93.9	12.7
Temporary assistance for meetings	347.4	29.0	376.4	280.0	45.0	325.0	277.7	44.7	322.4	-2.6	-0.8
Overtime	0.1	0.2	0.3		30.0	30.0		30.0	30.0		
Consultants	24.0	85.2	109.2	11.0	99.0	110.0	11.0	207.2	218.2	108.2	98.4
<i>Subtotal other staff</i>	<i>716.5</i>	<i>768.2</i>	<i>1,484.7</i>	<i>405.6</i>	<i>797.8</i>	<i>1,203.4</i>	<i>406.7</i>	<i>996.2</i>	<i>1,402.9</i>	<i>199.5</i>	<i>16.6</i>
Travel	37.3	234.0	271.3	28.0	459.6	487.6	30.4	605.8	636.2	148.6	30.5
Contractual services incl. training	1,605.4	198.6	1,804.0	376.2	334.9	711.1	390.9	222.3	613.2	-97.9	-13.8
General operating expenses	2.0	161.4	163.4	1,494.9	1,843.4	3,338.3	1,100.0	2,006.5	3,106.5	-231.8	-6.9
Supplies and materials	6.4	52.9	59.3	30.6	103.4	134.0	30.5	116.0	146.5	12.5	9.3
Furniture and equipment	235.6	44.5	280.1	51.2	170.0	221.2	47.6	38.0	85.6	-135.6	-61.3
<i>Subtotal non-staff</i>	<i>1,886.7</i>	<i>691.4</i>	<i>2,578.1</i>	<i>1,980.9</i>	<i>2,911.3</i>	<i>4,892.2</i>	<i>1,599.4</i>	<i>2,988.6</i>	<i>4,588.0</i>	<i>-304.2</i>	<i>-6.2</i>
Distributed maintenance				134.8	256.0	390.8	122.7	184.4	307.1	-83.7	-21.4
Total	4,895.0	3,849.1	8,744.1	5,474.0	8,610.8	14,084.8	5,410.2	9,850.3	15,260.5	1,175.7	8.3

Table 66. Programme 3300: Proposed staffing for 2008

Division of Court Services		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P-staff and above	GS-PL	GS-OL	Total GS-staff	Total staff
Existing	Basic				1	3	7	11	4		26		6	6	32
	Situation-related						5	18	12	4	39	6	36	42	81
	<i>Subtotal</i>				<i>1</i>	<i>3</i>	<i>12</i>	<i>29</i>	<i>16</i>	<i>4</i>	<i>65</i>	<i>6</i>	<i>42</i>	<i>48</i>	<i>113</i>
New	Basic														
	Situation-related							1			1		2	2	3
	<i>Subtotal</i>							<i>1</i>			<i>1</i>		<i>2</i>	<i>2</i>	<i>3</i>
Redeployed /Returned	Basic						1				1		1	1	2
	Situation-related						-1				-1	-1		-1	-2
	<i>Subtotal</i>											<i>-1</i>	<i>1</i>		
<i>Total</i>					<i>1</i>	<i>3</i>	<i>12</i>	<i>30</i>	<i>16</i>	<i>4</i>	<i>66</i>	<i>5</i>	<i>45</i>	<i>51</i>	<i>116</i>

(a) Sub-programme 3310: Office of the Head / Court Management Section**Staff resources****Table 67. Workload indicators for the Court Management Section**

<i>Anticipated workload 2007</i>	<i>Number of FTE 2007</i>	<i>Anticipated workload 2008</i>	<i>Number of FTE 2008</i>	<i>Estimated capacity 2008</i>	<i>Shortfall with additional resources</i>	<i>Shortfall without additional resources</i>
Number of court sessions = 160	12	160	12	160	0	0
Number of original documents = 1,200	3	1,440	3	1,200	0	240
Number of written decisions/orders/judgments = 450	3	540	3	450	0	90

Basic resources**Redeployment***One GS-OL Administrative Assistant*

301. This post has been redeployed from situation-related resources to basic resources (with a re-classification from GS-PL to GS-OL against the 2007 budget), reflecting the fact that most duties relate to basic functions.

Situation-related resources*General temporary assistance*

302. One P-2 Associate Legal Officer (4 months, new) is required to develop a strategy for VWU to create a field support network, draft agreements with agencies, States and NGOs and conduct research to help develop strategies at the policy level.

303. Two GS-OL Court Reporters (English/French, 3 months each, new) are required to produce real-time transcripts of all court sessions and ensure uninterrupted services, especially during peak periods.

304. One GS-OL AV Assistant (1 month, new) is required to provide uninterrupted AV services during court proceedings.

Overtime

305. Occasional extended sitting hours of the Court as well as operations relating to remote witness testimony are expected to require courtroom staff to work overtime.

Consultants

306. Consultants will help review new applications to join the list of experts maintained by the Court (forensics, ballistics, psychology, etc). This item also includes payment for experts designated by a Chamber in order to prevent conflicts of interest. It further covers the recruitment of local consultants with appropriate experience for the different situations to arrange meetings with high-ranking officials, to implement urgent Chambers orders, to identify reliable local partners and provide useful insight on local mechanisms. Lastly, this item covers support for the ongoing improvement of real-time French court reporting.

Non-staff resources

Basic resources

Contractual services including training

307. This item includes training in contemporary records and court management as well as on e-Court matters. Some previously outsourced maintenance functions of the e-Court system have been replaced by in-house expertise.

General operating costs

308. This item includes maintenance of court reporting equipment and required customization of keyboards.

Supplies and materials

309. This item includes audio-visual tapes and disks for recording courtroom proceedings, copy requests and supplies and consumables for the Court Records Office.

Furniture and equipment

310. Reduced costs include enhancement of Court Records office equipment, such as additional scanners, additional dual screens, and back-up storage facilities for TEMPEST-processed information. The item also includes specialized archiving software and equipment (e.g. for bar coding) enabling efficient archiving of evidence and tapes produced during hearings.

Situation-related resources

Travel

311. Notification is a more complex operation than it has been for the ad hoc tribunals and will require senior level presence. In support of remote witness testimony, AV support staff and a Court officer will have to be present at remote locations.

Contractual services including training

312. Specialized training is required for court reporting and AV staff to enable the correct usage of state-of-the-art technology.

313. This item also includes enhancing capacity to deal with more complex operations, such as sensitization on how to work more efficiently with traumatized victims, or how to ensure that due process is respected in the management of evidence, notification and drafting of legal documents.

314. Further enhancements to the Court Management System are needed in the area of integration with other systems currently used in the Court.

General operating expenses

315. Includes satellite transmissions and video-teleconferencing associated with remote witness testimony.

Supplies and materials

316. Includes broadcast-quality video tapes, DVDs and other supplies for audio-visual support of court hearings, and the use of consumables for the provision and distribution of evidence used in court.

317. The total increase of €21,200, less in-built costs of €109,300, less the difference in distributed maintenance costs of -€28,700 = net decrease of €59,400.

Table 68. Sub-programme 3310: Proposed budget for 2008

<i>Office of the Director/CMS</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			452.8	331.8	784.6	478.4	362.2	840.6	56.0	7.1
General Service staff				108.6	965.5	1,074.1	169.2	958.2	1,127.4	53.3	5.0
<i>Subtotal staff</i>	<i>342.9</i>	<i>712.6</i>	<i>1,055.5</i>	<i>561.4</i>	<i>1,297.3</i>	<i>1,858.7</i>	<i>647.6</i>	<i>1,320.4</i>	<i>1,968.0</i>	<i>109.3</i>	<i>5.9</i>
General temporary assistance	121.3	23.1	144.4					69.0	69.0	69.0	
Overtime		0.2	0.2		30.0	30.0		30.0	30.0		
Consultants	15.7	2.9	18.6	11.0	15.0	26.0	11.0	89.4	100.4	74.4	286.2
<i>Subtotal other staff</i>	<i>137.0</i>	<i>26.2</i>	<i>163.2</i>	<i>11.0</i>	<i>45.0</i>	<i>56.0</i>	<i>11.0</i>	<i>188.4</i>	<i>199.4</i>	<i>143.4</i>	<i>256.1</i>
Travel	2.0	11.1	13.1	7.1	67.4	74.5	7.8	66.5	74.3	-0.2	-0.3
Contractual services incl. training	518.0	59.7	577.7	225.0	160.1	385.1	231.9	77.6	309.5	-75.6	-19.6
General operating expenses	2.0		2.0		30.0	30.0	5.0	30.0	35.0	5.0	16.7
Supplies and materials	0.9		0.9	13.1	84.4	97.5	13.0	97.0	110.0	12.5	12.8
Furniture and equipment	201.2		201.2	40.0	160.0	200.0	27.5	28.0	55.5	-144.5	-72.3
<i>Subtotal non-staff</i>	<i>724.1</i>	<i>70.8</i>	<i>794.9</i>	<i>285.2</i>	<i>501.9</i>	<i>787.1</i>	<i>285.2</i>	<i>299.1</i>	<i>584.3</i>	<i>-202.8</i>	<i>-25.8</i>
Distributed maintenance				25.3	73.6	98.9	25.2	45.0	70.2	-28.7	-29.0
Total	1,204.0	809.6	2,013.6	882.9	1,917.8	2,800.7	969.0	1,852.9	2,821.9	21.2	0.8

Table 69. Sub-programme 3310: Proposed staffing for 2008

<i>Office of the Director/CMS</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic				1	1		1	1		4		2	2	6
	Situation-related							2	2		4	4	13	17	21
	<i>Subtotal</i>				<i>1</i>	<i>1</i>		<i>3</i>	<i>3</i>		<i>8</i>	<i>4</i>	<i>15</i>	<i>19</i>	<i>27</i>
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
<i>Total</i>					<i>1</i>	<i>1</i>		<i>3</i>	<i>3</i>		<i>8</i>	<i>4</i>	<i>15</i>	<i>19</i>	<i>27</i>

(b) Sub-programme 3330: Detention Section**Staff resources**

318. The mission of the Detention Section (DS) is to hold in safe, secure and humane custody those persons detained under the authority of the Court and to strive to ensure their well-being whilst maintaining an efficient detention system. At present, the DS holds detained persons under the authority of the ICC and the Special Court for Sierra Leone (SCSL). Since the holding of the SCSL-detained person can have an impact on the safety and security of the ICC-detained person, the workload related to the SCSL-detained person has to be included in the workload indicators. Furthermore, due to additional layers of communications and procedures, the workload relating to the SCSL requires more resources than the workload relating to the ICC-detained person.

Table 70. Workload indicators for the Detention Section

<i>Anticipated workload 2007</i>	<i>Number of FTE 2007</i>	<i>Anticipated workload 2008</i>	<i>Number of FTE 2008</i>	<i>Estimated capacity 2008</i>	<i>Shortfall with additional resources</i>	<i>Shortfall without additional resources</i>
Number of transports outside Penitentiary Complex = 10	1	160	1	320	n/a	0
Hours of visit = 530	1	530	1	530	n/a	0
Number of detained persons = 1	1	1	1	1	n/a	0
Related to Special Court for Sierra Leone						
Number of transports outside Penitentiary Complex = 87	0.15	160	0.15	160	n/a	0
Visit hours = 424	0.15	800	0.15	200	n/a	600
Number of detained persons = 1	0.15	1	0.15	0.5	n/a	0.5

Situation-related resources*General temporary assistance*

319. Psychologist and/or psychiatrist services (continued from 2007): as required on a case-by-case basis, to ensure the well-being of the detained persons.

Non-staff resources**Situation-related resources***Travel*

320. This item is requested for the spouse and children of the indigent detained person. Costs include all travel and accommodation within the country of residence, costs associated with the visa application process, insurance and expenses relating to their stay in The Netherlands.¹⁰

Contractual services including training

321. Includes specific training relating to detention and prison management as well as human rights in an international context.

General operating expenses

322. Reduced on the basis of the offer of the Dutch authorities to provide six cells, of which five will be allocated in the Court's 2008 proposed budget and one will be charged to the Special Court for Sierra Leone.

¹⁰ Nine persons; similar number of people per family as in VWU's relocation programme.

Furniture and equipment

323. Equipment for the audio recording of monitored visits (in compliance with any order for monitoring of visits under regulation 184 of the Regulations of the Registry), and the provision of satellite TV channels from the region of the detained person, following the recommendation of the independent inspecting authority.

324. The total decrease of €351,000, less in-built costs of -€366,900, less the difference in distributed maintenance costs of -€3,100 = net increase of €19,000.

Table 71. Sub-programme 3330: Proposed budget for 2008

<i>Detention Section</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			192.7	76.2	268.9	206.4	87.4	293.8	24.9	9.3
General Service staff	No breakdown available			54.3		54.3	56.4		56.4	2.1	3.9
<i>Subtotal staff</i>	<i>178.3</i>	<i>57.7</i>	<i>236.0</i>	<i>247.0</i>	<i>76.2</i>	<i>323.2</i>	<i>262.8</i>	<i>87.4</i>	<i>350.2</i>	<i>27.0</i>	<i>8.4</i>
General temporary assistance	14.6		14.6		13.2	13.2		10.1	10.1	-3.1	-23.5
<i>Subtotal other staff</i>	<i>14.6</i>		<i>14.6</i>		<i>13.2</i>	<i>13.2</i>		<i>10.1</i>	<i>10.1</i>	<i>-3.1</i>	<i>-23.5</i>
Travel		14.9	14.9	2.7	29.3	32.0	2.9	31.7	34.6	2.6	8.1
Contractual services incl. training	948.6		948.6	1.2	2.1	3.3	1.5	18.3	19.8	16.5	500.0
General operating expenses		6.0	6.0	1,494.9	24.7	1,519.6	1,095.0	24.8	1,119.8	-399.8	-26.3
Supplies and materials		1.0	1.0	7.5		7.5	7.5		7.5		
Furniture and equipment	34.4	0.3	34.7	11.2		11.2	20.1		20.1	8.9	79.5
<i>Subtotal non-staff</i>	<i>983.0</i>	<i>22.2</i>	<i>1,005.2</i>	<i>1,517.5</i>	<i>56.1</i>	<i>1,573.6</i>	<i>1,127.0</i>	<i>74.8</i>	<i>1,201.8</i>	<i>-371.8</i>	<i>-23.6</i>
Distributed maintenance				12.6	3.5	16.1	10.8	2.2	13.0	-3.1	-19.3
Total	1,175.9	79.9	1,255.8	1,777.1	149.0	1,926.1	1,400.6	174.5	1,575.1	-351.0	-18.2

Table 72. Sub-programme 3330: Proposed staffing for 2008

<i>Detention Section</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic						1		1		2		1	1	3
	Situation-related								1		1				1
	<i>Subtotal</i>						<i>1</i>		<i>2</i>		<i>3</i>		<i>1</i>	<i>1</i>	<i>4</i>
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
<i>Total</i>							<i>1</i>		<i>2</i>		<i>3</i>		<i>1</i>	<i>1</i>	<i>4</i>

(c) Sub-programme 3340: Court Interpretation and Translation Section**Staff resources****Table 73. Workload indicators for the Court Interpretation and Translation Section**

<i>Anticipated workload 2007</i>	<i>Number of FTE 2007</i>	<i>Anticipated workload 2008</i>	<i>Number of FTE 2008</i>	<i>Estimated capacity 2008</i>	<i>Shortfall with additional resources⁽¹⁾</i>	<i>Shortfall without additional resources⁽²⁾</i>
Number of interpretation days	7.25	1,407	7.25	1,197	0	210
Number of words requested for translation into French	8.2	5,500,000 ⁽³⁾	8.2	2,500,000	2,050,000	3,000,000
Number of words requested for translation into English	4	1,200,000 ⁽³⁾	4	1,200,000	0	0
Translation to be carried out French	8.2	3,450,000	8	2,500,000	0	950,000
Translation to be carried out English	4	1,200,000	4	1,200,000	0	0

(1) Additional resources are understood to mean GTA and/or external interpretation and translation.

(2) Shortfall to be provided by freelance interpreters (130 days for the basic budget, 30 days for the situation-related budget).

(3) Estimate based on information from Chambers and the Presidency for both French and English; estimated 50 per cent into French, the rest being into English and other languages.

Basic resources*General temporary assistance*

325. One P-1 Assistant Translator (Arabic – 12 months, cost continued from 2007) is required to undertake urgent research and translation of article 50 documents.

326. One GS-OL Administrative Assistant (4 months, cost continued from 2007) is required to provide administrative support during peak periods, particularly in relation to recruiting freelance interpreters.

Situation-related resources

327. Funding is sought for the four posts below that were approved by the Assembly for the 2007 budget, with costs to be absorbed within Major Programme III.¹¹ However, for 2008, it will no longer be possible to absorb these costs from internal savings.

One P-4 Reviser (French)

328. With the increased workload of the French Translation Unit, a French Reviser is required to edit draft decisions prepared in French and revise translations of decisions into French. Current in-house French revision capacity is sufficient to revise 15 pages per day, as compared to the required level of 30 pages per day.

One P-4 Reviser (Arabic)

329. This resource will undertake translations from French and English into Arabic. There is no current in-house capacity for Arabic revision.

¹¹ See *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fifth session, The Hague, 23 November to 1 December 2006* (International Criminal Court publication, ICC-ASP/5/32), part II.D.2(a), para. 26.

One P-2 Associate Terminologist

330. This resource will create and maintain records of legal terminology and references using existing language tools. Current in-house capacity for terminology support in situation-related cases is only half of requirements.

One GS-PL Reference Assistant

331. This resource will provide language staff with relevant references and glossaries and undertake research as needed. Current in-house capacity is only half of requirements.

General temporary assistance

332. One P-1 Assistant Translator (Swahili – 12 months, cost continued from 2007) is required for the translation of case-related documents and to provide additional capacity for urgent translations into Swahili, as well as ensure consistency in Swahili terminology.

333. One P-1 Assistant Translator (French – 12 months, cost continued from 2007) is required for the translation of case-related documents and other urgent translations. Based on the number of pages requiring translation in pre-trial, trial and appeals proceedings in 2006, between 12,000 and 15,000 pages per year may be required for translation into French. Current in-house capacity for French translation is 5,000 pages per year.

334. One P-4 Reviser (English – six months, cost continued from 2007) is required to conduct specialized training in editing and revision for translators, interpreters and para-professional interpreters. There is no current in-house capacity for English revision in situation-related cases.

335. Field Interpreters (GS-PL – total 26.5 months, cost continued from 2007). This reflects increased requests for assistance in the various situations. In-house translators can only undertake field interpretation assignments when there are no court hearings.

336. Two P-1 Para-professional Interpreters (6.5 months each, cost continued from 2007) are required for relatively rare languages as required by new situations.

337. One GS-OL Administrative Assistant (12 months, cost continued from 2007) is required to provide administrative support in translation data management (TRIM and ACCESS databases) – over 200 entries per month in various translation databases.

338. One GS-OL Administrative Assistant (12 months, cost continued from 2007) is required to provide administrative support in the pioneer CMS module for translation, ensuring that workflows are maintained and notifications processed.

339. One GS-OL Administrative Assistant (12 months, new) is required to provide administrative support for the Chief of Section.

Temporary assistance for meetings

340. English and French, for a total of 30 interpreter days that cannot be covered by in-house staff.¹²

¹² Interpreter days as defined by regulations 64 and 65 of the Regulations of the Registry.

Consultants

341. Specialized linguists to provide additional expertise to in-house staff. This includes counselling services to ensure welfare of translation staff in field assignments, given their exposure to distressing testimony.

Non-staff resources

Situation-related resources

Travel

342. The lack of qualified field interpreters for common languages spoken in Darfur will require additional testing, accreditation and training missions by the Field Interpretation Coordinator to maintain a sufficient number of accredited field interpreters with relevant language combinations.

Contractual services including training

343. External translation: Reduced requirement to outsource translation of judicial documents.

344. External printing: To print four editions of the Terminology Bulletin (a multilingual glossary in all six official and situation languages).

345. The total increase of €718,800, less in-built costs of €688,900, less the difference in distributed maintenance costs of -€32,600 = net increase of €62,500.

Table 74. Sub-programme 3340: Proposed budget for 2008

<i>Court Interpretation and Translation Section</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			1,506.2	2,008.5	3,514.7	1,679.5	2,393.3	4,072.8	558.1	15.9
General Service staff	No breakdown available			108.6	117.6	226.2	112.8	244.2	357.0	130.8	57.8
<i>Subtotal staff</i>	<i>1,231.2</i>	<i>1,003.8</i>	<i>2,235.0</i>	<i>1,614.8</i>	<i>2,126.1</i>	<i>3,740.9</i>	<i>1,792.3</i>	<i>2,637.5</i>	<i>4,429.8</i>	<i>688.9</i>	<i>18.4</i>
General temporary assistance	136.5	623.5	760.0	114.6	579.3	693.9	118.0	635.2	753.2	59.3	8.5
Temporary assistance for meetings	347.4	29.0	376.4	280.0	45.0	325.0	277.7	44.7	322.4	-2.6	-0.8
Overtime	0.1		0.1								
Consultants	8.3	59.3	67.6		84.0	84.0		93.6	93.6	9.6	11.4
<i>Subtotal other staff</i>	<i>492.3</i>	<i>711.8</i>	<i>1,204.1</i>	<i>394.6</i>	<i>708.3</i>	<i>1,102.9</i>	<i>395.7</i>	<i>773.5</i>	<i>1,169.2</i>	<i>66.3</i>	<i>6.0</i>
Travel	22.6	16.9	39.5	7.0	70.3	77.3	8.4	103.9	112.3	35.0	45.3
Contractual services incl. training	138.8	9.0	147.8	150.0	172.7	322.7	157.5	126.4	283.9	-38.8	-12.0
Supplies and materials	5.5		5.5	10.0	10.0	20.0	10.0	10.0	20.0		
<i>Subtotal non-staff</i>	<i>166.9</i>	<i>25.9</i>	<i>192.8</i>	<i>167.0</i>	<i>253.0</i>	<i>420.0</i>	<i>175.9</i>	<i>240.3</i>	<i>416.2</i>	<i>-3.8</i>	<i>-0.9</i>
Distributed maintenance				71.6	91.2	162.8	65.0	65.2	130.2	-32.6	-20.0
Total	1,890.4	1,741.5	3,631.9	2,248.0	3,178.6	5,426.6	2,428.9	3,716.5	6,145.4	718.8	13.2

Table 75. Sub-programme 3340: Proposed staffing for 2008

<i>Court Interpretation and Translation Section</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic					1	5	8	1		15		2	2	17
	Situation-related						5	13	4	4	26	1	3	4	30
	<i>Subtotal</i>					<i>1</i>	<i>10</i>	<i>21</i>	<i>5</i>	<i>4</i>	<i>41</i>	<i>1</i>	<i>5</i>	<i>6</i>	<i>47</i>
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
Redeployed /Returned	Basic						1				1				1
	Situation-related						-1				-1				-1
	<i>Subtotal</i>														
<i>Total</i>						<i>1</i>	<i>10</i>	<i>21</i>	<i>5</i>	<i>4</i>	<i>41</i>	<i>1</i>	<i>5</i>	<i>6</i>	<i>47</i>

(d) Sub-programme 3350: Victims and Witnesses Unit**Staff resources**

346. An increase of VWU field movements is anticipated in relation to the commencement of trial and the relevant preparation of travel of witnesses to provide testimony. This increase in 2008 will be absorbed within existing VWU staff resources in the field.

347. Increase in movement is also anticipated in relation to the provision of witness support and protection in four situations, in particular with the opening of investigations in the Central African Republic (CAR) and the consequent requirement for VWU presence in the field. To handle this increase in workload, one Field Witness Officer (P-3) and one Protection/Operations Assistant (local GS-OL) posts to be located in the CAR are being requested.

Table 76. Workload indicators for the Victims and Witnesses Unit (field)

<i>Anticipated workload 2007</i>	<i>Number of FTE 2007</i>	<i>Anticipated workload 2008</i>	<i>Number of FTE 2008</i>	<i>Estimated capacity 2008</i>	<i>Shortfall with additional resources</i>	<i>Shortfall without additional resources</i>
Number of movements in the field (4 situations) = 1,143	19	2,033	21	2,033	0	193.5

348. A team of at least eight staff is required to support witnesses testifying at the seat of the Court. This comprises six Support Assistants providing 24/7 service for witnesses, one Operations Assistant, and one Field Assistant. Currently, 80 per cent of the Field Assistant's work time at the Operations Unit is dedicated to the performance of protection case management, which has increased six-fold since 2006. To facilitate the work of the Protection Unit and provide adequate support to witnesses for trial, one Protection Assistant (GS-OL) post is requested.

349. Absence of this post will hamper VWU's ability to provide adequate protection services to witnesses who have been accepted into the Court's Witness Protection Programme, and will adversely impact the Operations Unit's capability to perform its core function in view of the commencement of trial in 2008.

Table 77. Workload indicators for the Victims and Witnesses Unit (headquarters)

<i>Anticipated workload 2007</i>	<i>Number of FTE 2007</i>	<i>Anticipated workload 2008</i>	<i>Number of FTE 2008</i>	<i>Estimated capacity 2008</i>	<i>Shortfall with additional resources</i>	<i>Shortfall without additional resources</i>
Number of new witnesses in The Hague = 190	8	215	8	215	n/a	0

Situation-related resources*One P-3 Field Witness Officer*

350. The Field Witness Officer is required for the successful management of VWU witness operations in the Central African Republic to coordinate and supervise VWU activities, including maintaining local witness resettlement programmes; establish local protection protocols for the parties conducting investigations in the field; develop local protection capability, including Initial and Secondary Response Systems; and conduct threat assessments with respect to witnesses to be included in the Court's Witness Protection Programme.

One GS-OL Field Protection/Operations Assistant

351. The Field Protection/Operations Assistant is required in the Central African Republic to conduct protection and operations functions; implement protection measures and perform close protection duties as required; provide logistical and operational assistance, including during the movement of witnesses; assist in implementing protection protocols with local authorities; escort witnesses in the area of operations and during international travel as required; and monitor and analyse the socio-political and security situation in the area of operations.

One GS-OL Protection Assistant

352. The Protection Assistant will assist the Protection Officer in the case management of witnesses admitted to the Court's Witness Protection Programme; in reviewing confidential documents and material for the purpose of expunging protected information; ensuring confidentiality and security of protected witnesses; and developing training and education packages for investigators, trial teams, counsel and intermediaries. Previously, these tasks were performed by a VWU Field Assistant resulting in excessive overtime requirements (340 hours over a period of three months for one staff member).

Consultants

353. Expertise is required to conduct two forensic psychological assessments of specific witnesses within the Court's Witness Protection Programme. This also includes a review of VWU protection and operations systems.

Non-staff resources**Basic resources***Travel*

354. To negotiate witness relocation agreements and attend a witness protection conference to keep abreast of international best practices in this field.

Situation-related resources*Travel*

355. This item includes operational travel relating to the provision of witness protection and support services including witness escort travel for trial purposes. It also includes travel by one VWU staff member in advance of relocation to establish contact and coordinate action with the key stakeholders at the operational level within the local authorities to ensure that the witness and his/her family settle promptly and adapt to the new environment.

General operating expenses

356. The increase in general operating expenses relates to the movement of witnesses for trial, witness relocation and resettlement purposes, including rental of safe houses, establishment, maintenance, and testing of an Initial Response System in all four situation countries.

357. The total increase of €786,700, less in-built costs of €398,200, less the difference in distributed maintenance costs of -€19,300 = net increase of €407,800.

Table 78. Sub-programme 3350: Proposed budget for 2008

<i>Victims and Witnesses Unit</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			475.2	443.6	918.8	522.3	778.9	1,301.2	382.4	41.6
General Service staff	No breakdown available			54.3	702.5	756.8	56.4	856.9	913.3	156.5	20.7
<i>Subtotal staff</i>	<i>539.4</i>	<i>615.4</i>	<i>1,154.8</i>	<i>529.5</i>	<i>1,146.1</i>	<i>1,675.6</i>	<i>578.7</i>	<i>1,635.8</i>	<i>2,214.5</i>	<i>538.9</i>	<i>32.2</i>
General temporary assistance	72.6	7.2	79.8		31.3	31.3				-31.3	-100.0
Consultants		23.0	23.0					24.2	24.2	24.2	
<i>Subtotal other staff</i>	<i>72.6</i>	<i>30.2</i>	<i>102.8</i>		<i>31.3</i>	<i>31.3</i>		<i>24.2</i>	<i>24.2</i>	<i>-7.1</i>	<i>-22.7</i>
Travel	12.7	191.1	203.8	11.2	292.6	303.8	11.3	403.7	415.0	111.2	36.6
Contractual services incl. training		129.9	129.9								
General operating expenses		155.4	155.4		1,788.7	1,788.7		1,951.7	1,951.7	163.0	9.1
Supplies and materials		51.9	51.9		9.0	9.0		9.0	9.0		
Furniture and equipment		44.2	44.2		10.0	10.0		10.0	10.0		
<i>Subtotal non-staff</i>	<i>12.7</i>	<i>572.5</i>	<i>585.2</i>	<i>11.2</i>	<i>2,100.3</i>	<i>2,111.5</i>	<i>11.3</i>	<i>2,374.4</i>	<i>2,385.7</i>	<i>274.2</i>	<i>13.0</i>
Distributed maintenance				25.3	87.7	113.0	21.7	72.0	93.7	-19.3	-17.1
Total	624.7	1,218.1	1,842.8	566.0	3,365.4	3,931.4	611.7	4,106.4	4,718.1	786.7	20.0

Table 79. Sub-programme 3350: Proposed staffing for 2008

<i>Victims and Witnesses Unit</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic					1	1	2	1		5		1	1	6
	Situation-related							3	5		8	1	20	21	29
	<i>Subtotal</i>					<i>1</i>	<i>1</i>	<i>5</i>	<i>6</i>		<i>13</i>	<i>1</i>	<i>21</i>	<i>22</i>	<i>35</i>
New	Basic														
	Situation-related							1			1		2	2	3
	<i>Subtotal</i>							<i>1</i>			<i>1</i>		<i>2</i>	<i>2</i>	<i>3</i>
<i>Total</i>						<i>1</i>	<i>1</i>	<i>6</i>	<i>6</i>		<i>14</i>	<i>1</i>	<i>23</i>	<i>24</i>	<i>38</i>

4. Programme 3400: Public Information and Documentation Section

Introduction

358. In 2007, this Section was reorganized to better reflect its operations. It is composed of four units: Library and Documentation, Public Affairs, Outreach, and Protocol and Events. The office of the Head of the Section manages and oversees the work of the units.

359. Outreach to local populations in areas affected by situations under investigation continues to be the priority of the Section. Nearly 60 per cent of existing positions and more than half of the proposed budget will be devoted to the Court's outreach activities. The Outreach Unit works closely with the Public Affairs Unit, in particular, with regard to media training, production of outreach materials and maintenance of the web page.

Objectives

1. Cultivate a level of awareness and understanding of the Court appropriate to the stage of the Court's activities in affected communities (SO 6).
2. Constantly increase support for the Court through enhancing communication and mutual understanding with stakeholders, stressing the Court's role and its independence (SO 8).
3. Develop and implement a structure to ensure publicity of all proceedings for local and global audiences (SO 9).
4. Put in place a system of programmes to achieve identified optimal levels of quality with maximum efficiency (SO 12).

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2008</i>
Objective 1 <ul style="list-style-type: none"> Increased awareness and understanding at grassroots levels of Court activities. Increased applications by victims to participate in proceedings. Realistic expectations about the scope of the work of the Court. 	<ul style="list-style-type: none"> Number of base surveys. Number of interviews with focus groups. Estimated population reached via radio and television. Proportion of properly filled victims' applications submitted. Number of random interviews with typical members of a target group. 	4 per situation 24 per situation 80% of affected communities 75% 120 per situation
Objective 2 <ul style="list-style-type: none"> Operation of the Court is well known. 	<ul style="list-style-type: none"> Performance indicators used to assess Objective 1 will also serve to measure Objective 2 (cross information). Number of visitors briefed. 	10,300
Objective 3 <ul style="list-style-type: none"> Increased access to Court judicial proceedings. 	<ul style="list-style-type: none"> Estimated population reached. Number of viewing sites operating. Increased number of visitors to the Court's web-site video-streaming service. Number of publications and outreach materials distributed. Internal and external clients satisfied with the service provided. 	30% 2 30% 70,000 90%
Objective 4 <ul style="list-style-type: none"> Legal and other information resources readily available from the Library. 	<ul style="list-style-type: none"> Number of users of the Library Intranet section. User satisfaction with Library services. 	3,600 90%

Staff resources

360. Due to the prevailing situation in Dafur and the Central African Republic, PIDS will not be able to conduct all the outreach activities envisaged.

361. Should the current GTA post be approved, no shortfall is envisaged regarding SAP entries.

362. The shortfall relating to the Library cannot be absorbed with existing resources. However resources will be sought from within the Registry.

Table 80. Workload indicators for the Public Information and Documentation Section

<i>Anticipated workload 2007</i>	<i>Number of FTE 2007</i>	<i>Anticipated workload 2008</i>	<i>Number of FTE 2008</i>	<i>Estimated capacity 2008</i>	<i>Shortfall with additional resources</i>	<i>Shortfall without additional resources</i>
Number of outreach activities in connection with Darfur = 4	2 ⁽¹⁺²⁾	84	3	72	12	36
Number of outreach activities in connection with the CAR = 0	0	84	2 ⁽²⁾	48	36	60
Number of in-house layouts and publications designed = 24	1	24	1	24	0	0
Number of SAP entries to support field outreach activities = 240	0.5	360	0.5	360 ⁽³⁾	0	0
Number of books to be catalogued = 1,000	4	2,000	4	1,000	n/a ⁽⁴⁾	1,000
Number of books to be processed, shelved, relocated and re-spaced = 22,500	4	30,000	4	22,500	n/a ⁽⁴⁾	7,500

(1) Output of only four activities in 2007 is due to two posts not being filled as a result of difficulties in identifying suitable local staff.

(2) One FTE has been redeployed from Darfur to the Central African Republic.

(3) This assumes the requested GTA post is approved to cover the effort.

(4) Two additional staff would be required to eliminate the shortfall.

Basic resources

One GS-OL Graphic Designer

363. This position is currently filled with GTA. A comparative study and experience have shown that having in-house graphic design capacity is less expensive than outsourcing. Duties include preparation of layouts of Court public information and outreach products. The Court is adding more publications as the profile of the Court's outreach activities rises and new target groups request new products.

Situation-related resources

Two P-2 Field Outreach Coordinators

364. These resources will advise headquarters on the direction of outreach initiatives; measure effectiveness of the Court's outreach programme; design and implement outreach activities; and develop and advise on press strategies. The Coordinators will lead and supervise the work of the field outreach teams. They will also act as spokespersons. One will be located in the Central African Republic. The other will handle the situation in Darfur, where the Court's outreach is raising its profile, raising awareness, and sensitizing Sudanese refugees in Chad as well as enhancing trust and network building with diaspora groups. This provision amounts to €155,000.

General temporary assistance

365. One GS-OL Receptionist for the D wing (12 months, continued from 2007) is required to ensure that trials are accessible to the general public and in order to have a secure entrance, the D wing requires a full-time receptionist to assist visitors.

366. One GS-OL Administrative Assistant (6 months, continued from 2007) is required to support outreach activities. The post is shared with the Field Operations Section.

Non-staff resources

Basic resources

Contractual services including training

367. Training includes specialized training by the International Association of Law Librarians and the European Unicorn User Group Conference.

368. External printing: outsourcing of printing of materials has been reduced. Distribution of information kits has been reorganized, with greater emphasis on digital versions of materials, depending on the audience at Court briefings.

369. Other contractual services include the costs for inter-library loans and bindings. They also include monitoring of media.

Supplies and materials

370. To procure books and serials for the Library. This provision has been reduced to partly fund the software licences required by the Court.

Furniture and equipment

371. Includes extra software licences to allow increased access to electronic databases (instead of printed sources), thus facilitating research.

Situation-related resources

Travel

372. Travel is required for planned missions to the four situations under investigation, including increased internal travel to areas where affected communities are concentrated. This item also includes travel of Field Outreach and Media Coordinators to headquarters.

Contractual services including training

373. In each situation, existing networks and coalitions are used to enhance outreach and increase the impact of activities. Activities include projection of outreach videos during town/village meetings, drama and singing performances during town/village meetings, public campaigns through radio and television broadcasts, placement of thematic posters in key locations in towns and villages and meetings with representatives of target groups. They also include use of third parties to train journalists on media coverage of Court proceedings and activities, and contractual services to evaluate and report on impacts and achievements.

General operating expenses

374. For 2008, costs for video streaming and related items will be absorbed by ICT.

375. The total increase of €567,600, less in-built costs of €422,700, less the difference in distributed maintenance costs of -€7,400 = net increase of €152,300.

Table 81. Programme 3400: Proposed budget for 2008

<i>Public Information and Documentation Section</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			589.1	180.4	769.5	841.4	494.4	1,335.8	566.3	73.6
General Service staff	No breakdown available			290.4	168.5	458.9	313.4	188.3	501.7	42.8	9.3
<i>Subtotal staff</i>	<i>581.6</i>	<i>38.8</i>	<i>620.4</i>	<i>879.5</i>	<i>348.9</i>	<i>1,228.4</i>	<i>1,154.8</i>	<i>682.7</i>	<i>1,837.5</i>	<i>609.1</i>	<i>49.6</i>
General temporary assistance	353.7	27.6	381.3	62.5	62.6	125.1		94.1	94.1	-31.0	-24.8
Overtime	3.1		3.1								
Consultants	7.8	19.0	26.8								
<i>Subtotal other staff</i>	<i>364.6</i>	<i>46.6</i>	<i>411.2</i>	<i>62.5</i>	<i>62.6</i>	<i>125.1</i>		<i>94.1</i>	<i>94.1</i>	<i>-31.0</i>	<i>-24.8</i>
Travel	8.5	40.9	49.4	11.6	46.6	58.2	14.0	76.0	90.0	31.8	54.6
Contractual services incl. training	174.8	168.9	343.7	75.0	655.0	730.0	65.7	802.7	868.4	138.4	19.0
General operating expenses				7.0	150.0	157.0	7.0		7.0	-150.0	-95.5
Supplies and materials	249.2		249.2	223.3		223.3	160.0		160.0	-63.3	-28.3
Furniture and equipment					45.0	45.0	70.0	15.0	85.0	40.0	88.9
<i>Subtotal non-staff</i>	<i>432.5</i>	<i>209.8</i>	<i>642.3</i>	<i>316.9</i>	<i>896.6</i>	<i>1,213.5</i>	<i>316.7</i>	<i>893.7</i>	<i>1,210.4</i>	<i>-3.1</i>	<i>-0.3</i>
Distributed maintenance				50.6	45.6	96.2	50.6	38.2	88.8	-7.4	-7.7
Total	1,378.7	295.2	1,673.9	1,309.5	1,353.7	2,663.2	1,522.1	1,708.7	3,230.8	567.6	21.3

Table 82. Programme 3400: Proposed staffing for 2008

<i>Public Information and Documentation Section</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic					1	3	1	3		8		5	5	13
	Situation-related								4		4	3	8	11	15
	<i>Subtotal</i>					<i>1</i>	<i>3</i>	<i>1</i>	<i>7</i>		<i>12</i>	<i>3</i>	<i>13</i>	<i>16</i>	<i>28</i>
New	Basic												1	1	1
	Situation-related								2		2				2
	<i>Subtotal</i>								<i>2</i>		<i>2</i>		<i>1</i>	<i>1</i>	<i>3</i>
<i>Total</i>						<i>1</i>	<i>3</i>	<i>1</i>	<i>9</i>		<i>14</i>	<i>3</i>	<i>14</i>	<i>17</i>	<i>31</i>

5. Programme 3500: Division of Victims and Counsel

Introduction

376. In accordance with the Rome Statute and the Rules of Procedure and Evidence, the Division of Victims and Counsel (DVC) focuses on ensuring the awareness and full exercise of the rights of victims and accused persons/suspects. The Division is tasked with ensuring that both the defence and victims have the necessary means to participate in proceedings before the Court. To this end, the Division manages the Court's legal aid scheme to enable indigent victims and accused persons/suspects to be provided with adequate and reasonable resources for the effective and efficient preparation of their cases.

377. All previous year expenditures of the approved budgets for the Office of the Head, Defence Support Section (DSS) and Victims Participation and Reparations Section (VPRS) have been consolidated under the Office of the Head as a result of the merging of these three sections for budget presentation purposes.

Objectives

1. Develop policies for implementing the quality standards specified in the Statute and the Rules of Procedure and Evidence with respect to all participants in proceedings and persons otherwise affected by the Court's activities, in a manner that is respectful of diversity (SO 3).
2. Cultivate a level of awareness and understanding of the Court appropriate to the stage of the Court's activities in affected communities (SO 6).
3. Put in place a system of programmes to achieve identified optimal levels of quality with maximum efficiency (SO 12).

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target</i>
<p>Objective 1</p> <ul style="list-style-type: none"> • Provision of legal assistance and/or advice for the purpose of proceedings before the Court. • Preparation of suitable material for legal representatives' teams or for defence teams. • Compliance with strict confidentiality rules by all staff members of the units within the programme. • Availability of transparent criteria for providing legal support to legal teams. 	<ul style="list-style-type: none"> • Number of legal representations provided. • Number of legal advisory services provided. • Number of reports and other applicable documents. • Number of justified claims in relation to actions carried out by the Office on behalf of legal representatives' teams. • Policy document prepared. • Number of incidents of improper handling of confidential information. • Number of justified claims in relation to breach of confidentiality. • Policy document prepared. 	<p>15</p> <p>300</p> <p>40</p> <p>None</p> <p>95%</p> <p>None</p> <p>None</p> <p>95%</p>
<p>Objective 2</p> <ul style="list-style-type: none"> • Suspects, accused persons, and victims' communities are respectively made aware of their fair trial rights, and their rights to participate and to reparations. 	<ul style="list-style-type: none"> • Number of applications from victims using the standard application forms. • Number of suspect and accused persons using the relevant application forms for legal assistance paid by the Court. • Number of intermediaries. 	<p>>75%</p> <p>>95%</p> <p>10</p>
<p>Objective 3</p> <ul style="list-style-type: none"> • Effective system for legal assistance paid by the Court. • Effective system to process applications from victims. 	<ul style="list-style-type: none"> • Number of requests for legal assistance paid by the Court. • Number of lawyers in good standing in their national systems. • Proportion of payments made within one month. • Number of applications from victims registered and acknowledged within seven days of receipt. • Number of applications from victims entered into the database within 30 days of receipt. 	<p>(*)</p> <p>200</p> <p>95%</p> <p>95%</p> <p>95%</p>
<ul style="list-style-type: none"> • Training of legal professionals and lawyers in targeted countries on proceedings before the Court. 	<ul style="list-style-type: none"> • Number of lawyers trained per annum. • Number of international associations receiving briefings from Court representatives per annum. 	<p>>40</p> <p>>5</p>

(*) As all victims applying for participation in the proceedings are likely to apply for legal assistance, it is not currently possible to reasonably estimate the number of requests.

Table 83. Programme 3500: Proposed budget for 2008

<i>Division of Victims and Counsel</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			1,106.9	781.9	1,888.8	1,160.5	1,120.7	2,281.2	392.4	20.8
General Service staff				271.5	423.7	695.2	344.7	273.9	618.6	-76.6	-11.0
<i>Subtotal staff</i>	<i>993.0</i>	<i>222.0</i>	<i>1,215.0</i>	<i>1,378.4</i>	<i>1,205.6</i>	<i>2,584.0</i>	<i>1,505.2</i>	<i>1,394.6</i>	<i>2,899.8</i>	<i>315.8</i>	<i>12.2</i>
General temporary assistance	159.6	47.5	207.1	91.5		91.5	31.4	161.9	193.3	101.8	111.3
Overtime	1.2	0.9	2.1								
Consultants				16.0		16.0	8.0		8.0	-8.0	-50.0
<i>Subtotal other staff</i>	<i>160.8</i>	<i>48.4</i>	<i>209.2</i>	<i>107.5</i>		<i>107.5</i>	<i>39.4</i>	<i>161.9</i>	<i>201.3</i>	<i>93.8</i>	<i>87.3</i>
Travel	53.9	39.6	93.5	15.2	92.7	107.9	37.9	109.2	147.1	39.2	36.3
Contractual services incl. training	47.1	898.0	945.1	12.6	1,539.3	1,551.9	19.4	1,854.0	1,873.4	321.5	20.7
General operating expenses					28.6	28.6		38.0	38.0	9.4	32.9
Supplies and materials	2.7		2.7				0.7		0.7	0.7	0.7
<i>Subtotal non-staff</i>	<i>103.7</i>	<i>937.6</i>	<i>1,041.3</i>	<i>27.8</i>	<i>1,660.6</i>	<i>1,688.4</i>	<i>58.0</i>	<i>2,001.2</i>	<i>2,059.2</i>	<i>370.8</i>	<i>22.0</i>
Distributed maintenance				67.3	66.6	133.9	61.3	42.7	104.0	-29.9	-22.3
Total	1,257.5	1,208.0	2,465.5	1,581.0	2,932.8	4,513.8	1,663.9	3,600.4	5,264.3	750.5	16.6

Table 84. Programme 3500: Proposed staffing for 2008

<i>Division of Victims and Counsel</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic					3	2	2	4		11		5	5	16
	Situation-related						2	3	4	3	12		7	7	19
	<i>Subtotal</i>					3	4	5	8	3	23		12	12	35
New	Basic												1	1	1
	Situation-related														
	<i>Subtotal</i>												1	1	1
<i>Total</i>						3	4	5	8	3	23		13	13	36

(a) Sub-programme 3510: Office of the Head / DSS / VPRS**Staff resources**

378. The actual commencement of a trial in late 2007/early 2008 will result in an increase in the number of applications to be included in the various lists maintained by the DSS. The shortfall cannot be absorbed without the recruitment of an additional staff member at the GS-OL level.

379. The fourth situation, coupled with judicial developments in the first and second cases in the DRC situation, will result in an increase in the assistance to be provided to suspects/accused persons and their legal teams. The shortfall will be absorbed by prioritizing the work of the DSS.

Table 85. Workload indicators for the Defence Support Section

<i>Anticipated workload 2007</i>	<i>Number of FTE 2007</i>	<i>Anticipated workload 2008</i>	<i>Number of FTE 2008</i>	<i>Estimated capacity 2008</i>	<i>Shortfall with additional resources</i>	<i>Shortfall without additional resources</i>
Number of applications to be included in the lists ⁽¹⁾ = 200	1	600	1	300	100	300
Number of assistance services ⁽²⁾ to suspects/accused persons and their Counsel = 80	1	150	1	100	n/a	50
Number of communications and consultations with the legal profession = 3	1	3	1	3	0	0

(1) *The Section manages the separate lists of counsel, professional investigators and assistants.*

(2) *Primarily logistical support.*

380. An increase in the number of applications received from victims is expected in 2008 in view of reparations proceedings and the fourth situation. Internal management efficiencies and the fact that field staff will be in place for the full year will enable VPRS to absorb this increase. However, if the increase exceeds the anticipated amount, the time taken to process each application will lengthen.

381. The conduct of a trial in 2008 coupled with a possible second case in the DRC situation and the fact that legal representatives may be appointed in the other two situations will result in an increase in activities relating to the organization of the legal representation of victims and to the assistance to be provided to their legal teams. The staff resources of VPRS will be reorganized, particularly during peak times of need, in order to accommodate the increase.

Table 86. Workload indicators for the Victims Participation and Reparations Section

<i>Anticipated workload 2007</i>	<i>Number of FTE 2007</i>	<i>Anticipated workload 2008</i>	<i>Number of FTE 2008</i>	<i>Estimated capacity 2008</i>	<i>Shortfall with additional resources</i>	<i>Shortfall without additional resources</i>
Number of applications from victims = 400	3	600	3	400	n/a	200
Number of assistance services to victims and their legal representatives = 10	1	50	1	60	n/a	10
Number of field activities = 4	6	4	6	3	n/a	1

Basic resources

One GS-OL Administrative Assistant

382. This resource is required to check the good standing of counsel on the lists maintained by the Defence Support Section (more than 300 communications with national authorities expected) and ensure the proper monitoring of the legal aid scheme (reporting of all payments made to legal team members pursuant to requests by the Committee on Budget and Finance).¹³ The position is currently filled by GTA funding.

Non-staff resources

Basic resources

Travel

383. This item includes meetings with bar associations, associations of counsel, and related legal conferences and seminars.

Situation-related resources

Travel

384. Based on actual expenditures in 2006 and 2007 and on anticipated procedural activity in the four situations in 2008.

Contractual services including training

385. The additional amount for counsel is a direct result of the review of the Court's legal aid scheme presented to the Committee at its April 2007 session. The increase of €325,800 for victims' legal representatives is due in particular to updated remuneration levels for members of legal teams and the addition of a budget for investigations, as well as to the assumption that the trial will last 12 months, including the provision for an expanded core team for the reparations phase (3 months).

386. The total increase of €487,400, less in-built costs of €138,900, less the difference in distributed maintenance costs of -€16,900 = net increase of €365,400.

¹³ See *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fourth session, The Hague, 28 November to 3 December 2005* (International Criminal Court publication, ICC-ASP/4/32), part II.B.6(a), para. 53.

Table 87. Sub-programme 3510: Proposed budget for 2008

Office of the Head/DSS/VPRS	Expenditure 2006 (thousands of euros)			Approved budget 2007 (thousands of euros)			Proposed budget 2008 (thousands of euros)			Resource growth	
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Amount	%
Professional staff	No breakdown available			770.9	217.1	988.0	816.1	345.7	1,161.8	173.8	17.6
General Service staff				162.9	315.1	478.0	231.9	273.9	505.8	27.8	5.8
<i>Subtotal staff</i>	830.6	10.6	841.2	933.8	532.2	1,466.0	1,048.0	619.6	1,667.6	201.6	13.8
General temporary assistance	54.3	21.3	75.6	91.5		91.5	31.4		31.4	-60.1	-65.7
Overtime	1.2	0.9	2.1								
Consultants				16.0		16.0	8.0		8.0	-8.0	-50.0
<i>Subtotal other staff</i>	55.5	22.2	77.7	107.5	0.0	107.5	39.4	0.0	39.4	-68.1	-63.3
Travel	51.8	32.7	84.5	7.6	43.4	51.0	30.4	66.2	96.6	45.6	89.4
Contractual services incl. training	47.1	898.0	945.1	6.6	1,499.3	1,505.9	19.4	1,812.3	1,831.7	325.8	21.6
General operating expenses					28.6	28.6		28.0	28.0	-0.6	-2.1
<i>Subtotal non-staff</i>	98.9	930.7	1,029.6	14.2	1,571.3	1,585.5	49.8	1,906.5	1,956.3	370.8	23.4
Distributed maintenance				46.3	38.6	84.9	43.3	24.7	68.0	-16.9	-19.9
Total	985.0	963.5	1,948.5	1,101.8	2,142.1	3,243.9	1,180.5	2,550.8	3,731.3	487.4	15.0

Table 88. Sub-programme 3510: Proposed staffing for 2008

Office of the Head/DSS/VPRS		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P-staff and above	GS-PL	GS-OL	Total GS-staff	Total staff
Existing	Basic					1	2	2	3		8		3	3	11
	Situation-related							1	2	1	4		7	7	11
	<i>Subtotal</i>					1	2	3	5	1	12		10	10	22
New	Basic												1	1	1
	Situation-related														
	<i>Subtotal</i>												1	1	1
<i>Total</i>						1	2	3	5	1	12		11	11	23

(b) Sub-programme 3540: Office of Public Counsel for the Defence**Staff resources**

387. As part of its mandate, the Office of Public Counsel for the Defence (OPCD) provides research and assistance to defence teams and ad hoc counsel. Failure to obtain additional resources would result in the OPCD not being able to provide legal research and advice in a timely manner. At current staffing levels, the OPCD will not be able to provide 100 legal research and advice memoranda. If the OPCD is provided with an additional P-4 (9 months), it is expected that there will only be a shortfall of 63 legal research and advice memoranda. The OPCD will seek to address this shortfall by requesting a reallocation of resources within the Registry.

388. Under the Statute, the OPCD can be appointed by a Chamber as ad hoc counsel in a situation and requested to present written or oral submissions concerning the impact of a legal issue on the rights of the defence. At current staffing levels, in 2008, it is expected that there will be a shortfall of two ad hoc counsel appointments. With additional resources (1 P-4, 9 months), there will be no shortfall. Failure to obtain additional resources would result in the OPCD being unable to comply with judicial orders and failing to file submissions within the deadline set by Chambers.

389. The OPCD can be ordered by a Chamber or requested by a defence team to present oral submissions in Court on specific legal issues. At current staffing levels, it is expected that there will be a shortfall of 10 hearings. There will be no shortfall, assuming the GTA post requested is approved. Failure to obtain this resource would result in the OPCD being unable to comply with judicial orders in a timely manner and failing to provide legal assistance to a defence team.

Table 89. Workload indicators for the Office of Public Counsel for the Defence

<i>Anticipated workload 2007</i>	<i>Number of FTE 2007</i>	<i>Anticipated workload 2008</i>	<i>Number of FTE 2008</i>	<i>Estimated capacity 2008</i>	<i>Shortfall with additional resources</i>	<i>Shortfall without additional resources</i>
Number of research and legal advisory services= 48	1	150	1	50	63 ⁽¹⁾	100
Number of appointments as ad hoc counsel = 4	1	12	2	10	0	2
Attendance at Court hearings (specific issues) = 20	1	40	2	30	0	10
Number of duty counsel = 3	1	6	2	6	0	0

(1) See paragraph 384

Situation-related resources*General temporary assistance*

390. One P-4 Counsel/Legal Adviser (9 months, new) is required to prepare the legal position of the OPCD on all issues concerning the rights of the defence at the investigations stage or on specific issues that may arise if the OPCD is expressly appointed as ad hoc counsel for a particular issue or situation.

Non-staff resources**Basic resources***Travel*

391. This item is required to share legal resources and research, as well as to benefit from the experience and expertise of other defence offices at international tribunals.

Situation-related resources*Travel*

392. This item is required to facilitate the ability of the OPCD to act as duty counsel to represent a suspect in the field or to represent the rights of the defence in relation to a given investigative opportunity in the field.

393. The total increase of €140,500, less in-built costs of €45,000, less the difference in distributed maintenance costs of -€3,700 = net increase of €99,200.

Table 90. Sub-programme 3540: Proposed budget for 2008

<i>Office of Public Counsel for the Defence</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			129.9	76.2	206.1	128.5	174.8	303.3	97.2	47.2
General Service staff				54.3	54.3	108.6	56.4		56.4	-52.2	-48.1
<i>Subtotal staff</i>	<i>3.3</i>		<i>3.3</i>	<i>184.2</i>	<i>130.5</i>	<i>314.7</i>	<i>184.9</i>	<i>174.8</i>	<i>359.7</i>	<i>45.0</i>	<i>14.3</i>
General temporary assistance	80.4		80.4					99.2	99.2	99.2	
<i>Subtotal other staff</i>	<i>80.4</i>		<i>80.4</i>					<i>99.2</i>	<i>99.2</i>	<i>99.2</i>	
Travel				3.8	16.7	20.5	3.8	16.0	19.8	-0.7	-3.4
Contractual services incl. training					20.0	20.0		16.7	16.7	-3.3	-16.5
General operating expenses								4.0	4.0	4.0	
<i>Subtotal non-staff</i>				<i>3.8</i>	<i>36.7</i>	<i>40.5</i>	<i>3.8</i>	<i>36.7</i>	<i>40.5</i>		
Distributed maintenance				8.4	7.0	15.4	7.2	4.5	11.7	-3.7	-24.0
Total	83.7		83.7	196.4	174.2	370.6	195.9	315.2	511.1	140.5	37.9

Table 91. Sub-programme 3540: Proposed staffing for 2008

<i>Office of Public Counsel for the Defence</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic					1					1		1	1	2
	Situation-related								1	1	2				2
	<i>Subtotal</i>					<i>1</i>			<i>1</i>	<i>1</i>	<i>3</i>		<i>1</i>	<i>1</i>	<i>4</i>
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
<i>Total</i>						<i>1</i>			<i>1</i>	<i>1</i>	<i>3</i>		<i>1</i>	<i>1</i>	<i>4</i>

(c) Sub-programme 3550: Office of Public Counsel for Victims**Staff resources**

394. It should be noted that out of the nine staff members provided for in the budget for the Office of Public Counsel for Victims (OPCV), two are not jurists and therefore do not perform legal research. Legal research is performed by the two Legal Officers and the two Associate Legal Officers under the supervision of the Principal Counsel. This function also includes providing counsel of the OPCV with research and draft submissions for the relevant Chambers for the purposes of the representation of group(s) of victims in proceedings before the Court.

395. An increase in the number of legal advisory and research services provided to legal representatives is expected in 2008 due to the commencement of the first trial, ongoing investigations in three situations and the beginning of the fourth investigation. The shortfall cannot be absorbed by the OPCV without another jurist position. The absence of resources will have a direct impact on the ability of the OPCV to provide research and advice to legal representatives as specified in regulation 81 of the Regulations of the Court. The absence of resources will also have an impact on the ability of the OPCV to provide high quality legal research and advice.

396. An increase in the number of advisory services to be provided to victims is also expected in 2008 due to the opening of a fourth investigation and to the increase in the number of applicants who do not have a legal representative. The shortfall cannot be absorbed by the OPCV without another jurist position. The absence of resources will have a direct impact on the ability of the OPCV to provide advice to victims and legal assistance to victims in general, as specified in regulation 81 of the Regulations of the Court.

Table 92. Workload indicators for the Office of Public Counsel for Victims

<i>Anticipated workload 2007</i>	<i>Number of FTE 2007</i>	<i>Anticipated workload 2008</i>	<i>Number of FTE 2008</i>	<i>Estimated capacity 2008</i>	<i>Shortfall with additional resources</i>	<i>Shortfall without additional resources</i>
Number of research and advisory services provided to legal representatives = 100	5	200	5	100	n/a	100
Number of advisory services provided to victims = 20	3	40	3	30	n/a	10
Number of representations at hearings = 20	2	50	3	50 ⁽¹⁾	n/a	0
Number of representations per situation/case = 1 ⁽²⁾	2	3	3	3	n/a	0

(1) *If no conflict of interests arises.*

(2) *One equates to a group of 50 victims in a situation or case. Work is accomplished by teams of three. Each team caseload will be increased to a maximum of two cases to cover increased workload.*

Situation-related resources*General temporary assistance*

397. One GS-OL Database Assistant (12 months, new) is required to develop a victims' database to manage the legal assistance provided to victims and legal representatives in line with the Court's general CMS project. The aim is to facilitate an easier exchange of this information amongst all related sections/offices through the development of a database with standardized fields.

Non-staff resources

Basic resources

Travel

398. This item is required to meet with international organizations working in the area of victims' rights protection.

Situation-related resources

Travel

399. This item is required to establish contacts with potential victims and potential legal representatives, provide legal assistance to victims in the field and assist legal representatives in the field, establish contacts with intermediaries, and meet with United Nations agencies.

General operating expenses

400. When requested to provide legal assistance to victims, the OPCV needs to rent premises in the field in order to meet with victims. Practice has shown that it may be necessary to rent more than one site in order to avoid groups of victims with conflicting interests meeting and to guarantee their safety and security.

401. The total increase of €122,600, less in-built costs of €69,200, less the difference in distributed maintenance costs of -€9,300 = net increase of €62,700.

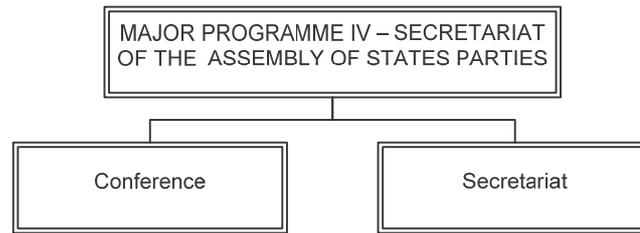
Table 93. Sub-programme 3550: Proposed budget for 2008

<i>Office of Public Counsel for Victims</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			206.1	488.6	694.7	215.9	600.2	816.1	121.4	17.5
General Service staff	No breakdown available			54.3	54.3	108.6	56.4		56.4	-52.2	-48.1
<i>Subtotal staff</i>	<i>159.1</i>	<i>211.4</i>	<i>370.5</i>	<i>260.4</i>	<i>542.9</i>	<i>803.3</i>	<i>272.3</i>	<i>600.2</i>	<i>872.5</i>	<i>69.2</i>	<i>8.6</i>
General temporary assistance	24.9	26.2	51.1					62.7	62.7	62.7	
<i>Subtotal other staff</i>	<i>24.9</i>	<i>26.2</i>	<i>51.1</i>					<i>62.7</i>	<i>62.7</i>	<i>62.7</i>	
Travel	2.1	6.9	9.0	3.8	32.6	36.4	3.7	27.0	30.7	-5.7	-15.7
Contractual services incl. training				6.0	20.0	26.0		25.0	25.0	-1.0	-3.8
General operating expenses								6.0	6.0	6.0	
Supplies and materials	2.7		2.7				0.7		0.7	0.7	
<i>Subtotal non-staff</i>	<i>4.8</i>	<i>6.9</i>	<i>11.7</i>	<i>9.8</i>	<i>52.6</i>	<i>62.4</i>	<i>4.4</i>	<i>58.0</i>	<i>62.4</i>		
Distributed maintenance				12.6	21.0	33.6	10.8	13.5	24.3	-9.3	-27.7
Total	188.8	244.5	433.3	282.8	616.5	899.3	287.5	734.4	1,021.9	122.6	13.6

Table 94. Sub-programme 3550: Proposed staffing for 2008

<i>Office of Public Counsel for Victims</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic					1			1		2		1	1	3
	Situation-related						2	2	1	1	6				6
	<i>Subtotal</i>					<i>1</i>	<i>2</i>	<i>2</i>	<i>2</i>	<i>1</i>	<i>8</i>		<i>1</i>	<i>1</i>	<i>9</i>
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
<i>Total</i>						<i>1</i>	<i>2</i>	<i>2</i>	<i>2</i>	<i>1</i>	<i>8</i>		<i>1</i>	<i>1</i>	<i>9</i>

D. Major Programme IV: Secretariat of the Assembly of States Parties



Introduction

402. The Secretariat provides the Assembly of States Parties and its Bureau and subsidiary bodies with administrative and technical assistance in the discharge of their functions under the Statute. The conference-servicing functions of the Secretariat include the planning, preparation and coordination of the meetings of the Assembly and its subsidiary organs, and receiving, translating, reproducing and distributing documents, reports and decisions of the Assembly and its subsidiary bodies.

403. In addition, it provides substantive servicing of the Assembly and its subsidiary bodies. The substantive servicing functions include providing legal and substantive secretariat services such as the provision of documentation, reports and analytical summaries, and supplying advice within the Secretariat on legal and substantive issues relating to the work of the Assembly. Other functions include advising on the Financial Regulations and Rules and preparing draft resolutions on financial and budgetary needs.

Objectives

1. Organize quality conferences by organizing a four-day resumed session of the sixth session of the Assembly in New York, as well as the seventh session of the Assembly in The Hague and two sessions of the Committee on Budget and Finance in The Hague. In addition, the Secretariat will service meetings of a number of subsidiary bodies of the Assembly, in particular the Special Working Group on the Crime of Aggression.
2. Enable the Assembly and its subsidiary organs to carry out its mandate more effectively by: providing it with quality servicing and support, such as planning and coordinating conference services; preparing, coordinating and submitting documentation; monitoring the compliance of various organs of the Court with regulations governing the timely preparation and submission of documents; identifying and acquiring additional resources to enable the Secretariat to carry out its mandate effectively and efficiently; and ensuring that States Parties have access to conference and documentation services in accordance with the Statute.
3. Research and prepare analytical studies on the application and interpretation of the provisions of the Statute related to the Assembly and its subsidiary bodies.
4. Enable effective dissemination of documentation and information to States Parties and other interested organizations via, *inter alia*, the Internet.

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2008</i>
Objective 1 <ul style="list-style-type: none"> Conference held as planned. 	<ul style="list-style-type: none"> Meetings run smoothly, end on time and adopt reports. All agenda items are considered. Participants are supported substantively and logistically at meetings, including with registration, provision of documentation, and language services. Participants of the sessions are satisfied with the arrangements and information provided. 	n/a
Objective 2 <ul style="list-style-type: none"> Quality edited and translated documents released for processing, production and distribution in a timely manner. 	<ul style="list-style-type: none"> States are provided and satisfied with quality conference services and with the editing, translation and timely issuance of documents in the six official languages, which fully support them in their functions. States are assisted as required, in particular with the provision of information and documentation regarding the Assembly and Court. 	n/a
Objective 3 <ul style="list-style-type: none"> Quality legal advice provided to the Assembly and its subsidiary bodies. 	<ul style="list-style-type: none"> States are provided with substantive legal services, especially in the form of documentation, thereby facilitating and supporting their work. Members of the Assembly and relevant bodies are satisfied with the sessions. 	n/a
Objective 4 <ul style="list-style-type: none"> Effective dissemination of documentation and information to States Parties via, <i>inter alia</i>, the Internet. 	<ul style="list-style-type: none"> Web site and the Assembly Extranet are used frequently. Information and documentation can be accessed without delays. 	n/a

Staff resources

404. The Secretariat of the Assembly of States Parties expects increased documentation, which will require the editing, translation and revision of official documents for the Assembly of States Parties and the Committee on Budget and Finance. The number of FTE for translation and editing per language is two (1 translator and 1 reviser).¹⁴

¹⁴ The timely issuance of official documentation by the Secretariat of the Assembly is contingent upon the staggered and orderly submission of draft documents by the Court, in accordance with the annual timetable prepared by the Secretariat, pursuant to the Manual of Procedures adopted by the Bureau of the Assembly.

Table 95. Workload indicators for the Secretariat of the Assembly of States Parties

<i>Item</i>	<i>Number of pages in 2006⁽¹⁾</i>	<i>Expected workload 2007</i>	<i>Expected % increase in 2007</i>	<i>Anticipated workload 2008</i>	<i>Expected % increase in 2008</i>	<i>Number of FTE⁽²⁾2007</i>	<i>Number of FTE⁽²⁾2008</i>
Pages (English) received for editing, translation and revision	1,168	1,285	10%	1,414	10%	2	2
Pages translated into the five other official languages (Arabic, Chinese, French, Russian, Spanish) and revised	5,840	6,425	10%	7,068	10%	10	10
Total	7,008	7,710	10%	8,482	10%	12	12

(1) Number of words per page is 300..

(2) Translator and reviser per language - commencing full time from August until December each year. From January to July the Secretariat relies on outsourcing.

Conference

Staff resources

Basic resources

General temporary assistance

405. The budget for GTA has been reduced by €36,600 mainly due to the decrease in DSA paid to internationally recruited typists. The decrease is in line with the rate published by the Budget and Finance Section for March 2007.

Temporary assistance for meetings

406. There is also an overall reduction in this budget item, which is due mainly to the decrease in the DSA paid to internationally recruited translators and interpreters. The decrease is in line with the rate published by the Budget and Finance Section for March 2007.

Overtime

407. The increase in overtime is based on actual overtime expenditures in 2006, which amounted to €52,000. This overtime amount is being incurred by all conference support staff and typists.

Non-staff resources

Basic resources

Contractual services including training

408. There is an overall decrease in this budget item, which consists of outsourcing services and other contractual services. Outsourcing services have increased due to outsourcing security services and security equipment required for the seventh session of the Assembly, which will be held in The Hague. These costs are not incurred when the Assembly meets at United Nations Headquarters.

409. However, there is a reduction in other contractual services, which reflects actual expenditures. This item includes the costs of holding the sixth resumed session of the Assembly in New York, the seventh session of the Assembly in The Hague, the two sessions of the Committee on Budget and Finance, off-site translation team support costs and other contractual services.

Supplies and materials

410. The increase reflects actual expenditures incurred in 2006. This covers the purchase of stationery and other supplies required for the smooth running of meetings.

Secretariat**Staff resources****Basic resources***General temporary assistance*

411. There is a decrease in this budget item due to the fact that the GTA costs for the P-3 Conference Officer in 2007 were budgeted at 100 per cent of the 2007 standard salary costs. However, in 2008, this amount has been reduced to 50 per cent because this person is expected to work for 6 months.

Non-staff resources**Basic resources***Travel*

412. There is a decrease in travel in 2008 because the seventh session of the Assembly will be held in The Hague; in 2007 this budget item attracted higher costs because the sixth session of the Assembly was scheduled to be held at United Nations Headquarters.

413. The total decrease of €274,300, less in-built costs of €116,900, less the difference in distributed maintenance costs of -€5,400 = net decrease of €385,800.

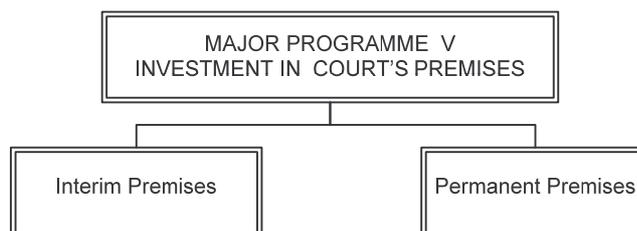
Table 96. Major Programme IV: Proposed budget for 2008 (revised using re-calculated amount by the Budget Section)

<i>Secretariat of the Assembly of States Parties</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			441.1		441.1	500.5		500.5	59.4	13.5
General Service staff				280.3		280.3	337.8		337.8	57.5	20.5
<i>Subtotal staff</i>	<i>535.3</i>		<i>535.3</i>	<i>721.4</i>		<i>721.4</i>	<i>838.3</i>		<i>838.3</i>	<i>116.9</i>	<i>16.2</i>
General temporary assistance	507.3		507.3	708.3		708.3	614.1		614.1	-94.2	-13.3
Temporary assistance for meetings	1,037.7		1,037.7	1,314.4		1,314.4	1,205.7		1,205.7	-108.7	-8.3
Overtime	61.0		61.0	48.6		48.6	60.0		60.0	11.4	23.5
<i>Subtotal other staff</i>	<i>1,606.0</i>		<i>1,606.0</i>	<i>2,071.3</i>		<i>2,071.3</i>	<i>1,879.8</i>		<i>1,879.8</i>	<i>-191.5</i>	<i>-9.2</i>
Travel	140.8		140.8	335.0		335.0	211.4		211.4	-123.6	-36.9
Hospitality	3.3		3.3	10.0		10.0	10.0		10.0		
Contractual services incl. training	305.4		305.4	1,044.1		1,044.1	1,021.0		1,021.0	-23.1	-2.2
General operating expenses	442.8		442.8	55.0		55.0	50.0		50.0	-5.0	-9.1
Supplies and materials	38.5		38.5	23.1		23.1	40.0		40.0	16.9	73.2
Furniture and equipment	21.9		21.9	80.0		80.0	20.0		20.0	-60.0	-75.0
<i>Subtotal non-staff</i>	<i>952.7</i>		<i>952.7</i>	<i>1,547.2</i>		<i>1,547.2</i>	<i>1,352.4</i>		<i>1,352.4</i>	<i>-194.8</i>	<i>-12.6</i>
Distributed maintenance				37.9		37.9	32.5		32.5	-5.4	-14.2
Total	3,094.0		3,094.0	4,377.8		4,377.8	4,103.0		4,103.0	-274.8	-6.3

Table 97. Major Programme IV: Proposed staffing for 2008

<i>Secretariat of the Assembly of States Parties</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic				1		2	1			4	3	2	5	9
	Situation-related														
	<i>Subtotal</i>				<i>1</i>		<i>2</i>	<i>1</i>			<i>4</i>	<i>3</i>	<i>2</i>	<i>5</i>	<i>9</i>
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
<i>Total</i>					<i>1</i>		<i>2</i>	<i>1</i>			<i>4</i>	<i>3</i>	<i>2</i>	<i>5</i>	<i>9</i>

E. Major Programme V: Investment in the Court's Premises



Introduction

414. The primary objective of Major Programme V is to provide the Court with the necessary accommodations to meet the organization's Strategic Goals and Objectives. The programme has been split into Interim and Permanent Premises in recognition of the fact that the Court is in a transition phase in which Interim Premises must be provided and managed during the development, planning and ultimately implementation of Permanent Premises for the Court.

415. *Strategic Goal No. 1: Quality of Justice.* The conduct of fair, effective and expeditious public proceedings depends largely on the availability of adequate premises in which the full rights of all participants can be exercised. To this end, this programme is providing premises that are sufficiently flexible to meet the Court's interim needs while developing and planning its Permanent Premises.

416. *Strategic Goal No. 2: Well-Recognized and Adequately Supported Institution.* An adequately supported institution is, by definition, an institution with adequate premises. Furthermore, the Court's Permanent Premises will have a significant influence on its international recognition.

417. *Strategic Goal No. 3: A Model of Public Administration.* In essence, this Major Programme aims at ensuring that all staff working at the seat of the Court (including the Secretariats of the Assembly and the Trust Fund for Victims) are housed adequately at minimal costs. In that respect, it supports the Court's goal of achieving desired results with minimal resources. To that end, the Court aims to become a model of public administration with regard to premises management.

418. A dedicated Project Office for the Permanent Premises (POPP) has been created in part to ensure that professional administrative standards are applied at all levels of the project. The Court is in the process of staffing this unit with highly qualified specialists who will greatly contribute to providing a high standard of public administration to this project.

Table 98. Major Programme V: Proposed budget for 2008

<i>Investment in the Court's Premises</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			180.1		180.1	387.9		387.9	207.8	115.4
General Service staff				31.3		31.3	56.4		56.4	25.1	80.2
<i>Subtotal staff</i>				<i>211.4</i>		<i>211.4</i>	<i>444.3</i>		<i>444.3</i>	<i>232.9</i>	<i>110.2</i>
General temporary assistance	25.2		25.2	250.0		250.0	324.0		324.0	74.0	29.6
<i>Subtotal other staff</i>	25.2		25.2	<i>250.0</i>		<i>250.0</i>	<i>324.0</i>		<i>324.0</i>	<i>74.0</i>	<i>29.6</i>
Travel	0.5		0.5	11.4		11.4	11.4		11.4		
Contractual services incl. training	589.9		589.9	354.0		354.0	435.3		435.3	81.3	23.0
General operating expenses	40.3		40.3	422.9		422.9	916.1		916.1	493.2	116.6
Supplies and materials	2.3		2.3	157.6		157.6	9.1		9.1	-148.5	-94.2
Furniture and equipment	147.3		147.3	863.1		863.1	1,063.1		1,063.1	200.0	23.2
<i>Subtotal non-staff</i>	<i>780.3</i>		<i>780.3</i>	<i>1,809.0</i>		<i>1,809.0</i>	<i>2,435.0</i>		<i>2,435.0</i>	<i>626.0</i>	<i>34.6</i>
Distributed maintenance				12.6		12.6	18.0		18.0	5.4	42.9
Total	805.5		805.5	2,283.0		2,283.0	3,221.3		3,221.3	938.3	41.1

Table 99. Major Programme V: Proposed staffing for 2008

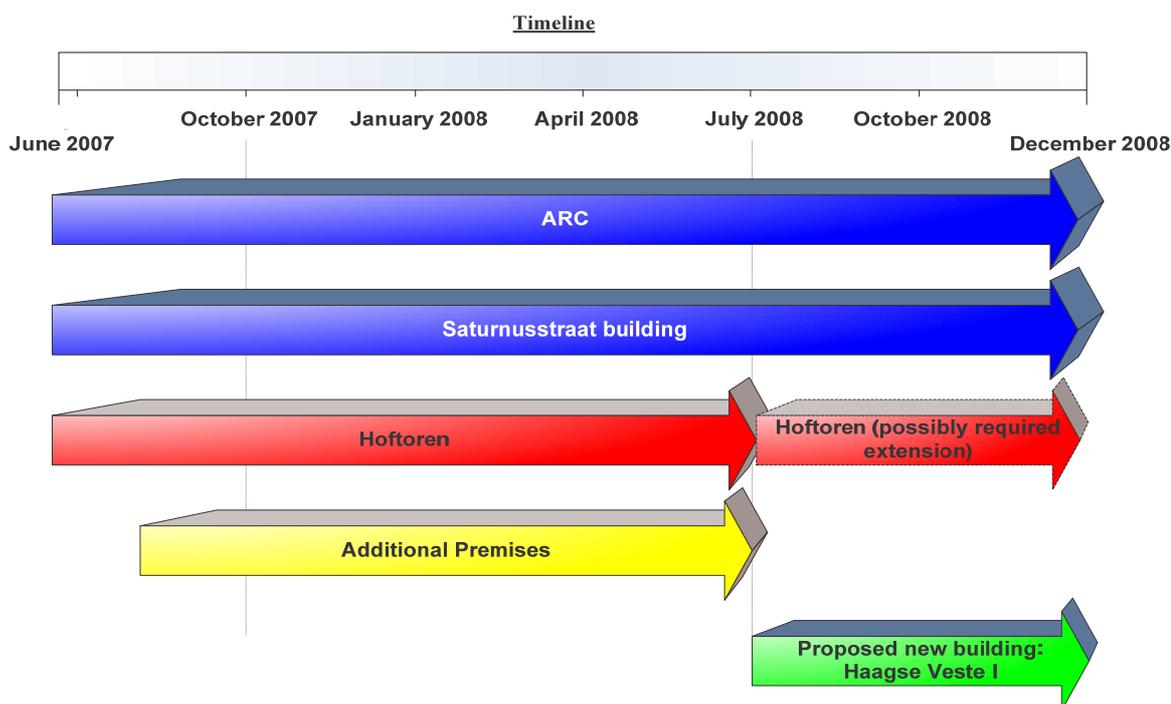
<i>Investment in the Court's Premises</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic					1			1		2		1	1	3
	Situation-related														
	<i>Subtotal</i>					<i>1</i>			<i>1</i>		<i>2</i>		<i>1</i>	<i>1</i>	<i>3</i>
New	Basic						1		1		2				2
	Situation-related														
	<i>Subtotal</i>					<i>1</i>			<i>1</i>		<i>2</i>				<i>2</i>
	<i>Total</i>					<i>1</i>	<i>1</i>		<i>2</i>		<i>4</i>		<i>1</i>	<i>1</i>	<i>5</i>

1. Programme 5100: Interim Premises

Introduction

419. Interim Premises assumptions have evolved since the 2007 budget, as the prefabricated building project has been cancelled. As of July 2006, the Court's Interim Premises Plan has consisted of several locations, which will be occupied as follows:

Figure 5. Interim Premises Plan



420. The estimated budget for the Court's Interim Premises in 2008 amounts to approximately €2.6 million. This includes the additional costs entailed in servicing staff in different locations (provision of additional security arrangements, reception, ICT service facilities, cleaning and so on).

421. The assumptions for the budgeting of security arrangements at the Haagse Veste building are as follows:

- Eurojust (the other tenant at the Court's headquarters) is responsible for providing security, with the exception of supervisors who are provided by the Court. Provision for security staff has not been included in the proposed budget for 2008.
- As with the Court's current headquarters (ARC building), the host State provides for internal security investments. As a precautionary measure, provision for some security investment has been included in the proposed budget for 2008.

Recurrent expenditure

422. As described in last year's budget, the entire Hoftoren budget is recurrent, with the exception of set-up costs. The requirements to cover the costs of the Haagse Veste and the "Additional Premises" have been added to the required budget.

Staff resources

Basic resources

General temporary assistance

423. One GS-OL Security Supervisor is requested (12 months), on the assumption that the host State applies the same standards and services to the new premises and that Eurojust participates in security measure implementation.

424. One GS-OL Handyman and one GS-OL Travel/Mail Clerk are also required (12 months each).

425. In addition, three IT Helpdesk Staff are required (one for 12 months and two for 7 months each).

Non-staff resources

Basic resources

Contractual services including training

426. Additional security services provided on a call-up basis – budgeted as “other staff costs” in 2007 – will increase due to the uncertainties surrounding the three locations and the possibility that overtime will be incurred when offices need to remain open after working hours. Similarly, contractual services for General Services will increase due to there being a third and possibly even a fourth location.

General operating expenses

427. As in 2007, provision has been made for maintenance of the new premises, utilities, rentals of equipment, office cleaning and ICT expenses. The costs have doubled compared to 2007, due to the scenario of having to maintain three locations in parallel.

Furniture and equipment

428. Precautionary provision for security investments for the Haagse Veste building alone amounts to €750,000, to which the costs of additional screening and radio equipment for the other buildings have been added. This precautionary provision might not be necessary if the assumption described above is correct, but has been added in the absence of any firm commitment from the host State as at the time of writing of this document.

429. Additional General Services investment and ICT equipment (such as servers, operating systems, switches, security encryption and workstations) are also required to set up the new locations.

430. The total increase of €724,500, less in-built costs of €725,100, less the difference in distributed maintenance costs of -€600 = net increase of €0.

Table 100. Programme 5100: Proposed budget for 2008

<i>Interim Premises</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available										
General Service staff	No breakdown available			31.3		31.3	56.4		56.4	25.1	80.2
<i>Subtotal staff</i>	No breakdown available			<i>31.3</i>		<i>31.3</i>	<i>56.4</i>		<i>56.4</i>	<i>25.1</i>	<i>80.2</i>
General temporary assistance	25.2		25.2	250.0		250.0	324.0		324.0	74.0	29.6
<i>Subtotal other staff</i>	25.2		25.2	250.0		250.0	324.0		324.0	74.0	29.6
Contractual services incl. training	414.8		414.8	44.0		44.0	125.3		125.3	81.3	184.8
General operating expenses	40.3		40.3	422.9		422.9	916.1		916.1	493.2	116.6
Supplies and materials	2.3		2.3	157.6		157.6	9.1		9.1	-148.5	-94.2
Furniture and equipment	147.3		147.3	863.1		863.1	1,063.1		1,063.1	200.0	23.2
<i>Subtotal non-staff</i>	<i>604.7</i>		<i>604.7</i>	<i>1,487.6</i>		<i>1,487.6</i>	<i>2,113.6</i>		<i>2,113.6</i>	<i>626.0</i>	<i>42.1</i>
Distributed maintenance				4.2		4.2	3.6		3.6	-0.6	-14.3
Total	629.9		629.9	1,773.1		1,773.1	2,497.6		2,497.6	724.5	40.9

Table 101. Programme 5100: Proposed staffing for 2008

<i>Interim Premises</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic												1	1	1
	Situation-related														
	<i>Subtotal</i>												1	1	1
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
<i>Total</i>													1	1	1

2. Programme 5200: Permanent Premises

Introduction

431. Within the project governance framework, the Project Office for the Permanent Premises (POPP) is presently responsible for managing the Permanent Premises development work and will later oversee project implementation. The Office is initially managing preparation of the following:

- Functional brief, which includes user and security requirements;
- Project cost estimates;
- Provisional project timetable with key decision points;
- Summary of project planning, permit and legal issues;
- Establishment of a project monitoring structure;
- Draft for discussion of the rights and responsibilities of various stakeholders and participants;
- Review of financing options.

432. To paraphrase the findings of the Committee on Budget and Finance in the report on its eighth session, the work before this Office is considerable, requiring a team of experienced specialists who are skilled in managing the details of a sizeable and complex construction project. In order to begin assembling the required team of specialists the following posts are requested.

Staff resources

Basic resources

One P-4 Construction Economist

433. Further strengthening the project team, the incumbent will be responsible for the financial and commercial aspects of the project, including budget control, risk management, preparation of contracts and agreements, and supervision of project contract and agreement implementation.

One P-3 Project Auditor

434. The principal responsibility of the incumbent will be to prepare the project manual under the authority of the Project Director. The project manual will set-out all administrative and formal procedures governing project implementation. The incumbent will advise the Project Director on the definition of the plans, procedures, implementation controls, project monitoring mechanisms and review procedures to be used. Additional responsibilities of this position will include the establishment and maintenance of a project communication and information system with defined access.

Non-staff resources

Basic resources

435. It is proposed that for 2008 the level of non-staff resources be maintained. Additional non-staff costs associated with the new professional staff will be absorbed within the current budget levels.

436. The total increase of €213,800, less in-built costs of €35,900, less the difference in distributed maintenance costs of €6,000 = net increase of €171,900.

Table 102. Programme 5200: Proposed budget for 2008

<i>Permanent Premises</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			180.1		180.1	387.9		387.9	207.8	115.4
General Service staff	No breakdown available										
<i>Subtotal staff</i>				<i>180.1</i>		<i>180.1</i>	<i>387.9</i>		<i>387.9</i>	<i>207.8</i>	<i>115.4</i>
Travel	0.5		0.5	11.4		11.4	11.4		11.4		
Contractual services incl. training	175.1		175.1	310.0		310.0	310.0		310.0		
<i>Subtotal non-staff</i>	<i>175.6</i>		<i>175.6</i>	<i>321.4</i>		<i>321.4</i>	<i>321.4</i>		<i>321.4</i>		
Distributed maintenance				8.4		8.4	14.4		14.4	6.0	71.4
Total	175.6		175.6	509.9		509.9	723.7		723.7	213.8	41.9

Table 103. Programme 5200: Proposed staffing for 2008

<i>Permanent Premises</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic					1			1		2				2
	Situation-related														
	<i>Subtotal</i>					<i>1</i>			<i>1</i>		<i>2</i>				<i>2</i>
New	Basic						1		1		2				2
	Situation-related														
	<i>Subtotal</i>						<i>1</i>		<i>1</i>		<i>2</i>				<i>2</i>
<i>Total</i>						<i>1</i>	<i>1</i>		<i>2</i>		<i>4</i>				<i>4</i>

F. Major Programme VI: Secretariat of the Trust Fund for Victims

Introduction

437. The objective of the Trust Fund for Victims (TFV) is to initiate, stimulate, facilitate, implement or contribute to measures aiming at the granting of reparation, the rehabilitation, and the restoration of the dignity and rights of victims of war crimes, genocide or crimes against humanity.

438. Based on the Assembly's adoption of the Regulations of the Trust Fund for Victims, the TFV's Board of Directors defined in 2006 the broad policies and orientations of the Fund, and subsequently recruited its Executive Director in early 2007.

439. Since then the Fund's internal (financial and programmatic) procedures have been developed and extensive networks established with partners and victims. As of mid-2007, approved posts have been under recruitment. Moreover, programme activities in the field have commenced and will increase once the requested staffing has been approved and recruited.

440. The TFV has an approved P-2 Associate Officer position. However, it is strongly felt that rather than this P-2 post what is needed is a P-3 Field Programme Officer to facilitate effective and efficient project implementation. Thus, it is the intention to return the P-2 post and request in its stead the P-3 cited above.

441. Based on the above, the TFV's budget for 2008 has been prepared with a prudent and somewhat conservative approach, reflecting the establishment of a functional secretariat. This budget proposal is based on the firm assumption that significant efficiency savings are likely to take place as the Fund's operations continue to grow. This will be achieved through the mobilization of additional resources for the purpose of projects in favour of the victims.

Objectives

442. The overall objective is to respond to the priority needs of the most vulnerable victims of the above crimes, either in assistance to a Court order for reparations, or as a result of a decision made by the TFV Board of Directors to assist a group of victims falling under the jurisdiction of the Court (and therefore of the TFV).

443. More specifically, the TFV's overall objective can be sub-divided into the following sub-objectives for 2008:

1. Formulate options for different geographical allocations of the Court's resources and activities, including the requirements for the permanent premises (SO 5).
2. Develop situation-specific mechanisms to provide for all necessary cooperation, in particular the arrest and surrender of persons (SO 7).
3. Constantly increase support for the Court through enhancing communication and mutual understanding with stakeholders, stressing the Court's role and its independence (SO 8).
4. Put in place a system of programmes to achieve identified optimal level of quality with maximum efficiency (SO 12).

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2008</i>
Objective 1 <ul style="list-style-type: none"> • TFV staff in place both in the field and at HQ. • Programmatic and financial frameworks approved and in place. • Agreements reached with partners on specific donations to the TFV or on project implementation modalities. • Resources allocated to projects based on the above frameworks. 	<ul style="list-style-type: none"> • All staff on board. • Frameworks approved, disseminated and in use. • Proposal turnaround (approval/rejection) time. • Level of funding earmarked for approved projects. 	100% 2 <60 days (*)
Objective 2 <ul style="list-style-type: none"> • Regular forums with partners. • Expansion of the network of partners. • Increased resource mobilization levels. • Approved/implemented communication strategy. 	<ul style="list-style-type: none"> • Number of forums/participants. • Number of partners. • Amount of contributions received. • Proportion of strategy implemented/disseminated. 	(*) (*) Double funds value 90%
Objective 3 <ul style="list-style-type: none"> • Advocacy for the Fund, the Court and the victims through electronic, traditional, political and other forums. 	<ul style="list-style-type: none"> • Number of forums. • Number of individuals reached. • Effective use of the TFV communication strategy. 	(*) (*) (*)
Objective 4 <ul style="list-style-type: none"> • Direct participation of victims in the determination of their needs and in the implementation of the solutions. • Targeted but systematic support and project oversight. • Close coordination with other partners intervening in the area/sector. • Compliance with budget and programme objectives/milestones. 	<ul style="list-style-type: none"> • Number of forums with victims. • Projects elaborated with victims. • Number of monthly visits by TFV staff/partners. • Number of meetings attended by the TFV of sector coordination meetings. • Annual compliance with budget limits, programme objectives and donor agreements. 	(*) (*) (*) (*) 100%

(*) As the TFV is in a start-up phase, it is not currently possible to estimate the level of activities.

Staff resources

Basic resources

General temporary assistance

444. One P-3 Communication Designer (1 month, new): In order to be fully successful in achieving its mission, the Trust Fund must equip itself with communication materials adapted to its key audiences, donors, implementing partners and victims. A high-level technical input is required to set up the communication tools (electronic and print) to be used by the TFV.

445. One P-3 Reporting Officer (3 months, new): As requested by the States Parties, the Trust Fund is to develop and implement rigorous reporting mechanisms on the funds received and on their use in projects for the benefit of victims. These mechanisms should allow reporting by source, activity, target group, location, etc. The purpose of this temporary position is to elaborate and implement this reporting system, based on the preliminary work already done by the Fund.

446. One GS-PL Computer Applications Specialist (SAP) (2 months, new): As the TFV's expenditures are processed within the Court's SAP system, an SAP specialist is needed to help configure the software to the specific reporting and processing needs of the Fund

447. One GS-PL Web Specialist (1 month, new): The Trust Fund intends to make extensive use of the Internet as a key tool in its advocacy mandate and also to provide for its partners overall information on the situation of victims through its tools. This Web Specialist will help the Fund configure its web site accordingly.

448. One GS-OL Administrative Assistant (1 month, new): This temporary assistance will be required to assist the TFV before and during its annual Board Meeting.

Overtime

449. Provision for overtime is included in conjunction with the set-up of the Trust Fund office.

Consultants

450. For expert advice on a wide range of technical issues ranging from banking security (for international transactions – donations and expenditures – of the Fund), emergency response assessments, communication, etc.

Situation-related resources

One P-3 Field Programme Officer

451. As part of the programme implementation strategy developed by the Board, it was decided that the Trust Fund should have staff as close as possible to the victims in order to ensure better oversight and technical support to its projects. As a result of this priority, it was decided to create this P-3 post in Kampala, from which it will initially cover TFV projects in Uganda and DRC. This resource will mainly be funded through the return of the P-2 Assistant Legal Officer post.

General temporary assistance

452. One P-3 Monitoring and Evaluation Officer (9 months, new): In order properly to monitor the use of its resources and the progress of its projects and to report to its donors and the Assembly appropriately, the TFV will need a Monitoring and Evaluation Officer.

453. One P-3 Quick Assessment Expert (2 months, new): As security gradually allows access to previously unreachable areas and as new situations are brought to the attention of the Court/TFV, quick assessment missions will be required to provide the Board with an early report on the situation of victims. In turn, this will allow for a quicker, better adapted intervention of the TFV when required.

454. One P-2 Communications Expert (1 month, new): In line with the implementation of the TFV's communication strategy (with States Parties, partners and victims), periodic assessments and adjustments will be required in order to adapt the TFV's communication to the changing needs of the situation or to any evolution in its audience's perceptions. The TFV's communication strategy is a key tool for programme implementation, fund-raising, and overall advocacy in favour of the victims; hence the need for this temporary support.

Non-staff resources**Basic resources***Travel*

455. For Board member travel, visiting Secretariat projects and partners.

Hospitality

456. For events and receptions aimed at increasing the visibility of the Trust Fund and resource mobilization initiatives.

Contractual services including training

457. For translation services related to Board and other Trust Fund communications. Design and printing of materials for project development initiatives, resource mobilization activities and victim outreach.

General operating expenses

458. To cover a range of logistical, material, telecommunication and security expenditures arising from the fact the Trust Fund is operating in remote, high-risk locations where the most basic infrastructure is often absent or severely deficient.

Supplies and materials

459. For basic office supplies and other expendable materials required for the office.

Situation-related resources*Travel*

460. For project monitoring and evaluation, resource mobilization, advocacy and project development.

General operating expenses

461. For translation and/or interpretation into local languages in target areas.

462. The total increase of €375,200, less in-built costs of €29,700, less the difference in distributed maintenance costs of -€4,300 = net increase of 349,800.

Table 104. Major Programme VI: Proposed budget for 2008

<i>Secretariat of the Trust Fund for Victims</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved budget 2007 (thousands of euros)</i>			<i>Proposed budget 2008 (thousands of euros)</i>			<i>Resource growth</i>	
	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation-related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Professional staff	No breakdown available			349.7		349.7	287.8	104.1	391.9	42.2	12.1
General Service staff	No breakdown available			108.6		108.6	112.8		112.8	4.2	3.9
<i>Subtotal staff</i>	No breakdown available			<i>458.3</i>		<i>458.3</i>	<i>400.6</i>	<i>104.1</i>	<i>504.7</i>	<i>46.4</i>	<i>10.1</i>
General temporary assistance	17.3		17.3				57.6	103.5	161.1	161.1	
Overtime							10.0		10.0	10.0	
Consultants							10.0		10.0	10.0	
<i>Subtotal other staff</i>	<i>17.3</i>		<i>17.3</i>				<i>77.6</i>	<i>103.5</i>	<i>181.1</i>	<i>181.1</i>	
Travel	24.6		24.6	49.0		49.0	77.7	124.4	202.1	153.1	312.4
Hospitality	0.2		0.2	7.0		7.0	17.5		17.5	10.5	150.0
Contractual services incl. training	32.9		32.9	90.0		90.0	76.4	17.0	93.4	3.4	3.8
General operating expenses				83.0		83.0	63.0		63.0	-20.0	-24.1
Supplies and materials				10.0		10.0	15.0		15.0	5.0	50.0
<i>Subtotal non-staff</i>	<i>57.7</i>		<i>57.7</i>	<i>239.0</i>		<i>239.0</i>	<i>249.6</i>	<i>141.4</i>	<i>391.0</i>	<i>152.0</i>	<i>63.6</i>
Distributed maintenance				21.1		21.1	14.6	2.2	16.8	-4.3	-20.4
Total	75.0		75.0	718.4		718.4	742.4	351.2	1,093.6	375.2	52.2

Table 105. Major Programme VI: Proposed staffing for 2008

<i>Secretariat of the Trust Fund for Victims</i>		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Existing	Basic				1		1		1		3		2	2	5
	Situation-related														
	<i>Subtotal</i>				<i>1</i>		<i>1</i>		<i>1</i>		<i>3</i>		<i>2</i>	<i>2</i>	<i>5</i>
New	Basic														
	Situation-related							1			1				1
	<i>Subtotal</i>							<i>1</i>			<i>1</i>				<i>1</i>
Redeployed /Returned	Basic									-1	-1				-1
	Situation-related														
	<i>Subtotal</i>									<i>-1</i>	<i>-1</i>				<i>-1</i>
	<i>Total</i>				<i>1</i>		<i>1</i>	<i>1</i>			<i>3</i>		<i>2</i>	<i>2</i>	<i>5</i>

Annexes

Annex I

Draft resolution of the Assembly of States Parties on the proposed programme budget for 2008 and the Working Capital Fund in 2008

The Assembly of States Parties,

Having considered the proposed programme budget for 2008 of the International Criminal Court and the related conclusions and recommendations contained in the report of the Committee on Budget and Finance on the work of its ninth session,

A. Programme budget for 2008

1. *Approves* appropriations totalling €97,570,100 for the following appropriation sections:

<i>Appropriation section</i>	<i>Thousands of euros</i>
Major Programme I - Judiciary	10,945.7
Major Programme II - Office of the Prosecutor	25,131.0
Major Programme III - Registry	53,075.5
Major Programme IV - Secretariat of the Assembly of States Parties	4,103.0
Major Programme V - Investment in the Court's Premises	3,221.3
Major Programme VI - Secretariat of the Trust Fund for Victims	1,093.6
Total	97,570.1

2. *Further approves* the following staffing tables for each of the above appropriation sections:

	Judiciary	Office of the Prosecutor	Registry	Secretariat Assembly of States Parties	Investment in the Court's Premises	Secretariat Trust Fund for Victims	Total
USG		1					1
ASG		2	1				3
D-2							
D-1		2	4	1		1	8
P-5	3	10	15		1		29
P-4	2	27	31	2	1	1	64
P-3	19	42	68	1		1	131
P-2	2	43	46		2		93
P-1	1	14	7				22
<i>Subtotal</i>	<i>27</i>	<i>141</i>	<i>172</i>	<i>4</i>	<i>4</i>	<i>3</i>	<i>351</i>
GS-PL	1	1	18	3			23
GS-OL	15	64	221	2	1	2	305
<i>Subtotal</i>	<i>16</i>	<i>65</i>	<i>239</i>	<i>5</i>	<i>1</i>	<i>2</i>	<i>328</i>
Total	43	206	411	9	5	5	679

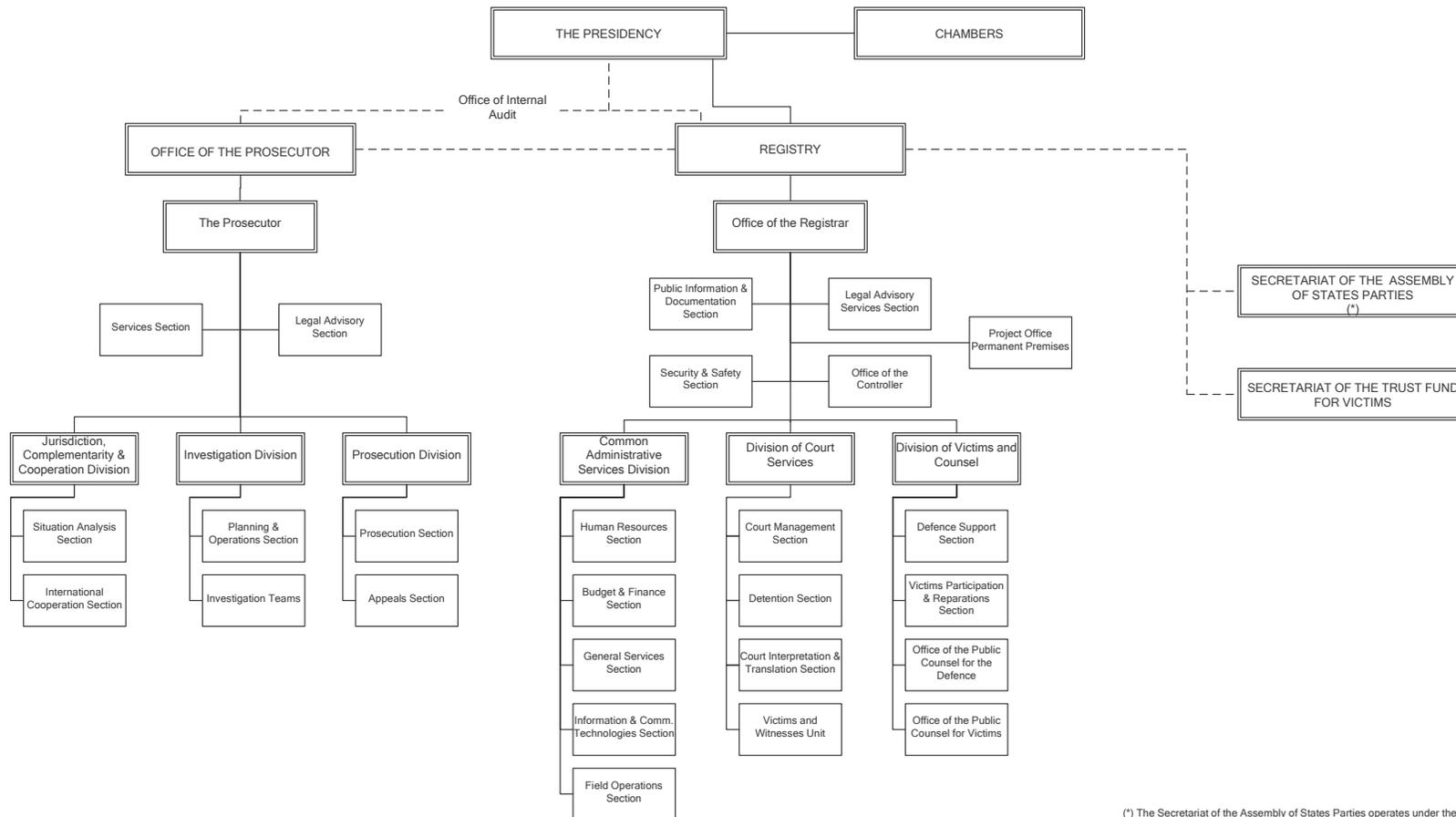
B. Working Capital Fund for 2008

The Assembly of States Parties,

Approves a level of €8,130,842 for the Working Capital Fund for 2008, and *authorizes* the Registrar to make advances from the Fund in accordance with the relevant provisions of the Financial Regulations and Rules of the Court.

Annex II

Organizational structure of the Court



(*) The Secretariat of the Assembly of States Parties operates under the full authority of the Assembly and reports directly to the Assembly. The Secretariat of the Assembly is an integral part of the International Criminal Court and, for administrative purposes, the Secretariat and its staff are attached to the Registry of the Court.

Annex III

Assumptions for the proposed programme budget for 2008

Number of Court days in 12 months	200
Number of witnesses 40 rotations of 4/5	160
Number of expert witnesses	30
Number of support persons	30
Maximum duration of stay per witness	7 days
Number of accused per case	1
Number of defence teams per case	1
Number of victims' representatives per case	2
Number of cells required in 2008	6
Number of site visits by judges	1
Hearings in situ	0
Number of field offices ¹	6

¹ Field offices: DRC - Kinshasa and Bunia, Uganda - Kampala, Chad - N'Djamena and Abeche, and CAR - Bangui.

Annex IV

List of Strategic Goals and Objectives of the International Criminal Court

<u>GOAL 1: QUALITY OF JUSTICE</u>	<u>GOAL 2: A WELL-RECOGNIZED AND ADEQUATELY SUPPORTED INSTITUTION</u>	<u>GOAL 3: A MODEL OF PUBLIC ADMINISTRATION</u>
Conduct fair, effective and expeditious public proceedings in accordance with the Rome Statute and with high legal standards, ensuring full exercise of the rights of all participants.	Further enhance awareness of, effect a correct understanding of, and increase support for the Court.	Excel in achieving the desired results with minimal resources and through streamlined structures and processes, while maintaining flexibility, guaranteeing accountability and drawing upon sufficient qualified and motivated staff within a caring environment and a non-bureaucratic culture.
1. Conduct investigations into cases and one trial, subject to external cooperation received.	6. Cultivate a level of awareness and understanding of the Court appropriate to the stage of the Court's activities in affected communities.	10. Establish and clarify well-functioning decision-making processes within and between organs, based on a thorough understanding of each organ's role.
2. Put in place a system to address all security risks, striving for maximum security of all participants consistent with the Rome Statute.	7. Develop situation-specific mechanisms to provide for all necessary cooperation, in particular the arrest and surrender of persons.	11. Become a non-bureaucratic administration focused on results rather than processes, relying on rules where necessary to guarantee rights or minimize risks.
3. Develop policies for implementing the quality standards specified in the Statute and the Rules of Procedure and Evidence with respect to all participants in proceedings and persons otherwise affected by the Court's activities, in a manner that is respectful of diversity.	8. Constantly increase support for the Court through enhancing communication and mutual understanding with stakeholders, stressing the Court's role and its independence.	12. Put in place a system of programmes to achieve identified optimal levels of quality with maximum efficiency.
4. Complete the Court Capacity Model and initiate discussions with the Assembly of States Parties on the number of cases the Court will be able to pursue each year.	9. Develop and implement a structure to ensure publicity of all proceedings for local and global audiences.	13. Submit sound, accurate and transparent budget proposals necessitating only minor adjustments to the proposed amount and distribution of resources by the Assembly of States Parties.
5. Formulate options for different geographical locations of the Court's resources and activities, including the requirements for the permanent premises.		14. Recruit staff of the highest standards of efficiency, competency and integrity, having regard for representation of gender, geography and legal systems.

	15. Provide maximum possible security, safety and welfare for all staff, consistent with the Rome Statute.
	16. Cultivate a caring environment which values the diversity of all staff.
	17. Offer development and employment advancement opportunities to well-performing staff.
	18. Begin the development and implementation of a common Court culture.
	19. Develop and implement a complete set of clear ethical standards of behaviour for staff.
	20. Become an “e-institution” that provides high information security.

Annex V

Staffing information

(a) Proposed Court staffing by Major Programme

<i>Total Court</i>	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-staff and above</i>	GS-PL	GS-OL	<i>Total GS-staff</i>	<i>Total staff</i>
Major Programme I					3	2	19	2	1	27	1	15	16	43
Major Programme II	1	2		2	10	27	42	43	14	141	1	64	65	206
Major Programme III		1		4	15	31	68	46	7	172	18	221	239	411
Major Programme IV				1		2	1			4	3	2	5	9
Major Programme V					1	1		2		4		1	1	5
Major Programme VI				1		1	1			3		2	2	5
<i>Grand total</i>	1	3		8	29	64	131	93	22	351	23	305	328	679

(b) Changes to the staffing table

<i>Number of posts</i>	<i>Level</i>	<i>From 2007 approved budget</i>	<i>To 2008 proposed budget</i>
Judiciary			
Basic			
1	P-3 to P-2	Presidency	Presidency
1			
Office of the Prosecutor			
Basic			
1	P-3 to P-2	Services Section	Immediate Office of the Prosecutor
1			
Situation-related			
2	P-3 to P-4	Investigation Teams	Investigation Teams
8	P-3	Investigation Teams	Planning and Operations Section
6	P-2	Investigation Teams	Planning and Operations Section
9	GS-OL	Investigation Teams	Planning and Operations Section
2	GS-OL	Services Section	Planning and Operations Section
27			
28			
Registry			
Basic			
1	P-4	Court Interpretation and Translation Section	CITS – basic
1	GS-PL to P-3	Security and Safety Section	Security and Safety Section
1	GS-PL	Office of the Head/CMS	Office of the Head/CMS – basic
3			
Situation-related			
1	GS-OL to P-1	Office of Public Counsel for the Defence	Office of Public Counsel for the Defence
1	GS-OL to P-1	Office of Public Counsel for Victims	Office of Public Counsel for Victims
2			
5			
Secretariat of the Trust Fund for Victims			
Basic			
1	P-2	Secretariat TFV	Returned
1			
Total =	35		

(c) Salary and entitlements for 2008 - judges*(thousands of euros)*

Presidency: 3 judges	Costs
Standard salary costs	540.0
Special allowance President and Vice-Presidents	28.0
Judges' pension	530.0
Common costs (10% of salary-based on 2006 actuals)	54.0
Provision for judge who might leave the Court	107.0
<i>Subtotal Presidency</i>	<i>1,259.0</i>
Chambers: 13 judges	
Standard salary costs	2,340.0
Special allowance 2 non-full-time judges	80.0
Judges' pension	2,296.7
Common costs (10% of salary-based on 2006 actuals)	234.0
Other pension liability	60.0
<i>Subtotal Chambers</i>	<i>5,010.7</i>
Total Judiciary	6,269.7

**(d) Standard salary costs for 2008
Professional and General Service staff (Headquarters)**

(thousands of euros)

Post level	Net base salary (1)	Post adjustment (2)	Total net salary (1)+(2)=(3)	Common staff costs (4)	Representation allowance (5)	Total (3)+(4)+(5)=(6)
USG	106.9	51.6	158.5	75.3	3.2	237.0
ASG	96.9	46.8	143.7	68.3	2.4	214.4
D-2	89.0	43.0	132.0	62.7	0.5	195.2
D-1	85.8	41.4	127.2	60.4	0.0	187.6
P-5	65.3	31.5	96.8	46.0	0.0	142.8
P-4	60.4	29.2	89.6	42.6	0.0	132.2
P-3	47.6	23.0	70.6	33.5	0.0	104.1
P-2	44.4	21.4	65.8	31.3	0.0	97.1
P-1	44.4	21.4	65.8	31.3	0.0	97.1
GS-PL	56.5	0.0	56.5	26.8	0.0	83.3
GS-OL	42.5	0.0	42.5	20.2	0.0	62.7

Delayed recruitment factors:

- Existing Professional and General Service posts in MP I: 5%
- Existing Professional and General Service posts in MP II, III, IV, V and VI: 10%
- New Professional and General Service posts in all MPs: Work Months

Delayed recruitment factors

Post level	(0%)	(5%)	(10%)	(25%)	(50%)
USG	237.0	225.1	213.3	177.7	118.5
ASG	214.4	203.7	192.9	160.8	107.2
D-2	195.2	185.4	175.7	146.4	97.6
D-1	187.6	178.2	168.8	140.7	93.8
P-5	142.8	135.7	128.5	107.1	71.4
P-4	132.2	125.6	119.0	99.2	66.1
P-3	104.1	98.9	93.7	78.1	52.1
P-2	97.1	92.2	87.4	72.8	48.6
P-1	97.1	92.2	87.4	72.8	48.6
GS-PL	83.3	79.1	75.0	62.5	41.7
GS-OL	62.7	59.6	56.4	47.0	31.4

Annex VI

Summary table by object of expenditure

<i>Total Court</i>	<i>Expenditure 2006 (thousands of euros)</i>			<i>Approved Budget 2007 (thousands of euros)</i>			<i>Proposed Budget 2008 (thousands of euros)</i>			<i>Resource Growth</i>	
	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Basic</i>	<i>Situation- related</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
<i>Judges</i>	2,971.4		2,971.4	5,833.1		5,833.1	6,269.7		6,269.7	436.6	7.5
Professional staff	No breakdown available			15,982.7	14,532.9	30,515.6	17,957.6	17,732.9	35,690.5	53,423.4	175.1
General Service staff	No breakdown available			8,967.3	7,538.0	16,505.3	9,690.1	8,406.9	18,097.0	26,503.9	160.6
<i>Subtotal staff</i>	19,588.0	11,185.4	30,773.4	24,950.0	22,070.9	47,020.9	27,647.7	26,143.7	53,791.4	6,770.5	14.4
General temporary assistance	3,663.0	3,803.5	7,466.5	2,350.4	4,755.8	7,106.2	2,593.0	5,273.5	7,866.5	760.3	10.7
Temporary assistance for meetings	1,388.1	55.3	1,443.4	1,626.9	45.0	1,671.9	1,515.9	44.7	1,560.6	-111.3	-6.7
Overtime	288.1	28.8	316.9	239.7	84.3	324.0	287.6	95.4	383.0	59.0	18.2
Consultants	102.7	291.1	393.8	62.0	176.9	238.9	75.4	275.0	350.4	111.5	46.7
<i>Subtotal other staff</i>	5,441.9	4,178.7	9,620.6	4,279.0	5,062.0	9,341.0	4,471.9	5,688.6	10,160.5	819.5	8.8
Travel	671.5	2,166.9	2,838.4	952.2	3,106.0	4,058.2	938.4	3,533.1	4,471.5	413.3	10.2
Hospitality	29.1	0.3	29.4	48.0		48.0	58.5		58.5	10.5	21.9
Contractual services including training	6,283.2	2,406.2	8,689.4	3,350.1	4,189.0	7,539.1	3,348.7	4,383.9	7,732.6	193.5	2.6
General operating expenses	3,694.4	1,392.8	5,087.2	6,357.8	4,950.6	11,308.4	6,459.3	5,384.2	11,843.5	535.1	4.7
Supplies and materials	616.6	447.9	1,064.5	1,025.0	474.9	1,499.9	809.9	418.1	1,228.0	-271.9	-18.1
Furniture and equipment	1,904.1	1,574.6	3,478.7	1,644.2	579.0	2,223.2	1,689.4	325.0	2,014.4	-208.8	-9.4
<i>Subtotal non-staff</i>	13,198.9	7,988.7	21,187.6	13,377.3	13,299.5	26,676.8	13,304.2	14,044.3	27,348.5	671.7	2.5
Distributed maintenance (*)							46.4	-46.4			
Total	41,200.2	23,352.8	64,553.0	48,439.4	40,432.4	88,871.8	51,739.9	45,830.2	97,570.1	8,698.3	9.8

(*) Distributed maintenance is internal and shown at the various sub-programmes. However, it does not impact on the proposed 2008 budget as a whole.

Annex VII

Breakdown of in-built costs from 2007 to 2008

(thousands of euros)

(Sub-) programme	Programme name	Common system costs	Vacancy/reclassification	Pension	Interim Premises	Detention	Total
	Major Programme I						
1100	The Presidency	54.9	14.1	89.7			158.7
1200	Chambers	216.5	107.2	152.7			476.4
	Total Major Programme I	271.4	121.3	242.4			635.1
	Major Programme II						
2110	Immediate Office of the Prosecutor / LAS	75.2	-6.3				68.9
2120	Services Section	126.2	6.3				132.5
2200	Jurisdiction, Complementarity and Cooperation Division	71.5	-26.4				45.1
2310	Office of the Deputy Prosecutor (Investigations) / Investigation Teams	304.2	91.4				395.6
2320	Planning and Operations Section	281.9	4.5				286.4
2400	Prosecution Division	138.5	-6.2				132.3
	Total Major Programme II	997.5	63.3				1,060.8
	Major Programme III						
3110	Immediate Office of the Registrar / LASS	74.3	6.3				80.6
3120	Office of Internal Audit	17.8	52.9				70.7
3140	Security and Safety Section	136.2	87.3				223.5
3150	Office of the Controller	8.7					8.7
3210	Office of the Director	26.9	40.8				67.7
3220	Human Resources Section	51.0	25.0				76.0
3240	Budget and Finance Section	70.9	31.3				102.2
3250	General Services Section	130.6	100.3				230.9
3260	Information & Communication Tech. Section	111.1	136.8				247.9
3280	Field Operations Section	22.1	25.0				47.1
3310	Office of the Head / CMS	127.9	-18.6				109.3
3330	Detention Section	27.0				-393.9	-366.9
3340	Court Interpretation and Translation Section	239.7	449.2				688.9
3350	Victims and Witnesses Unit	131.7	266.5				398.2
3400	Public Information and Documentation Section	89.9	332.8				422.7
3510	Office of the Head (DVC) / DSS / VPRS	73.3	65.6				138.9
3540	Office of Public Counsel for the Defence	14.0	31.0				45.0
3550	Office of Public Counsel for Victims	38.2	31.0				69.2
	Total Major Programme III	1,391.3	1,663.2			-393.9	2,660.6
	Major Programme IV						
4100	Conference						
4200	Secretariat	51.1	65.8				116.9
	Total Major Programme IV	51.1	65.8				116.9
	Major Programme V						
5100	Interim Premises	0.1	25.0		700.0		725.1
5200	Permanent Premises	-0.2	36.1				35.9
	Total Major Programme V	-0.1	61.1		700.0		761.0
	Major Programme VI						
6100	Secretariat of the Trust Fund for Victims	29.7					29.7
	Total Major Programme VI	29.7					29.7
	Grand Total	2,740.9	1,974.7	242.4	700.0	-393.9	5,264.1

Annex VIII

Estimated impact of new posts on 2009 budget (vacancy rate)
(thousands of euros)

<i>New posts</i>	<i>Number of new posts 2008</i>	<i>Budgeted 2008 cost</i>	<i>Additional 2009 cost</i>	<i>Estimated additional 2009 cost</i>
Basic	11	709.8	153.1	862.9
Situation-related	22	1432.6	292.6	1,725.2
Total	33	2142.4	445.7	2,588.1

Annex IX

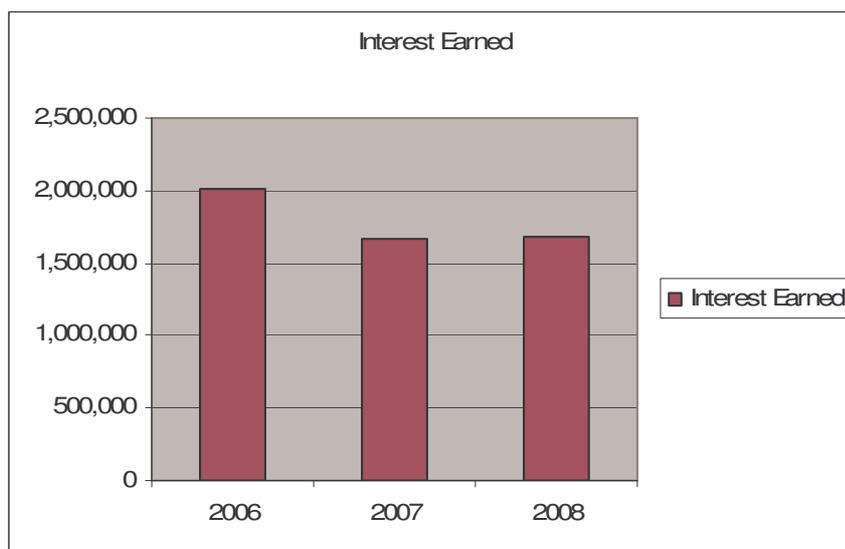
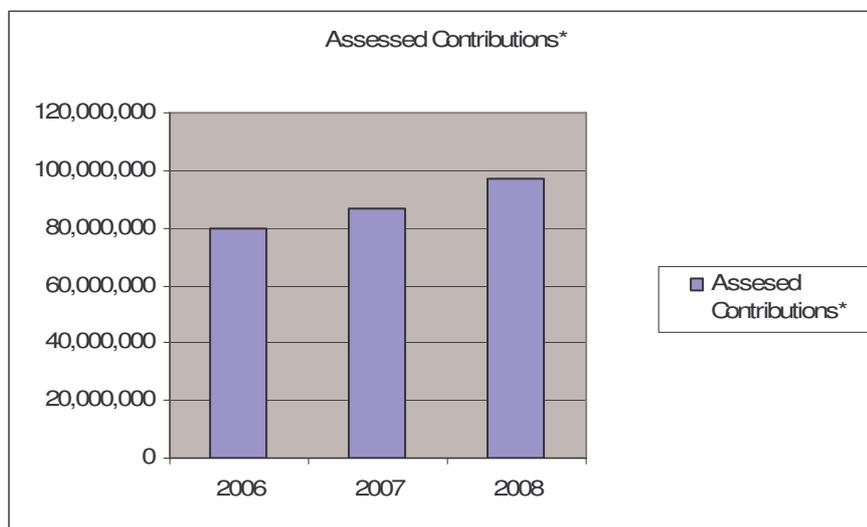
Income projections 2006-2008

(euros)

Description	2006	2007	2008
Assessed contributions (*)	79,544,717	87,916,350	96,617,619
Interest earned (**)	2,008,516	1,660,000	1,677,881
Total	81,553,233	89,576,350	98,295,500

(*) The assessed contributions include the premium of the judges' pensions.

(**) For 2008, greater volume of disbursements is envisaged thereby reducing the average bank balance resulting in lower projected interest.



Annex X(a)

2008 Estimated income statement
(euros)

Special Court for Sierra Leone

<i>Item</i>	<i>Euros</i>
<i>Estimated income 2008</i>	
Depreciation	162,338
Services	815,661
Subtotal income	977,999
<i>Estimated expenditures 2008</i>	
Staff costs	567,196
Rental of premises – detention	209,145
Maintenance services for premises	3,120
Office cleaning services	34,200
Other services	2,000
Subtotal expenditures	815,661
Net income 2008	162,338

Assumptions:

1. Based on 200 courtroom use days during 2008.
2. Maintenance of one day per month at rate of €260 per day.
3. Detention cell charged at rate of €573 per day.
4. Assume daily cleaning of the courtrooms at a rate of €171 per day.
5. A depreciation rate of 20 per cent has been used for calculation of usage charges, according to the agreement reached with SCSL.

Annex X(b)

2008 Estimated income statements
(euros)

Internship and Visiting Professionals Programme

<i>Item</i>	<i>Euros</i>
<i>Estimated income 2008</i>	
Donor contributions	1,200,000
Subtotal income	1,200,000
<i>Estimated expenditures 2008</i>	
Interns and visiting professionals	770,000
Travel	29,000
General operating expenses	143,530
Supplies and materials	42,000
Furniture and equipment	137,000
Administration costs	78,470
Subtotal expenditures	1,200,000
Net income 2008	0

Least Developed Countries Trust Fund

<i>Item</i>	<i>Euros</i>
<i>Estimated income 2008</i>	
Donor contributions	50,000
Subtotal income	50,000
<i>Estimated expenditures 2008</i>	
Travel	44,248
Administration costs	5,752
Subtotal expenditures	50,000
Net income 2008	0

Annex XI

Trial 2 – budget summary
(thousands of euros)

<i>Trial 2 budget summary</i>	<i>Proposed Trial 2 budget 2008</i> (thousands of euros)			
	<i>Major Programme I</i>	<i>Major Programme II</i>	<i>Major Programme III</i>	<i>Total</i>
<i>Subtotal judges</i>	481.0			481.0
Professional staff	455.9		1,338.4	1,794.3
General Service staff			1,372.2	1,372.2
<i>Subtotal staff</i>	359.8		2,166.2	3,166.5
General temporary assistance		1,545.9	300.4	1,846.3
Temporary assistance for meetings			15.0	15.0
Overtime			6.3	6.3
Consultants		76.7	21.0	97.7
<i>Subtotal other staff</i>		1,622.6	342.7	1,965.3
Travel	46.5	120.7	225.2	392.4
Hospitality				
Contractual services incl. training			1,958.4	1,958.4
General operating expenses			1,082.2	1,082.2
Supplies and materials			29.6	29.6
Furniture and equipment			35.0	35.0
<i>Subtotal non-staff</i>	46.5	120.7	3,330.4	3,497.6
Total	887.3	1,743.3	5,839.3	9,110.4

The total proposed Trial 2 cost of €9,110,400 is split into €324,400 for initial set-up costs and €8,786,000 yearly running costs, or €732,167 monthly costs.

Annex XII

Hearing in situ – budget summary*(thousands of euros)*

<i>Budget summary</i>	<i>Total (thousands of euros)</i>
Judges	20.7
Judges' travel	23.4
<i>Subtotal judges</i>	<i>44.1</i>
Professional staff	104.1
General Service staff	53.8
<i>Subtotal staff</i>	<i>157.9</i>
General temporary assistance	15.0
Temporary assistance for meetings	20.0
Overtime	10.0
<i>Subtotal other staff</i>	<i>45.0</i>
Travel	136.2
Contractual services incl. training	2.1
General operating expenses	9.8
Supplies and materials	1.0
Furniture and equipment	26.8
<i>Subtotal non-staff</i>	<i>175.9</i>
Total	422.9

The total proposed cost for the hearing in situ is €422,900, based on 14 days duration.

Annex XIII

Costs relating to forensic operations in the field (OTP)

No provision has been made for field forensic operations in the regular budget; this is due to the costs involved and the uncertainty regarding the frequency and scale of forensic missions that the Investigations Division will be faced with in 2008. The costs of forensic missions can range from €84,794 to €2,130,200 depending on the size of the operation; the time constraints for the forensic operation; the response time required in order to conduct the forensic work; the status of the bodies; and the complexity of the autopsies.

The Office will endeavour to secure forensic assistance through gratis or cost-recovery cooperation arrangements in the first instance, thus reducing the need for long-term or capital investments to the minimum. However, as the arrangements for any forensic operation cannot be foreseen, the Office has prepared costings¹ for small, medium and large-scale forensic operations based on two scenarios: (a) managing the operation internally; and (b) outsourcing the operation to forensic non-governmental organizations. The costs can be seen in table 1 below.

Table 1. Comparison of costs for internally resourced and outsourced forensic activities
(the upper range of victims is used in each case as the reference point)

Scale of operation	Minimum cost (Court resources) (€)	Maximum cost (outsourcing) (€)
Small-scale (10-20 victims)	84,794	699,340
Medium-scale (50-100 victims)	184,027	1,025,896
Large-scale (150-200 victims)	336,422	2,130,200

Additional costs may arise in terms of appropriate shelter for the forensic operations, local transportation of bodies and refrigeration requirements, however, these cannot be estimated until the conditions of the forensic operation are known and are not subsequently reflected in the figures of table 1 above.

The Office of the Prosecutor will ask to use the Contingency Fund in case this is needed.

¹ These costs include personnel requirements, travel and DSA costs, applicable hazard pay, medical and SOS insurance, field equipment, additional replenishments of consumables, shipment/freight and other positioning costs. The costs do not include large capital expenditures for forensic equipment (which was procured in the 2004 and 2005 budgets), repairs and maintenance, or annual depreciation.

Annex XIV

Introduction to programme and sub-programme functions

A. Major Programme I: Judiciary

1. Programme 1100: The Presidency
 - Administrative function: administration of the Court and coordination among the organs.
 - Judicial function: support to Chambers, enforcement of sentences and other functions conferred upon the Presidency in accordance with the Statute and subsidiary texts.
 - External relations function: broaden the understanding of the work of the Court, and coordinate the Court's external communication activities.
2. Programme 1200: Chambers
 - Pre-trial Division
 - Trial Division
 - Appeals Division

B. Major Programme II: Office of the Prosecutor

1. Programme 2100: The Prosecutor
 - Sub-programme 2110: Immediate Office of the Prosecutor / LAS
 - Strategic function: directs strategies underpinning the Prosecutorial Strategy; evaluation of legal standards and policy; human resource deployment strategy.
 - Advice function: legal advice to the operational Divisions of the Office; and coordination of the legal academic network.
 - Sub-programme 2120: Services Section
 - General Administration Unit: Budgetary and financial matters, human resources administration and operational support to joint teams and divisions.
 - Language Services Unit: translation and field interpretation services pertaining to OTP operations.
 - Knowledge-Base Unit: OTP-specific technology-based services.
 - Information and Evidence Unit: physical evidence, potential trial exhibits and referrals management.
2. Programme 2200: Jurisdiction, Complementarity and Cooperation Division
 - Situation analysis
 - Operational function: analysis of situations of interest (new and existing) in terms of interests of justice, complementarity and admissibility issues; analyses of incoming communications and referrals under articles 15 and 53 of the Statute. Provides a dedicated situation analysis capacity to the Joint Teams for each situation.
 - Advice function: prepares substantive reports and recommendations for Executive Committee.

International cooperation

- External relations function: international network building, cooperation agreements negotiations and situation-related cooperation. Coordinates requests for assistance.
- Judicial Cooperation: coordinates judicial assistance.
- International cooperation and arrest: implements international cooperation strategies, promotes national efforts and general cooperation on arrest issues.
- Provides dedicated international cooperation advisory capacity to each of the Joint Teams.

3. Programme 2300: Investigation Division

- Sub-programme 2310: Office of the Deputy Prosecutor (Investigations) / Investigation Teams
 - Operational function: comprises the investigative and field operations capacity of the situation-specific Joint Teams responsible for evidence collection in the field and implementing the investigative strategies and plans.
 - Dedicated resources collaborate with the Trial Team during the trial and appeals phases.
- Sub-programme 2320: Planning and Operations Section
 - Operational and Investigative Support Unit: support and monitor field operations and security procedures. Provide forensic expertise and working and non-working-language transcriptions and meta-data entry resources.
 - Gender and Children Unit: advice and support in relation to victim/witness issues.
 - Investigative Strategies and Analysis Unit: develops investigative strategies, conducts crime analysis. Develops investigative and analytical operating standards and further develops networks with national agencies and law enforcement bodies.

4. Programme 2400: Prosecution Division

Prosecution

- Judicial function: litigates cases before the Pre-Trial and Trial Divisions, drafts documents containing charges under article 61(3)(a) of the Statute and prepares legal submissions.
- Advice function: provides legal guidance to the Joint Teams in developing investigative strategies and case preparation.

Appeals

- Judicial function: litigates in appellate proceedings; prepares legal submissions concerning interlocutory and final appeals and presents oral arguments on appeal.
- Advice function: provides legal advice to the Office on appeals and potential appeals.

C. Major Programme III: Registry

1. Programme 3100: Office of the Registrar

- Sub-programme 3110: Immediate Office of the Registrar / LASS
 - Advice function: legal advice to the Registrar and other Court organs. Prepares, negotiates and reviews legal instruments and internal policies and guidelines.
 - External relations function: liaises with host State on implementation of Headquarters Agreement. Monitors State Parties cooperation and enactment of legislation.

- Sub-programme 3120: Office of Internal Audit
 - Operational function: determines if financial transactions are being used economically, efficiently, effectively and in compliance with the applicable legislative authority, regulations and rules.
 - Sub-programme 3140: Security and Safety Section
 - Operational function: responsible for the Court's physical security.
 - Advice function: general safety advice.
 - Sub-programme 3150: Office of the Controller
 - Operational function: internal budgetary control, especially compliance with the approved programme budget. Control of extrabudgetary and special funds.
 - Advice function: advice to the Court.
2. Programme 3200: Common Administrative Services Division
- Sub-programme 3210: Office of the Director
 - Sub-programme 3220: Human Resources Section
 - Recruitment Unit
 - Staff Administration and Monitoring Unit
 - Training and Development Unit
 - Health and Welfare Unit
 - Sub-programme 3240: Budget and Finance Section
 - Accounts Unit: budget and financial management.
 - Payroll Unit
 - Disbursements Unit
 - Treasury Unit
 - Contributions Unit
 - Sub-programme 3250: General Services Section
 - Travel Unit
 - Facilities Management Unit
 - Logistics and Transportation Unit
 - Records Management / Archiving Unit
 - Procurement Unit
 - Sub-programme 3260: Information and Communication Technologies Section
 - Operations Unit: provides hardware, software, applications and communications infrastructure. Ensures customer support.
 - Information Service Unit: develops and supports information systems and applications.
 - Sub-programme 3280: Field Operations Section
 - Operational function: coordinates field offices activities and monitors their management.
 - Advice function: advice on field operations activities.
3. Programme 3300: Division of Court Services
- Sub-programme 3310: Office of the Head / Court Management Section
 - Operational function: organizes Court hearings, provides fully operational courtrooms. Supports video links. Manages Court hearing information.

- Sub-programme 3330: Detention Section
 - Operational function: responsible for safe, secure and humane custody of persons detained under the authority of the Court.
 - Sub-programme 3340: Court Interpretation and Translation Section
 - Operational function: responsible for translation and interpretation for Court hearings, Court activities, field missions of Registry, Chambers and Presidency.
 - Sub-programme 3350: Victims and Witnesses Unit
 - Operational function: facilitates interaction of victims and witnesses with the Court.
 - Advice function: advice to the Court on appropriate protective measures, security arrangements, counselling and assistance.
4. Programme 3400: Public Information and Documentation Section
- Library and Documentation Centre
- Operational function: print, non-print and electronic legal information resources.
- Public Information
- Operational function: publicizes activities of the Court. Promotes better understanding of the Court's principles. Maintains dialogue with communities where the Court is active.
5. Programme 3500: Division of Victims and Counsel
- Defence Support
- Operational function: assists persons seeking legal assistance and defence teams, ensures independence of defence teams and communicates with other organs and interlocutors outside the Court.
- Victims Participation and Reparations
- Operational function: assists victims and groups of victims. Raises awareness of victims on their rights under the Rome Statute. Liaises with the Secretariat of the Trust Fund for Victims regarding the implementation of orders relating to reparation.
- Sub-programme 3540: Office of Public Counsel for the Defence
 - Operational function: provides support and assistance to the defendants and defence teams, as well as to the Chambers.
 - Office independent of the Registrar.
 - Sub-programme 3550: Office of Public Counsel for Victims
 - Operational function: provides support and assistance to the victims and legal representatives of the victims.
 - Office independent of the Registrar.

D. Major Programme IV: Secretariat of the Assembly of States Parties

- Operational function: provides administrative and technical assistance as well as legal and substantive secretariat services to the Assembly of States Parties, its Bureau and subsidiary bodies.
- Advice function: assists and prepares texts and statements on financial and budgetary matters.

E. Major Programme V: Investment in the Court's Premises

1. Programme 5100: Interim Premises
 - Operational function: provides the best possible short-term accommodation for the Court at the lowest possible costs.
2. Programme 5200: Permanent Premises
 - Operational function: provides the best possible long-term accommodation for the Court at the lowest possible costs.

F. Major Programme VI: Secretariat of the Trust Fund for Victims

- Operational function: provides assistance to the Board of Directors of the Trust Fund for Victims.
- Office under full authority of the Board of Directors and attached to the Registry of the Court for administrative purposes.

Annex XV

Glossary of budgetary terms

Appropriation	Amount voted by the Assembly of States Parties for specified purposes for a financial period, against which obligations may be incurred for those purposes and up to the amounts so voted.
Appropriation section	Largest subdivision of the budget of an organization within which transfers may be made without prior approval by the Assembly of States Parties.
Basic costs	Costs which are required to set up and sustain the Court as an organization with a basic capacity to be ready to react to situations before an investigation is opened. Basic costs include the judges, the elected officials with their support, the essential services for maintaining the Court's basic administrative functions and its premises, and the necessary capacity to perform initial analysis, investigative, prosecutorial and judicial functions before the opening of an investigation.
Budget	A plan in financial terms for the carrying out of a programme of activities for a specific period.
Budgetary control	The control or management of an organization in accordance with an approved budget for the purpose of keeping expenditures within the limitations of available appropriations and available revenues.
Common staff costs	Costs, other than salary costs, arising from conditions of employment of the staff.
Contingency Fund	A fund providing for unforeseen expenses.
Extrabudgetary resources	All resources, other than those of the regular budget, administered by the organization.
Financial year	The period from 1 January to 31 December inclusive.
Major programme	Major function of an organization for which one or more objectives may be set.
Objective	A desired state to be reached or maintained through one or more activities.
Post	An authorization to employ a person, or a succession of persons, for the performance of work required by the organization.
Programme	A set of activities directed towards the attainment of one or more defined objectives. In the programme structure, the next lower subdivision of a major programme contributing to the objective or objectives of that major programme.
Programme budget	A budget which focuses upon the work to be undertaken and the objectives sought through that work: it emphasizes the ends to be achieved and translates them into the costs required for their implementation; decisions relate both to resource levels and to results to be achieved.

Programme structure	A hierarchical arrangement of programmes (e.g. major programmes, programmes, sub-programmes and programme elements).
Results-based budgeting	A budget process in which: (a) organizational units formulate budgets around a set of pre-defined objectives and expected results; (b) expected results justify the resource requirements which are derived from and linked to outputs required to achieve such results; and (c) actual performance in achieving expected results is measured by performance indicators.
Standard costs	Amounts used for budgeting and budgetary control purposes, representing either target or estimated average unit costs.
Situation-related costs	Costs generated by activities when a decision to open an investigation into a situation has been made (either by the Prosecutor under article 53, or by the Pre-Trial Chamber under article 15, paragraph 4, of the Rome Statute).
Sub-programme	In the programme structure, the next lower subdivision of a programme, contributing to the objective or objectives of that programme.
Temporary posts	Posts of limited duration approved by the appropriate authority within the budgetary provisions therefor.
Trust fund	Account established with specific terms of reference and under specific agreements to record receipts and expenditure of voluntary contributions for the purpose of financing wholly or in part the cost of activities consistent with the organization's aims and policies.
Working Capital Fund	A fund established by the appropriate legislative organ to finance budgetary appropriations pending receipt of States Parties' contributions and for such other purposes as may be authorized.
Zero growth	Approved budget current year plus in-built costs for next year.

B. Reports of the Committee on Budget and Finance

1. Report of the Committee on Budget and Finance on the work of its eighth session, April 2007*

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I. Introduction

A. Opening of the session and adoption of the agenda

1. The eighth session of the Committee on Budget and Finance (the Committee) was convened in accordance with a decision of the Assembly of States Parties (the Assembly) taken at the 7th plenary meeting of its fifth session on 1 December 2006. The Committee held its eighth session, comprising nine meetings, at the seat of the Court in The Hague, from 23 to 27 April 2007. The President of the Court, Mr. Philippe Kirsch, delivered welcoming remarks at the opening of the session.

2. The session was presided over by the Chairperson, Mr. David Dutton (Australia). Ms. Elena Sopková (Slovakia) served as Vice-Chairperson. The Committee appointed Mr. Peter Lovell (United Kingdom of Great Britain and Northern Ireland) as Rapporteur for the session.

3. The Secretariat of the Assembly of States Parties (the Secretariat) provided the substantive servicing for the Committee and its Director, Mr. Renan Villacis, acted as Secretary of the Committee.

4. At its 1st meeting, the Committee adopted the following agenda (ICC-ASP/6/CBF.1/L.1):

1. Opening of the session
2. Adoption of the agenda
3. Participation of observers
4. Organization of work
5. Programme performance of the 2006 budget
6. Performance of the 2007 budget
7. Programme structure and budget presentation for 2008
8. Premises of the Court
9. Human resources
10. Reclassification
11. Pension scheme for judges
12. Legal aid scheme
13. Other matters
 - a) Detention costs
 - b) Special Court for Sierra Leone

5. The following members attended the eighth session of the Committee:

1. Lambert Dah Kindji (Benin)
2. David Dutton (Australia)
3. Eduardo Gallardo Aparicio (Bolivia)
4. Fawzi A. Gharaibeh (Jordan)
5. Rossette Nyirinkindi Katungye (Uganda)
6. Juhani Lemmik (Estonia)
7. Peter Lovell (United Kingdom of Great Britain and Northern Ireland)
8. Karl Paschke (Germany)
9. Elena Sopková (Slovakia)
10. Michel-Etienne Tilemans (Belgium)
11. Santiago Wins (Uruguay)

6. The following organs of the Court were invited to participate in the meetings of the Committee to introduce the reports: the Presidency, the Office of the Prosecutor and the Registry.

B. Participation of observers

7. The Committee accepted the request of the Coalition for the International Criminal Court to make a presentation to the Committee.

C. Statements by a representative of the host State

8. At the 2nd and 7th meetings, on 23 and 26 April 2007, Ambassador Edmond Wellenstein, Director General of the International Criminal Court Task Force of the Ministry of Foreign Affairs of the Netherlands, made statements on behalf of the host State on the issues of permanent premises and detention costs, respectively.

D. Timeliness of documentation

9. The Committee expressed concern that its recommendations to the Court, contained in the reports on the work of its sixth and seventh sessions,¹ had by and large not been heeded. It wished to convey once more to the Court the importance that the Committee attached to the timely and orderly submission to the Assembly Secretariat of the Court's reports and other documents, so as to ensure that they were distributed to the Committee at least three weeks in advance of its sessions. This would enable members of the Committee to examine the documentation in a thorough and detailed manner prior to their arrival at the session and to perform their functions in providing advice to the Assembly in the most effective way.

10. The Committee was further concerned about the amount of information introduced by presentations and handouts that should properly have been provided through substantive papers. Not only did this prevent an opportunity for prior consideration and preparation, but also reduced the speed of the Committee's work and made accurate timetabling of the agenda and attendance of officials difficult. As a result, a number of items took longer than planned, delaying the efficient dispatch of the Committee's business.

11. The Committee recommends that the Court adhere to the guidelines set out in the Manual of Procedures adopted by the Bureau of the Assembly of States Parties on 31 August 2006 and notes in particular the content of paragraph 4 thereof.²

¹ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fifth session, The Hague, 23 November - 1 December 2006* (International Criminal Court publication, ICC-ASP/5/32), part II.D.6 (a), para.72 and part II.D.6 (b), para.133.

² "4. The present Manual of Procedures contains guidelines which have been developed to facilitate the preparation and submission of official documentation to the Secretariat by the organs of the Court, and to streamline all procedures related to conference services provided by the Secretariat to the Assembly and its subsidiary bodies. The main guidelines regarding submission of documents are:

(a) The Court should submit documentation to the Secretariat of the Assembly in a staggered and orderly manner, in accordance with an annual timetable to be prepared by the Secretariat, so as to ensure that documentation is submitted to the Assembly or its subsidiary bodies at least three weeks in advance of the respective session.

(b) If a report is submitted late to the Secretariat, the reasons for the delay should be included in a footnote to the document.

(c) The substantive office that submits documentation to the Secretariat should include, where appropriate, the following elements in the reports:

(i) A summary of the report, which should quantify any programme budget implications;

(ii) Consolidated conclusions, recommendations and other proposed actions;

(iii) Relevant background information.

(d) All documents submitted to legislative organs for consideration and action should mark conclusions and recommendations in bold print."

II. Consideration of issues on the agenda of the Committee at its eighth session

A. Review of financial issues

1. Status of contributions

12. The Committee reviewed the status of contributions as at 24 April 2007 (annex I). It noted that a total of €6,852,567 was outstanding from the previous financial period. While recognizing that the rate of payment by this point had improved as compared to previous years, it expressed concern that a considerable amount remained outstanding. So far 62 per cent of 2007 contributions had been paid, compared to 55 per cent in 2004; 50 per cent in 2005; and 44 per cent in 2006. The Committee also expressed serious concern that only 31 States were fully paid up for all their contributions, leaving a total of €39,743,044 outstanding for all financial periods.

B. Budgetary matters

1. Programme performance of the 2006 budget

13. The Committee considered the report on programme performance of the International Criminal Court for the year 2006 (ICC-ASP/6/CBF.1/2).³ The Court noted that the overall implementation rate had been 79.7 per cent. Three key factors had influenced the Court's ability to fully implement the 2006 programme budget. The first one was the lack of trial activity that had been foreseen in the budget. The second was travel restrictions set by the United Nations due to security risks to areas of key interest to the Court. The third factor was delayed recruitment that had affected the Judiciary, the Office of the Prosecutor and the Registry, in particular the Division of Court Services and the Division of Victims and Counsel.

14. Despite the overall rate of implementation being almost 80 per cent and workload assumptions not materialising, the Committee noted there had been overspending in some areas (for example, in furniture and equipment, general temporary assistance - GTA - and consultants). While the Committee noted that some overspends had been partly due to delays in recruitment and the Court's use of the flexibility granted to it, the Committee was concerned that this could have resulted in the Court exceeding its budget if the assumptions had been realised.

15. The Committee recalled its recommendation on overspending contained in the report on the work of its sixth session,⁴ in which the Committee had stated its expectation that expenditure be carefully managed to avoid exceeding the authorised levels for each object of expenditure.

16. The Committee welcomed the structure of the performance report that set out results in a clear tabular format. The Committee recalled the comments it had made at its seventh session, and in earlier reports, on results-based budgeting and performance indicators. Although there had been slow improvement in this area, many of the indicators remained vague resulting in performance being unclear, over-stated, or not realistically described. As a result, the challenges facing the Court were not always adequately highlighted. The Committee reiterated the need for results-based budgeting to be linked to expenditure, and for performance indicators to be:

- Specific
- Measurable

³ Re-issued as ICC-ASP/6/3.

⁴ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fifth session, The Hague, 23 November - 1 December 2006* (International Criminal Court publication, ICC-ASP/5/32), part II.D.6 (a), para. 24.

- Achievable
- Relevant
- Time-bound

17. In discussing the results achieved by the Court in 2006, the Committee recalled that the Statute established not just a court but a full international criminal justice system, including investigatory, prosecution, judicial, victims participation and reparation, public defense, outreach, security and detention functions. The Committee expressed interest in the potential for assessing the impact of the Court in specific situations and on the legal systems of States Parties, noting that the Court's activities would have impacts beyond the immediate prosecutions and trials which took place. The Committee asked the Court to continue to reflect on how such impacts could be assessed, including in the context of the Strategic Plan and the annual performance report.

2. Performance of the 2007 budget (first quarter)

18. The Court made a presentation on the budget performance for the first three months of the year 2007. The total level of implementation was at 21.4 per cent, but the Court did not yet have in place accounting systems that planned expenditure on a monthly basis over the year. As such, the rate of implementation at 31 March could be compared only against one quarter of the total budget. The Committee encouraged the Court to continue to work towards the development of systems that would enable actual and planned expenditure to be compared on a monthly basis. The Committee noted that 56 per cent of the consultants budget had already been spent, an area where there had been a significant overspend in 2006.

19. With respect to the present status of situations being considered by the Court, the Office of the Prosecutor advised that the Uganda investigation phase into crimes allegedly committed by the Lord's Resistance Army (LRA) would soon come to an end while monitoring of the situation as a whole would remain. The number of suspects had decreased from 5 to 4 (one deceased), but their arrest and surrender to the Court remained uncertain and beyond the Court's control. It was necessary for some resources to remain in the field in order to preserve evidence, particularly to keep track of witnesses, in case the arrest and surrender were to occur at a later stage to avoid a costly re-investigation as a result of a loss of evidence. In the situation in the Democratic Republic of the Congo (DRC), charges had been confirmed in one case (Thomas Lubanga) at the end of 2006, but the defense counsel had since resigned leading to a delay in proceedings. The second case within this situation was continuing, while a third case was under consideration. It was also noted that there had been travel restrictions in the DRC due to security concerns. Progress had been made in the Darfur situation. Summonses to appear relating to two individuals had been requested and were under consideration by the Pre-Trial Chamber.⁵

20. The Committee recalled that at its fifth session the Assembly had recommended that additional posts requested for translation and for the Victims and Witnesses Unit, within Major Programme III, could be absorbed within that Major Programme.⁶ The Court advised that the costs of these resources would be offset by underspending in other areas and stated its intention to include the full cost of these posts in the 2008 budget. The Committee noted that while the Assembly had approved the posts, there appeared to have been an expectation that the Court would seek to absorb the additional costs (rather than simply deferring them for one year). The Committee requested the Court to seek to identify any offsetting savings and to include such information in the proposed 2008 budget.

⁵ It should be noted in this connection that on 2 May 2007, the Pre-Trial Chamber issued arrest warrants against the two individuals concerned.

⁶ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fifth session, The Hague, 23 November - 1 December 2006* (International Criminal Court publication, ICC-ASP/5/32), part II.D.2 (a), paras. 26-27.

21. The Committee was also informed that the Court intended to propose increases in the 2008 budget for inflation for the two previous years. The Committee recalled that the Assembly had not approved an adjustment for inflation in the 2007 budget. While the Committee expected that the Court would propose an increase for inflation between the 2007 and 2008 budgets, which would be assessed by the Committee and the Assembly, the Committee did not see a justification to include in the proposed programme budget for 2008 an increase for inflation from 2006 to 2007, which had already been rejected by the Assembly. The Committee requested the Court to include in the proposed 2008 budget a full explanation of its methodology for calculating inflation and exchange rates adjustments for staff and non-staff resources.

3. Programme structure and budget presentation for 2008

22. The Committee recalled the exchange of views which took place during the fifth session of the Assembly on the presentation of the budget and the budgetary process⁷ as well as its own comments on the proposed 2007 budget at its seventh session.⁸ The Committee agreed to consider possible improvements to the budget presentation and process, consistent with the report of the Assembly, at its ninth session.

(a) Budget time frame

23. The Committee invited the facilitator on budgetary issues of The Hague Working Group, Ambassador Hans Magnusson (Sweden), to address the Committee on issues of concern within The Hague Working Group. Ambassador Magnusson presented an informal paper to the Committee that proposed adjustments in the timetable for the budgetary process. In his view, it would be preferable in future years to bring forward by some weeks the dates of the second annual session of the Committee and to advance the publication of the proposed programme budget by a few weeks. States would also like to receive an early circulation of the budget figures before August.

24. The Committee agreed that there had been insufficient time for States to examine its report in advance of the Assembly in 2006 and therefore decided to move its session from October to September, ensuring the report would be available by mid-October. It also urged the Court and the Secretariat to optimise the process of preparing the budget. In this regard, the Committee recalled rule 103.3 and regulation 3.4 of the Financial Regulations and Rules, which state:

“Rule 103.3
Content of the proposed programme budget

The proposed programme budget shall contain:

(a) The financial framework of the Court, followed by

(i) A detailed statement of resources by part, section and, where applicable, programme support. For purposes of comparison, the expenditures for the previous financial period and the revised appropriations for the current financial period shall be indicated alongside the resource estimates for the forthcoming financial period;

(ii) A statement of estimated income, including income classified as miscellaneous in accordance with regulation 7.1;

(b) The budget proposals, with detailed budget narratives as set out in regulation 3.3;

(c) Relevant tables and figures on budget estimates and posts.

⁷ Ibid., part II.C, paras. 5-9.

⁸ Ibid., part II.D.6 (b), paras. 48-50.

3.4. The Registrar shall submit the proposed programme budget for the following financial period to the Committee on Budget and Finance at least 45 days prior to the meeting at which the Committee shall consider the proposed programme budget. At the same time, the Registrar shall also submit the proposed programme budget to the States Parties.”

25. The Committee noted that the proposed 2008 budget should be published by 25 July 2007 in order to be available 45 days in advance of the opening of the Committee's ninth session on 10 September 2007.

(b) Budget presentation 2008

26. Following an informal process of consultation between the Court and the Committee since the previous session, it was agreed that the following improvements would be made in the Court's proposed programme budget for 2008:

(i) Baseline: The draft budget would continue to show estimates for 2008 in comparison to the approved budget for the current year (2007) and the actual expenditure for the previous year (2006). However, to improve the comparability of the estimates, the Court would present an addendum to the budget comparing the proposed budget for 2008 with a forecast for current year (2007) actuals, based on expenditure up to the end of August.

(ii) Introduction: The introduction to the draft budget would contain a longer and more informative macro-analysis of change in the budget, which should equip the Committee and the Assembly to examine the budget at a more strategic level. This would include a better explanation of the relationship of change in the budget to the Strategic Plan and identification of specific challenges and objectives for the Court in the coming year. The introduction would include more tables presenting key aspects of the budget, in particular to show change in the resources required for each situation. Organigrams would include details of current and proposed staffing levels to allow easier review of the proposed budget.

(iii) Justification of additional resources: The draft budget would continue to provide justification in support of proposed new resources. Such justification would demonstrate why proposed new resources were needed in the context of the existing resources available to a relevant area and explain why it was not possible to absorb new costs, to make efficiency improvements, or to prioritise. It was desirable to use workload indicators and other such supporting information where that was relevant. The level of justification would correspond more closely to the quantity of additional resources sought and be more consistent throughout the budget document. Finally, the draft budget would include sufficient information on the current level of resources and posts for each programme to allow easy comparison of proposed and existing resources.

(iv) Justification of non-recurrent resources: The draft budget would not assume the automatic continuation of resources from one year to the next for costs that could reasonably be regarded as non-recurrent. While it would not be desirable to precisely delimit recurrent and non-recurrent resources, justification would be provided for resources that could be regarded as non-recurrent. For instance, in many cases consultancy expenses were approved for a one-off purpose and should not be assumed to continue without the need for fresh justification.

(v) Sub-programmes: In preparing the draft budget, the Court would review the need to continue to present individual budgets for very small sub-programmes, in particular the many ‘offices of the head’. The Court would seek to compress very small sub-programmes into larger budgetary units wherever possible. This should reduce the overall length of the budget document.

(vi) Performance indicators: The budget would contain a smaller number of performance indicators that would measure the degree of success attained in achieving the specific objectives contained in the Strategic Plan. The Court would seek to apply the improvements identified in paragraph 16 above on programme performance for 2006.

(vii) Income: To improve transparency, the budget should reflect all income and expenditure for the relevant financial period, as required by regulation 3.2 of the Financial Regulations and Rules.

(c) Future budget improvements

27. The Committee had an initial exchange of views with the Court on several other budgetary matters which would require amendment of the Financial Regulations and Rules by the Assembly, including multi-year budgets, transfers between major programmes, and possible changes to the major programme structure. It was recognised that these issues were complex and that more work would be needed before any recommendations could be made to the Assembly. The Committee decided to revert to these issues in future sessions.

C. Premises of the Court

1. Permanent premises

28. The Committee recalled that, at its fifth session, the Assembly had requested the Court, in order to allow a review by the Committee at its eighth session, (a) to finish preparing in the shortest possible time a detailed functional brief that would include its user and security requirements reflecting scalability in terms of staffing levels; (b) to prepare, in consultation with the host State, cost estimates for the project; and (c) to prepare, in consultation with the host State, a provisional timetable with key decision points, a summary of planning and permit issues, and a planning strategy for the site showing possible modular approaches to scalability. The Assembly had also requested the host State, in order to allow a review by the Committee at its eighth session, to provide further information on the financial and land offers contained in the further host State bid, including the possible options and methods for managing the proposed loan, any legal issues concerning the separation of ownership of the land and the proposed buildings and other issues that would be subject to a contract between the host State and the Court. Furthermore, the Assembly had also requested the Bureau, in consultation with the Court and the host State, to prepare options for a governance structure for the project that would specify the respective roles and responsibilities of the Assembly, the Court and the host State.⁹

29. Accordingly, the Committee considered the functional brief for the permanent premises, the cost estimates, the further clarification of the host State bid and informal papers from The Hague Working Group on permanent premises, and had the opportunity to discuss the issues raised with Court officials, representatives of the host State and the facilitator on permanent premises of The Hague Working Group, Mr. Masud Husain (Canada).

30. The Committee was pleased by the overall quality and detail of the documentation, and noted that considerable progress had been made since the first experts meeting in September 2006. The Committee decided to focus its work on areas where its expertise could contribute to the overall progress of the project, and agreed it would need to consider the issues again at its next session with a view to reporting to the Assembly at its sixth session. With this in mind the Committee considered the following areas at this stage.

⁹ Ibid., part III, resolution ICC-ASP/5/Res.1, paras. 2, 3 and 7.

(a) Functional brief

31. The Committee noted that the functional brief included two sets of assumptions for the level of activity in future, and that estimates of the number of workplaces required had been made for both scenarios, namely the “target scenario” and the “growth scenario”.

32. The target scenario was a projection of the anticipated needs of the Court beyond 2012 in terms of staffing levels and related area requirements. It was based on the following key assumptions used in the Court Capacity Model: up to four situations, four investigations, four trials, three final appeal procedures and a team of 18 judges working full time at the Court. These assumptions led to a scenario of 1,137 staff and 1,357 workplaces.

33. The growth scenario was a projection based on the Court Capacity Model indicating the possibility for future expansions after the establishment of the permanent premises. It was based on the following key assumptions: up to five situations, four investigations, seven trials, three final appeal procedures and possibly more than 18 judges in accordance with article 63, paragraph 2, of the Rome Statute. These assumptions led to a scenario of 1,364 staff and 1,598 workplaces.

34. The Committee agreed that – while it was impossible to predict the workload of the Court in 10 years time – the workload assumptions stated in the ‘target scenario’ appeared to represent a reasonable basis for planning the permanent premises.

35. The Committee noted that the staffing levels associated with these workload assumptions had been derived from the Court Capacity Model. The Committee recalled its comments in paragraph 36 of the report on its previous session, where it had welcomed continued work on the Model while expressing caution about its accuracy as a planning tool at this stage.¹⁰ The Committee agreed that the Model did not take account of economies of scale and produced inflated staffing estimates, even in areas of the Court where staffing levels were not tied to the assumptions of the budget (for instance the Secretariat of the Assembly of States Parties).

36. To improve the comparability of the staffing levels in the functional brief with the current level of staffing, the Committee produced the following table:

	April 2007	Budget 2007	‘target’	‘growth’
Staff	640	771	1201	1434
Interns/visiting professionals	67	96	153	153
Total	707	867	1357	1592

37. This table identifies the number of staff of all types working at the Court, with the exception of those in the field. The Committee noted that the functional brief forecasts growth of 56 per cent in staffing numbers between the budgeted level of staff for 2007 and the ‘target scenario’. However, in broad terms, the difference between the assumptions for the 2007 budget and those for the target scenario did not appear to be large enough to explain a 56 per cent increment in projected staff requirements.

38. While the Committee agreed that it would not be possible to precisely estimate staffing levels in the future, given the uncertainties pertaining to the development of the Court’s work, it agreed that the workload assumptions in the target scenario could provide a reasonable basis for calculating a staffing range. In the Committee’s view, a range of 850 to 1,050 staff (not including interns and visiting professionals) would be likely to cover the Court’s needs to meet the workload assumptions in the target scenario. It indicated its interest in examining closely any further staffing estimates that the Court generated.

¹⁰ Ibid., part II.D.6 (b), para. 36.

39. The Committee noted that The Hague Working Group had requested modelling of a scenario based upon staff numbers of 900 while demonstrating flexibility and scalability, and supported this request.

40. The Committee understood that a further expert meeting was being arranged for June 2007 to conduct a validation process to test the user requirements in a more detailed manner. With this in mind, the Committee chose to limit its comments on the functional brief to the following points at this stage, noting that the previous expert meeting had already identified most issues of interest to the Committee:

(i) The Committee noted that workstations had been allowed for 153 interns and other short-term visitors, increasing the total spatial requirement and number of workstations by 12.5 per cent. Although the Committee recognised the value of internship and other visitors, it questioned whether this required such a high provision of facilities. The Committee felt that the Assembly may wish to determine to what extent it wished to fund space, furniture, IT equipment and overheads for so many interns and visitors.

(ii) The allowance for posts for the Secretariat of the Assembly in the two scenarios was based on exponential growth linked to increases in the Court's workload. However, the workload of the Secretariat would bear little relationship to the assumptions of the Court. This was one area in which the tendency of the Court Capacity Model to inflate numbers was most apparent. The Committee observed that the Secretariat workload would be driven primarily by the requirements of the Assembly and its subsidiary bodies.

(iii) The functional brief provided office space for staff whose functions were not desk-bound (e.g. security). Although the Committee did not seek to deprive Court staff of a proper working environment and facilities, it questioned whether such provision was necessary. It agreed that close scrutiny was needed of the amount of space proposed for staff depending on their specific functions.

(iv) In the cost estimates,¹¹ provision for car parking accounted for more than 10 per cent of the construction cost. The Committee questioned whether this was necessary, given alternatives and public transport facilities.

(b) Cost estimates

41. The Committee noted the cost estimates that had been provided at this stage and the approach that had been adopted in their calculation. The Committee recognised that the estimates were quite tentative given the many uncertainties and unclear assumptions currently prevailing. It also observed that the cost estimates related only to the construction costs and fixtures, and that a number of other items such as ICT equipment were excluded, although it might be possible to utilise some of the existing equipment from the interim premises. Additionally, funding would be required for professional services in managing the project, the extent of which would be clearer once issues of project management and governance had been clarified. The Committee felt that the Court should instigate work to ascertain the range of additional costs that would be required to provide States Parties with a better understanding of the total costs to which they would need to commit.

42. Regarding cost estimates, the point was also made that additional clarifications were required from the host State concerning some legal aspects of the relationship between land and

¹¹ Informal paper on cost appraisal. The New Permanent Premises of the International Criminal Court: Preliminary Cost Estimate for Construction Costs (Drees & Sommer International, 6 March 2007).

building, in particular the legal status of the building's property in the event of a move of the Court's seat.

(c) Financing

43. The Committee noted that financing options would need careful examination by the Assembly and accordingly welcomed information from the host State on the terms of its loan offer. The representative of the host State offered helpful additional information in response to questions on details of potential loan arrangements. The Committee agreed that it would be useful for the host State to provide as much detail as possible in writing at an early stage, including with respect to the following questions:

- (i) What variability is available in the start date for repayments?
- (ii) Can the loan be for any period up to 30 years?
- (iii) How would the arrangement handle late payments due to arrears of States Parties?
- (iv) Could the value of the loan be taken as a direct subsidy to the project?

44. The Committee agreed that while a decision on financing may not be needed in 2007, it would be important at least to make progress towards financing options and to develop details of the costs of particular models.

45. The Committee requested the Court, with the help of appropriate expertise, to prepare for its next session details of costs for the Assembly of each of the following options (in each case for total project costs of €150m and €200m):

- (i) Paying for the project in the years that expenditure is incurred (without the use of any loan);
- (ii) Use of the capitalized amount (estimated at €35 million) in case of non-use of the host State loan;
- (iii) An interest-free loan over 30 years, with payments commencing in the first year of the project;
- (iv) An interest-free loan over 30 years, with payments commencing at the completion of the project;
- (v) A 2.5 per cent interest loan over 30 years, with payments commencing in the first year of the project;
- (vi) A 2.5 per cent interest loan over 30 years, with payments commencing at the completion of the project; and,
- (vii) A 2.5 per cent interest loan over 10 years, with payments commencing in the first year of the project.

46. The Committee also noted that there may be potential to raise significant funds towards the project through donations from States and private institutions and individuals. It recommended that the Court and The Hague Working Group continue to give consideration to means by which specific parts of the permanent premises (for instance, courtrooms, meeting rooms, library, art) could be financed by donations. It suggested that fundraising capacities in the project team, and possibly in the governance structure, may be necessary to attract donations.

(d) Governance structure

47. The Committee again considered the question of governance arrangements for the project in light of continuing informal discussions in The Hague Working Group. It welcomed the important progress that was reflected in the informal summary by the facilitator on permanent premises of the meeting of experts on the permanent premises, which took place in The Hague from 28 to 30 March 2007.

48. In general, the Committee felt the direction of discussions in The Hague Working Group was promising and consistent with its earlier recommendations which: (a) underlined the need for a clear framework setting out the project structure, the responsibilities of each party, and lines of accountability to the Assembly; and (b) emphasised the need for sound governance arrangements to be put in place at the outset.¹²

49. The Committee noted that further work would be undertaken to identify the key decisions that the Assembly should determine in the governance structure, and how authority should be delegated to those responsible for successful delivery of the project. The Committee encouraged The Hague Working Group to continue to work towards a clear framework that would identify the key parties in the project structure, the authority and responsibility each would exercise, and lines of accountability to the Assembly. In this regard, the Committee felt that it may be useful to differentiate between parties which were essential to decision-making and management of the project, and those other stakeholders whose close strategic involvement was required alongside the decision-making structure. Not all stakeholders could be incorporated into the decision-making structures; rather, means of effectively involving them were needed, including means of effective communication to prevent mistrust from developing. The Committee felt that it was critical for the top decision-making body to be able to take quick and clear decisions, including on difficult issues, where there may be differences of view among parties.

50. With respect to the project director, the Committee agreed that it would not be ideal to designate the host State as the project director. While the host State had an indispensable part to play in many aspects of the project, and this needed to be reflected in the governance arrangements, the Committee felt that the host State's other roles (including in financing) would be complicating factors that could give rise to a perceived conflict of interest. Moreover, the Committee observed that the Assembly wished to exercise a stronger hand in guiding the project than might be possible were the host State to also serve as the project director.

51. The Committee agreed that, on the basis of the information available at this stage, it favoured the Court as the 'project director'. At its sixth session, the Committee had emphasised¹³ that the Court should create strong internal governance arrangements that ensured the Registrar was responsible and accountable for the project, and it had encouraged the creation of a strong project management office.

52. Representatives of the Court advised the Committee that the Court was the only legal entity that could enter into binding financial obligations. While the Committee felt that this obstacle would be surmountable, it did see advantages in utilising the existing governance arrangements that applied to the Court's ordinary management activities, including capital investments. Using the Court as the project director would be the simplest arrangement, provided that its internal lines of responsibility and accountability were strong, and that its capacities to fulfil the role were sufficient for the task.

53. In these respects, the Committee agreed that to effectively fulfil the project director role the Court would have to establish a team of experienced specialists who are skilled in managing the details of a sizable and complex construction project. In particular, the leader of this team should be an eminently qualified professional with a proven track record in successful delivery of major projects of this kind, who could command the respect of all parties. The Committee felt that previous planning by the Court for the staffing of its project office, headed at the P-5 level, would not meet this standard. In particular, it appeared likely that the head of the office would need to be

¹² *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fifth session, The Hague, 23 November - 1 December 2006* (International Criminal Court publication, ICC-ASP/5/32), part II.D.6 (a), paras. 43-44 and part II.D.6 (b), paras. 113-114.

¹³ *Ibid.*, part II.D.6 (a), paras. 43-44.

at a higher level to attract suitable applicants. The Committee also felt it would be helpful for the Court to provide more information on the internal lines of accountability for the project office should the Assembly decide that the Court should fulfil the role of project director.

54. Notwithstanding these comments, the Committee also recognised that some of the same considerations that applied to the host State as project director also applied to the Court: there could be conflicts of interest and the arrangement may not allow the Assembly to exercise sufficient control over the project. Were the Assembly to decide that the Court would serve as the project director then it might need to adopt appropriate controls within the governance scheme.

55. The Committee was aware that these questions remained under consideration in The Hague Working Group and indicated its wish to return to the question of governance at its next session. At that time the Committee would provide more precise advice, if required, to the Assembly, especially with respect to arrangements within the Court for whichever model the Assembly was likely to adopt.

2. Interim premises

56. The Court outlined the latest position with regard to the interim premises. The Court was currently occupying interim premises at The Arc, Hoftoren and Saturnusstraat buildings. Further expansion would take place to the Haagse Veste in the summer of 2008 with the intention of replacing the Hoftoren. However, given the Court's increasing staff numbers, this solution was unlikely to meet the Court's requirements, resulting in the potential for the Court to be located over four different sites.

57. The Committee deplored the difficulties and loss of efficiency in operating over multiple sites. The Committee expressed its concern that the host State had not achieved a better solution in keeping with its responsibilities for providing interim premises. It hoped that a solution that avoided frequent re-locations could be found quickly.

D. Human resources

58. The Committee received a presentation on the Court's current human resources policies and practices, including some data on the composition of the staff of the Court. The Court advised that it would soon commence a project on career development and a range of human resources policies within the context of the Strategic Plan.

59. The Committee noted that no reports had been presented by the Court for its consideration. Consequently, the Committee had to specifically request information on the level of staff, established posts, filled posts, vacancy rate and recruitment process. Additionally, information was requested on gender balance and geographical representation per country, in particular with regard to posts at the decision-making level.

60. The Committee agreed that the human resources policies of the Court were vital for the realisation of the Court's objectives: the Court needed human resources practices that would help attract and retain high-performing staff. It therefore recommended that the Court move quickly to commence this exercise and requested that it examine (among others) the following issues:

- (a) Alternatives within the common system for remuneration of staff, with a view to identifying models that are most appropriate to the Court's work;
- (b) The potential for merging grades (broadbanding);
- (c) Measures to ensure that the performance management system is effective and fair;
- (d) Possibilities to link performance to pay and other incentives; and,
- (e) Measures to enhance career development and assistance.

61. The Committee noted that there was some tendency in the Court's selection process and job advertisements to rely too heavily on years of experience and seniority rather than competencies. Without discounting the importance of relevant experience, the Committee agreed that the Court should seek to develop selection criteria for all jobs that focus on competencies and capabilities. It welcomed the Court's advice that it had used competency-based techniques in conducting interviews and encouraged the Court to ensure that future amendments to application requirements increase the ability of the Court to differentiate applicants on the basis of competencies.

62. The Committee discussed the Court's efforts to improve geographical representation of staff, consistent with the Statute and the decisions of the Assembly. It recalled the high priority attached by States to ensuring an equitable representation of staff and took note of the data provided on the current composition of the staff. The Committee strongly encouraged the Court to continue to develop systems for disseminating vacancy announcements to relevant groups and individuals in underrepresented countries. It was essential for the networks distributing vacancy announcements to operate quickly, either by Internet or by facsimile in order to ensure that potential applicants had sufficient opportunities to apply. The Committee recognised that work was continuing in The Hague Working Group on this subject, and hoped that the Group would develop effective measures by which the Court could cooperate with States to identify and attract candidates from underrepresented States.

63. The Committee requested the Court to prepare a comprehensive report on the issue of human resources for consideration by the Committee at its tenth session in April 2008, which would provide an update on policy with respect to the issues identified above, as well as the types and length of contracts used by the Court. The report should also include relevant data on the composition of staff and consultants.

E. Classifications / reclassifications

64. In accordance with the recommendation to the Assembly adopted by the Committee at its previous session,¹⁴ the Assembly had authorised the Committee to approve at its April session the reclassifications proposed by the Court where there was strong justification to do so.¹⁵ The Court proposed a total of 20 positions for classification or reclassification, covering 39 individual posts.

65. The Court advised that the reclassification exercise had been strictly limited to positions that had undergone a significant change since the last review in 2005 and had followed the methodology established by the International Civil Service Commission. Firstly, work surveys had been prepared for each position under review, based on the work assigned and performed. Secondly, the assigned responsibilities of positions had been analyzed and evaluated by a job evaluation specialist, who had also conducted interviews with staff and managers in order to gain a greater understanding of the work and responsibilities involved. Thirdly, the recommendations made by the consultant specialist had been presented to the Coordination Council and reviewed by the Heads of Organs. The Court noted that a distinction should be made between the number of proposed reclassifications of a certain generic position type and the number of incumbents that may be occupying such positions. This exercise has yielded proposals to reclassify 13 positions covering 32 individuals.

66. The Court also advised that a total of 47 positions had not been classified previously in the 2005 exercise. These included 27 positions in the Professional and 20 in the General Service categories. For all these positions, a budgeted level had been established. Several positions submitted for this first-time classification were of an identical nature in terms of job content, such as the Field Office Manager and Field Outreach Assistant positions. Consequently, the distinction

¹⁴ Ibid., part II.D.6 (b), para. 52.

¹⁵ Ibid., part II.D.1 (c), para. 23.

between the number of classifications of a certain generic position type and the number of incumbents that may be occupying such positions was also relevant in this case. The Court also noted that the change in level at the General Service (other level) grades (GS-OL) did not have any budgetary impact. Only 7 out of the 47 positions reviewed had a budgetary impact. These included five Professional level positions and two positions that were budgeted at the General Service level but which had now been classified at the Professional level.

67. The Committee noted that under Staff Regulation 2.1 and in conformity with the principles laid down by the Assembly of States Parties, the Registrar, in consultation with the Prosecutor, shall make appropriate provision for the classification of posts according to the nature of the duties and responsibilities required and in conformity with the United Nations common system of salaries, allowances and benefits. The Committee agreed that all posts should be classified correctly and consistently, in accordance with the relevant criteria. At the same time the Committee believed that it was the responsibility of managers to ensure that duties were allocated to posts in accordance with the grades of the posts.

68. The Committee expected that reclassifications would be proposed only where substantial changes to the nature or arrangement of work in a particular area created new requirements that could not be covered by reallocating duties. The Committee warned against the possible temptation to use reclassification as a means of promotion or reward, or to inflate grades.

69. The Committee agreed that there should be no need to conduct general or periodic reclassification exercises in future. The allocation of duties according to post grades was a part of the normal management function of the Court, and reviews of particular posts should take place only where a specific need arises in a work unit. Reclassifications should be exceptional, reflect substantial modifications of duties and be fully justified in the annual proposed budget.

70. For reclassifications within the General Service grades, the Committee recommended that the Court be granted the flexibility to reclassify such posts where there was need to do so. Any such General Service reclassifications should then be reported in the next proposed budget.

71. The Committee also discussed with the Court the need to clearly distinguish between classification of a post and assessment of an individual. The Committee expected that individuals who occupied posts that were reclassified upwards would be rigorously assessed on the basis of their competencies to fulfil the duties of the higher grade. The Committee understood that individuals would not be promoted where they did not meet the standards pertaining to the higher grade, and that in some cases it would be appropriate to hold a new selection procedure.

72. With respect to the proposed reclassifications and classifications which were before it, the Committee noted that it had not been provided with sufficient information to review fully and make a judgment on the technical merits of each proposal. Nonetheless, the Committee accepted assurances that the process of reviewing these posts had been appropriate, and therefore approved the reclassification and classification of the posts reflected in annexes IV and V.¹⁶

73. In approving these reclassifications, the Committee had particular concerns and doubts on the reclassification of Assistant Legal Officer posts and their impact on the staffing structure of the Chambers. The Committee was assured that the upgrade was not a step towards increasing the legal support to judges and staffing levels of the Chambers, but rather reflected the changed nature of the legal assistance function. The Committee recalled that the Court had previously set out a clear structure for the provision of legal support in Chambers¹⁷ which had now been superseded. It agreed

¹⁶ The Court indicated that the proposals contained therein had been recommended by the respective Head of Organ following review of the consultant's findings.

¹⁷ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Third session, The Hague, 6-10 September 2004* (International Criminal Court publication, ICC-ASP/3/25), part II.A.7, paras. 139-144. See also part II.A.8 (b), para. 53.

that, before any further proposals were made to increase the provision of legal support in Chambers, the Court should submit a revised staffing structure. It also agreed that its approval to reclassify these Assistant Legal Officer posts would constitute a key factor in considering any further proposal to increase the staffing level of the Chambers in future budget programmes.

F. Pension scheme for judges

74. The Committee had before it the report on the pension scheme for judges: comparison of the conditions of service pertaining to judges and those applicable to other Court staff under International Civil Service Commission rules (ICC-ASP/6/CBF.1/3).

75. The Committee recalled the conclusion that it had reached at its seventh session that the level of pension income should be commensurate with the proportion of an individual's working life spent at the Court, and agreed that the pension scheme for future judges should reflect this principle.¹⁸ The Assembly, at its fifth session, had endorsed this principle and requested the Committee to continue considering the issue further in the context of its examination of the conditions of service for future judges.¹⁹

76. Bearing in mind that most judges would have had earlier professional careers and opportunity to accrue pension entitlements and that the Court's pension scheme was non-contributory, the Committee recommended that the level of pension for future judges should be based upon 50 per cent of the judges salary. Assuming a working life of 36 years in which pension entitlements would be accrued, and that a judge would normally serve for a period of nine years, the Committee was of the view that for each year served as a judge, pension entitlement based upon 1/72nd of salary should accrue. This would also ensure a smooth accumulation for pension entitlements in accordance with each judge's term of service, rather than the staggered system in which at present there were no pension entitlements for the first three years.

77. The Committee also felt that the pension scheme for future judges should take account of increasing life expectancy and noted that the retirement age of staff was 62. In view of this, the Committee recommended that the pension scheme for future judges should be amended to the effect that payments commence at age 62 instead of 60 (without any alteration to the other conditions of eligibility).

78. The Committee requested the Court to submit to the next session of the Committee a report for consideration by the Assembly at its sixth session containing draft amendments to give effect to these proposals regarding the pension scheme and the financial implications of their adoption.

G. Legal aid scheme

79. The Committee considered the report on the operation of the Court's legal aid system and proposals for its amendment presented by the Court (ICC-ASP/6/CBF.1/1 and Add.1).²⁰ It was proposed in the report that, on the basis of the experience gained in previous years with the operation of the legal aid system, the following elements of the system should be adapted: the composition of teams, the budget for investigations, statements by expert witnesses, determination of the salary of each member of the counsel teams, compensation for professional charges and payment procedures.

¹⁸ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fifth session, The Hague, 23 November - 1 December 2006* (International Criminal Court publication, ICC-ASP/5/32), part II.D.6 (b), para. 91.

¹⁹ *Ibid.*, part II.D.3 (a), para. 33.

²⁰ Re-issued as ICC-ASP/6/4.

80. The Committee welcomed the thoroughness of the report and felt that it proposed a sound structure for the legal aid system. With respect to the composition of the defence counsel, the Committee observed that linking the composition of a team to the phase of the trial and, if so required, adding additional human resources according to a fixed set of quantified parameters, seemed reasonable. There was general agreement in the Committee to recommend the adoption of the proposed amendments to the legal aid system contained in the document.

81. The Committee noted that the use of the Contingency Fund to meet the variable additional costs referred to in the Court's report (ICC-ASP/6/CBF.1/1)²¹ could be in line with regulation 6.6 of the Financial Regulations and Rules of the Court. However, the Committee was concerned that this should not become the normal source of financing for the legal aid system. The Committee took the view that costs should be met from the legal aid budget before considering the use of the Contingency Fund and underlined the importance of budgeting as accurately as possible.

82. The Committee noted that regulation 83.1 of the Regulations of the Court provided that legal assistance shall be determined by the Registrar, while regulation 83.4 granted the possibility of review of the scope of legal assistance by the relevant Chamber. The Committee was informed that Chambers had recently made several decisions on specific aspects of legal assistance, including the level of support staff and timing of payments. The Committee emphasised the importance of the Registrar maintaining a consistent, transparent and economical system of legal assistance, and noted that ad hoc judicial decisions could prejudice the overall integrity of the legal aid system as administered by the Registrar. Given the risks to the Court's reputation in the delivery of legal aid and the significant financial implications, the Committee emphasised the importance of ensuring that defendants' rights to a fair trial were maintained, while upholding the integrity of the system of legal aid administered by the Registrar and ensuring oversight of the costs of legal aid by the Committee and the Assembly of States Parties.

H. Other matters

1. Detention costs

83. The host State informed the Committee that there remained an outstanding debt for detention facilities from 2006 arising from a difference in the budgeted amount for detention and the rate charged by the host State. The Committee advised the Court to resolve this matter at the earliest opportunity, and to submit a proposal to the Assembly through the Committee for payment, should that be necessary.

84. The Committee recalled the concern it had expressed at its previous session relating to the relatively high cost of detention facilities, especially when only one or two detainees were being held. This arose as a result of having to pay for a block of 12 cells. The Committee recalled its appeal to the host State at its previous session to consider any possible means of alleviating the financial burden on the Court.²² The Committee heard a presentation from the host State in which the latter announced the feasibility of reducing, as of 1 January 2008, the number of cells rented from 12 to 6, while retaining the facilities and services as stipulated by the Court. The consequential reduction in costs would be dependent on whether one or two officers were retained on duty at night.

85. Retaining two officers on duty at night would reduce the cost from €1,441,677 to €1,190,900 for six cells. If the second officer was not retained at night the costs would be reduced to €1,047,609. Given that the costs of detention were primarily for staff rather than rental of the cells

²¹ Re-issued as ICC-ASP/6/4.

²² *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fifth session, The Hague, 23 November - 1 December 2006* (International Criminal Court publication, ICC-ASP/5/32), part II.D.6 (b), para. 75.

as such, the reduction from 12 to 6 cells would *increase* the rate per cell per day while achieving a saving overall. Court officials stressed the security reasons which made it necessary, regardless of the number of cells, to retain a minimum of two officers on duty at all times.

86. The Committee encouraged the Court and the host State to implement this new arrangement at the earliest possible date and thought this should be possible quickly.

2. Special Court for Sierra Leone

87. At its seventh session, the Committee had been invited to consider informal papers relating to the financial arrangements for the Special Court for Sierra Leone (SCSL) and to the basis of charging. These included the 12 April 2006 letter from the President of the Assembly to the President of the Court stating that the use of the Court's facilities by the SCSL should be cost neutral to the International Criminal Court.

88. The Memorandum of Understanding, dated 13 April 2006, between the Court and the SCSL stated in paragraph 3.3 that the SCSL shall pay 'in full for and in respect of all clearly identifiable direct and indirect costs that the ICC may incur [...]. Such costs shall include a component for any depreciation in the value of ICC-owned equipment or property [...]'. In paragraph 3.4 of the Memorandum, it states that '[...] the SCSL shall not be required to reimburse the ICC for or in respect of costs, that ICC would have incurred regardless of whether [...] they were provided to the SCSL'.

89. At its seventh session, the Committee had concluded that charges should reflect the identifiable direct and indirect costs that the Court incurred, to which a management fee of 13 per cent should be added to reflect the unquantifiable cost of court management in providing the use of facilities.²³ At its fifth session, the Assembly had endorsed this recommendation.²⁴

90. The Court again sought the Committee's advice on the application of this recommendation following negotiations with the SCSL, particularly in respect of how depreciation should be calculated and charges for detention. With regard to depreciation, the Court informed the Committee that it had reached the following agreement with the SCSL in respect of the provision of Courtroom accommodation:

(a) The courtroom and press briefing room would be provided at no charge.

(b) The SCSL would pay for the depreciation of computer workstations and audio-visual equipment in the courtrooms during the trial at the standard United Nations rate. Account would be taken of the actual period of time the Court had owned the equipment.

91. The Committee agreed that this was an acceptable approach.

92. On detention, the Committee was informed that although the SCSL was occupying two cells in the Court's detention facility, it considered that it should pay for only one cell. The Committee concluded that, given that the bulk of costs relating to detention were incurred in providing prison officials and that the second cell was being utilised for storage of legal documents rather than for housing an inmate, that it should not be necessary to charge for the second cell so long as the Court had no need for it.

93. The Committee concluded that, given the agreements already reached with regard to this matter, it would be difficult for the Committee to provide further clarification that could be applied

²³ Ibid., part II.D.6 (b), para. 127.

²⁴ Ibid., part II.D.3 (f), para. 44.

prospectively. To avoid further issues arising, it urged the Court to conclude a comprehensive agreement on charging as soon as possible.

94. The relevant United Nations depreciation rate is set out in the table below.

Description	Year 1	Year 2	Year 3	Year 4	Subsequent
Electronic data processing equipment	20%	25%	20%	15%	15%
Category B electrical equipment (audio-visual, recorders, etc)	40%	20%	20%	10%	10%

3. Audit issues

95. The Committee was briefed by the Internal Auditor on the work carried out by the Office and decided to consider, inter alia, the issue of external reporting of the Office at its next session. The Committee requested the Court to prepare a report with recommendations on how the Internal Auditor's work could be monitored by the Committee and the Assembly.

96. The Committee also recalled the recommendations made by the external auditor in respect of both the 2004 and 2005 financial statements,²⁵ which included the Committee monitoring the application of audit recommendations, and requested the Court to prepare a report setting out progress against each area for consideration at its next session. In this connection, the Committee recalled its recommendation contained in paragraph 24 of the report on the work of its seventh session.²⁶

4. Dates for the ninth session

97. The Committee agreed that its ninth session would be held in The Hague, from 10 to 18 September 2007. The Committee decided to extend the length of its session to a total of eight days (i.e. including Saturday, 15 September) in view of the increasing range and complexity of issues that it was required to consider. The costs would be absorbed within the budget of the Secretariat and efforts would be made to find offsetting savings through more efficient utilisation of interpretation time and other measures.

²⁵ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fourth session, The Hague, 28 November - 3 December 2005* (International Criminal Court publication, ICC-ASP/4/32), part II.C.1, Recommendation 13.

²⁶ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fifth session, The Hague, 23 November - 1 December 2006* (International Criminal Court publication, ICC-ASP/5/32), part II.D.6 (b), para. 24.

Annex I

Status of contributions as at 24 April 2007

States Parties	Prior Year Assessed Contributions	Prior Year Receipts	Prior Year Outstanding Contributions	2007 Assessed Contributions	2007 Contributions Receipt	2007 Outstanding Contributions	Total Outstanding Contributions
1 Afghanistan	8,465	6,030	2,435	1,696	-	1,696	4,131
2 Albania	21,432	21,432	-	10,178	462	9,716	9,716
3 Andorra	22,870	22,870	-	13,570	1,220	12,350	12,350
4 Antigua and Barbuda	13,474	13,474	-	3,393	3,393	-	-
5 Argentina	4,528,844	2,550,822	1,978,022	551,293	-	551,293	2,529,315
6 Australia	7,501,930	7,501,930	-	3,031,263	495,847	2,535,416	2,535,416
7 Austria	4,090,537	4,090,537	-	1,504,605	1,504,605	-	-
8 Barbados	44,240	44,240	-	15,267	3,430	11,837	11,837
9 Belgium	5,060,006	5,060,006	-	1,869,307	346,797	1,522,510	1,522,510
10 Belize	4,697	4,697	-	1,696	1,696	-	-
11 Benin	9,395	9,395	-	1,696	800	896	896
12 Bolivia	41,658	5,940	35,718	10,178	-	10,178	45,896
13 Bosnia & Herzegovina	14,710	14,710	-	10,178	10,178	-	-
14 Botswana	55,134	55,134	-	23,748	3,681	20,067	20,067
15 Brazil	7,642,736	3,347,724	4,295,012	1,485,946	-	1,485,946	5,780,958
16 Bulgaria	77,383	77,383	-	33,926	33,926	-	-
17 Burkina Faso	7,061	447	6,614	3,393	-	3,393	10,007
18 Burundi	3,074	215	2,859	1,696	-	1,696	4,555
19 Cambodia	9,395	9,395	-	1,696	200	1,496	1,496
20 Canada	13,059,533	13,059,533	-	5,049,843	5,049,843	-	-
21 Central African Republic	4,697	1,839	2,858	1,696	-	1,696	4,554
22 Chad	-	-	-	1,696	-	1,696	1,696
23 Colombia	738,214	738,214	-	178,110	162,595	15,515	15,515
24 Comoros	267	-	267	1,696	-	1,696	1,963
25 Congo	3,440	124	3,316	1,696	-	1,696	5,012
26 Costa Rica	134,743	134,743	-	54,281	29,334	24,947	24,947
27 Croatia	175,039	175,039	-	84,814	84,814	-	-
28 Cyprus	182,579	182,579	-	74,637	74,637	-	-
29 Democratic Republic of the Congo	14,710	2,911	11,799	5,089	-	5,089	16,888
30 Denmark	3,392,830	3,392,830	-	1,253,555	278,393	975,162	975,162
31 Djibouti	4,501	3,220	1,281	1,696	-	1,696	2,977
32 Dominica	4,697	3,302	1,395	1,696	-	1,696	3,091
33 Dominican Republic	76,138	-	76,138	40,711	-	40,711	116,849
34 Ecuador	92,958	92,958	-	35,622	31,496	4,126	4,126
35 Estonia	55,134	55,134	-	27,141	27,141	-	-
36 Fiji	18,790	13,757	5,033	5,089	-	5,089	10,122
37 Finland	2,497,545	2,497,545	-	956,705	956,705	-	-
38 France	28,602,566	28,602,566	-	10,688,296	10,688,296	-	-
39 Gabon	45,364	28,440	16,924	13,570	-	13,570	30,494
40 Gambia	4,697	3,416	1,281	1,696	-	1,696	2,977
41 Georgia	12,429	8,528	3,901	5,089	-	5,089	8,990
42 Germany	41,384,792	41,384,792	-	14,549,042	8,361,340	6,187,702	6,187,702
43 Ghana	19,407	19,407	-	6,785	6,785	-	-
44 Greece	2,495,811	2,495,811	-	1,010,986	164,897	846,089	846,089
45 Guinea	13,386	1,147	12,239	1,696	-	1,696	13,935
46 Guyana	3,074	1,742	1,332	1,696	-	1,696	3,028
47 Honduras	23,329	10,345	12,984	8,481	-	8,481	21,465
48 Hungary	588,324	588,324	-	413,894	24,744	389,150	389,150
49 Iceland	159,093	159,093	-	62,763	62,763	-	-
50 Ireland	1,609,962	1,609,962	-	754,847	754,847	-	-
51 Italy	23,064,027	23,064,027	-	8,615,435	4,180,012	4,435,423	4,435,423
52 Jordan	49,818	49,818	-	20,355	1,186	19,169	19,169
53 Kenya	21,652	21,652	-	16,963	16,963	-	-

States Parties	Prior Year Assessed Contributions	Prior Year Receipts	Prior Year Outstanding Contributions	2007 Assessed Contributions	2007 Contributions Receipt	2007 Outstanding Contributions	Total Outstanding Contributions
54 Latvia	67,372	67,372	-	30,533	30,533	-	-
55 Lesotho	4,697	4,697	-	1,696	1,696	-	-
56 Liberia	3,074	106	2,968	1,696	-	1,696	4,664
57 Liechtenstein	24,105	24,105	-	16,963	16,963	-	-
58 Lithuania	101,163	101,163	-	52,585	1,907	50,678	50,678
59 Luxembourg	363,553	363,553	-	144,184	8,167	136,017	136,017
60 Malawi	5,078	262	4,816	1,696	-	1,696	6,512
61 Mali	9,395	6,960	2,435	1,696	-	1,696	4,131
62 Malta	63,431	63,431	-	28,837	28,837	-	-
63 Marshall Islands	4,697	1,728	2,969	1,696	-	1,696	4,665
64 Mauritius	51,671	51,671	-	18,659	1,328	17,331	17,331
65 Mexico	3,011,352	3,011,352	-	3,828,517	-	3,828,517	3,828,517
66 Mongolia	4,697	4,697	-	1,696	1,696	-	-
67 Montenegro	933	933	-	1,696	1,696	0	0
68 Namibia	28,802	28,802	-	10,178	726	9,452	9,452
69 Nauru	4,697	2,028	2,669	1,696	-	1,696	4,365
70 Netherlands	7,970,305	7,970,305	-	3,177,143	2,523,794	653,349	653,349
71 New Zealand	1,050,797	1,050,797	-	434,249	434,249	-	-
72 Niger	4,697	298	4,399	1,696	-	1,696	6,095
73 Nigeria	211,453	188,756	22,697	81,422	-	81,422	104,119
74 Norway	3,170,089	3,170,089	-	1,326,495	1,326,495	-	-
75 Panama	88,633	84,340	4,293	39,015	-	39,015	43,308
76 Paraguay	58,840	58,840	-	8,481	5,735	2,746	2,746
77 Peru	448,382	251,456	196,926	132,310	-	132,310	329,236
78 Poland	2,104,866	2,104,866	-	849,839	849,839	-	-
79 Portugal	2,203,464	2,203,464	-	893,943	146,469	747,474	747,474
80 Republic of Korea	8,106,325	8,106,325	-	3,686,029	537,102	3,148,927	3,148,927
81 Romania	280,767	280,767	-	118,740	18,309	100,431	100,431
82 Saint Kitts and Nevis	267	-	267	1,696	-	1,696	1,963
83 Saint Vincent and the Grenadines	4,501	1,533	2,968	1,696	-	1,696	4,664
84 Samoa	4,579	4,579	-	1,696	1,696	-	-
85 San Marino	13,473	13,473	-	5,089	5,089	-	-
86 Senegal	23,487	23,487	-	6,785	184	6,601	6,601
87 Serbia	89,869	89,869	-	35,622	2,023	33,599	33,599
88 Sierra Leone	4,697	2,260	2,437	1,696	-	1,696	4,133
89 Slovakia	234,623	234,623	-	106,866	106,866	-	-
90 Slovenia	384,568	384,568	-	162,843	7,921	154,922	154,922
91 South Africa	1,443,784	1,443,784	-	491,923	491,923	-	-
92 Spain	11,839,860	11,839,860	-	5,034,576	765,189	4,269,387	4,269,387
93 Sweden	4,707,065	4,707,065	-	1,816,722	1,816,722	-	-
94 Switzerland	5,670,350	5,670,350	-	2,062,683	2,062,683	-	-
95 Tajikistan	4,697	3,468	1,229	1,696	-	1,696	2,925
96 The Former Yugoslav Rep. of Macedonia	28,184	27,022	1,162	8,481	-	8,481	9,643
97 Timor-Leste	4,579	3,298	1,281	1,696	-	1,696	2,977
98 Trinidad and Tobago	99,635	99,635	-	45,800	45,800	-	-
99 Uganda	27,566	27,566	-	5,089	1,149	3,940	3,940
100 United Kingdom	28,422,573	28,422,573	-	11,266,730	11,266,730	-	-
101 United Republic of Tanzania	26,632	26,559	73	10,178	725	9,453	9,526
102 Uruguay	245,404	119,849	125,555	45,800	-	45,800	171,355
103 Venezuela	826,431	826,431	-	339,257	104,055	235,202	235,202
104 Zambia	9,001	6,987	2,014	1,696	-	1,696	3,710
Total	231,273,746	224,421,179	6,852,567	88,871,800	55,977,323	32,894,477	39,747,044

Annex II

List of documents

Committee on Budget and Finance

ICC-ASP/6/CBF.1/L.1	Provisional agenda
ICC-ASP/6/CBF.1/L.2/Rev.1	Annotated list of items included in the provisional agenda
ICC-ASP/6/CBF.1/1	Report on the operation of the Court's legal aid system and proposals for its amendment
ICC-ASP/6/CBF.1/1/Add.1	Addendum to the report on the operation of the Court's legal aid system and proposals for its amendment
ICC-ASP/6/CBF.1/2	Report on programme performance of the International Criminal Court for the year 2006
ICC-ASP/6/CBF.1/2/Corr.1	Report on programme performance of the International Criminal Court for the year 2006 - Corrigendum
ICC-ASP/6/CBF.1/3	Report on the pension scheme for judges: comparison of the conditions of service pertaining to judges and those applicable to other Court staff under International Civil Service Commission rules

Annex III

Human resources tables

Table 1: Staff count, actual

As of 1 May 2007, the actual situation regarding the Court's staff count is as follows:

Staff count	
Established posts	468
Approved GTA	184
Interns	69
Visiting Professionals	4
Consultants	19
Elected officials	22
Total	766

Table 2: Staff count based on the approved budget for 2007

Based on the approved budget for 2007 and on averages of interns, visiting Professionals and consultants in the previous years, the Court's headcount at the end of 2007 will be as follows:

Staff count	
Established posts	647
Approved GTA	136
Interns ¹	84
Visiting Professionals	12
Consultants	24
Elected officials	23
Total	926

¹ The number of interns is fluctuating and comprises European Union funded internships as well as unpaid internships.

Table 3: Geographical representation of Professional staff of the Court²
Status as of 1 May 2007

Total number of Professionals: 203

Distribution per region:

Region	Nationality	Total
African	Algeria	1
	Benin	2
	Congo, Democratic Republic of the	2
	Egypt	1
	Gambia	2
	Guinea	1
	Kenya	1
	Lesotho	1
	Mali	2
	Mauritania	1
	Niger	1
	Nigeria	7
	Senegal	1
	Sierra Leone	4
	South Africa	6
	Sudan	1
United Republic of Tanzania	1	
Zambia	1	
African Total		36

Asian	India	1
	Iran (Islamic Republic of)	2
	Iraq	1
	Jordan	3
	Mongolia	1
	Palestinian Territory, Occupied	1
	Philippines	1
	Republic of Korea	3
Asian Total		13

Eastern European	Belarus	1
	Croatia	4
	Estonia	1
	Georgia	1
	Romania	4
	Serbia	3
	Slovakia	1
	Ukraine	1
Eastern European Total		16

² GRULAC = Group of Latin American and Caribbean States
WEOG = Western European and other States

GRULAC	Argentina	2
	Brazil	3
	Chile	1
	Colombia	6
	Costa Rica	2
	Ecuador	2
	Mexico	2
	Peru	1
	Saint Vincent and the Grenadines	1
	Trinidad and Tobago	2
Venezuela	1	
GRULAC Total		23

WEOG	Australia	6
	Austria	2
	Belgium	5
	Canada	11
	Denmark	1
	Finland	4
	France	16
	Germany	17
	Ireland	4
	Italy	8
	Netherlands	8
	New Zealand	4
	Portugal	1
	Spain	8
	Sweden	1
	Switzerland	3
	United Kingdom	13
United States of America	3	
WEOG Total		115

Chart 1: Geographical representation: percentage actual vs targeted:

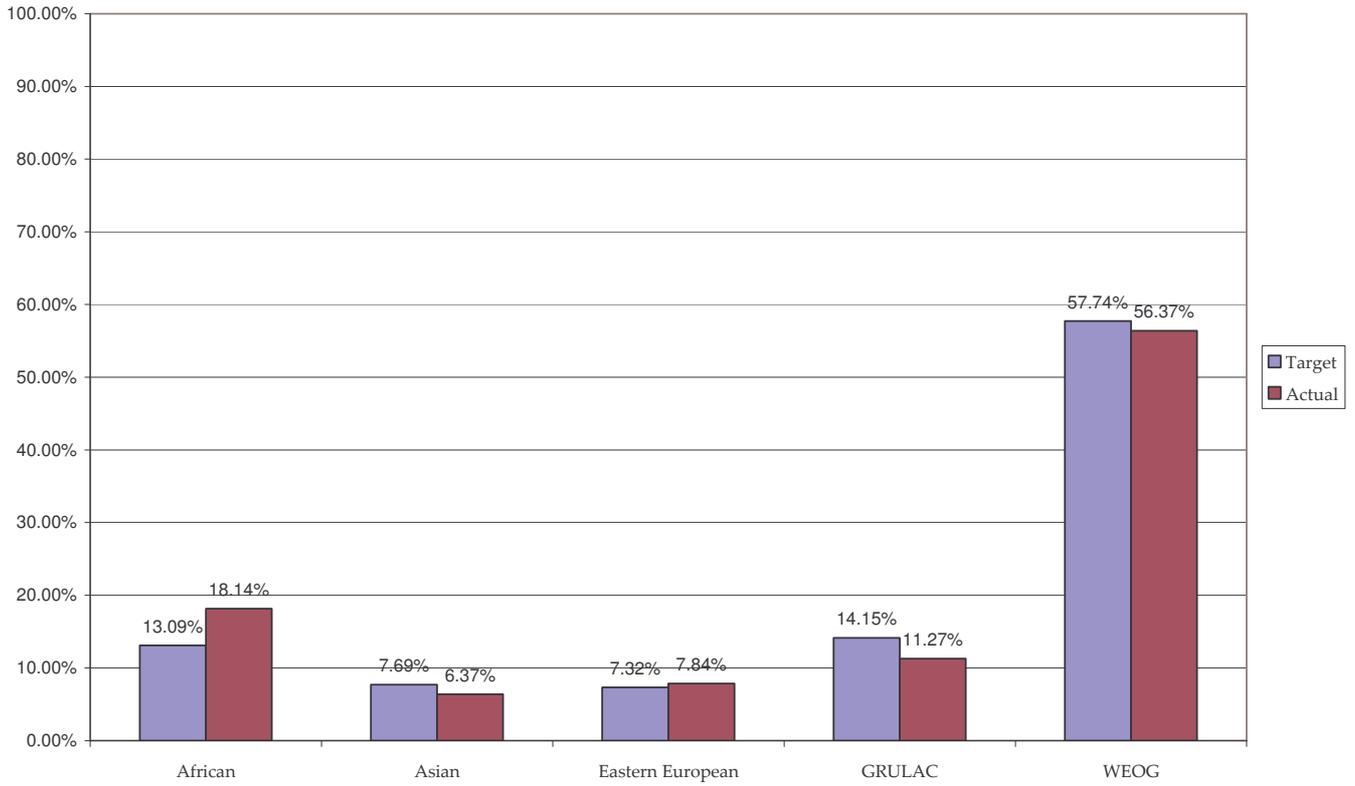


Table 4: Geographical representation and gender balance of Professional staff of the Court by posts

Status as of 1 May 2007

Number of staff per post, per region

Grade	Region	Nationality	F	M	Grand Total
D-1	GRULAC	Ecuador		1	1
		GRULAC Total		1	1
	WEOG	Canada		1	1
		France	1		1
		Germany		1	1
	Italy		1	1	
	WEOG Total	1	3	4	
D-1 Total			1	4	5

Grade	Region	Nationality	F	M	Grand Total
P-5	African	Lesotho		1	1
		Mali		1	1
		Senegal		1	1
		African Total		3	3
	Asian	Philippines	1		1
		Asian Total	1		1
	GRULAC	Argentina		1	1
		Mexico	1		1
		GRULAC Total	1	1	2
	WEOG	Belgium		2	2
		France		1	1
		Germany	2	2	4
		Ireland		1	1
		Italy	1		1
Switzerland			1	1	
United Kingdom			2	2	
United States of America		1	1	2	
	WEOG Total	4	10	14	
P-5 Total			6	14	20

Grade	Region	Nationality	F	M	Grand Total	
P-4	African	Gambia		1	1	
		Nigeria		2	2	
		Sierra Leone	1		1	
		South Africa		1	1	
	African Total			1	4	5
	Asian	Jordan	1		1	
	Asian Total			1		1
	Eastern European	Croatia		1	1	
		Serbia	1		1	
	Eastern European Total			1	1	2
	GRULAC	Argentina	1		1	
		Ecuador	1		1	
		Peru	1		1	
		Trinidad and Tobago	1	1	2	
	GRULAC Total			4	1	5
	WEOG	Canada		1	1	
		Finland		1	1	
		France	2	3	5	
		Germany	1		1	
		Netherlands	1	3	4	
Spain		1	1	2		
Sweden			1	1		
United Kingdom		2	3	5		
WEOG Total			7	13	20	
P-4 Total			14	19	33	

Grade	Region	Nationality	F	M	Grand Total	
P-3	African	Benin		2	2	
		Congo, Democratic Republic of the		2	2	
		Mali	1		1	
		Niger		1	1	
		Nigeria		1	1	
		Sierra Leone	1		1	
		South Africa		3	3	
		Sudan	1		1	
		Zambia	1		1	
	African Total			4	9	13
	Asian	Iran (Islamic Republic of)			1	1
		Jordan		1		1
	Asian Total			1	1	2
	Eastern European	Romania			1	1
		Serbia			1	1
		Slovakia		1		1
	Eastern European Total			1	2	3
	GRULAC	Brazil		1	1	2
		Colombia		2	1	3
		Costa Rica		1		1
		Mexico		1		1
		Venezuela			1	1
	GRULAC Total			5	3	8
	WEOG	Australia		2	3	5
		Austria		1		1
		Canada		1	1	2
		Denmark			1	1
Finland		1	2	3		
France		1	5	6		
Germany			4	4		
Italy		1	4	5		
New Zealand		1		1		
Portugal		1		1		
Spain			1	1		
United Kingdom			3	3		
WEOG Total			9	24	33	
P-3 Total			20	39	59	

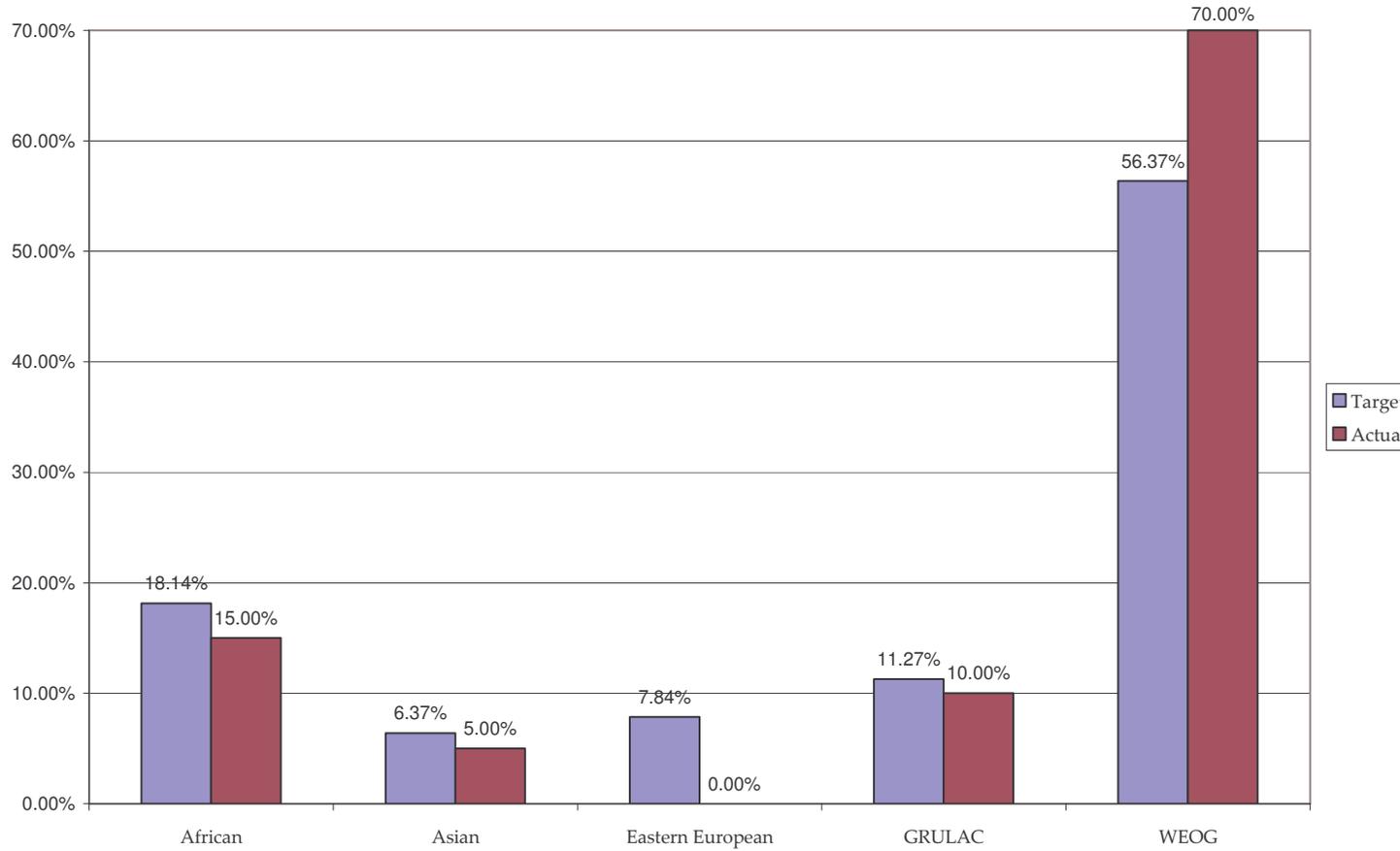
Grade	Region	Nationality	F	M	Grand Total	
P-2	African	Algeria	1		1	
		Egypt		1	1	
		Gambia		1	1	
		Guinea		1	1	
		Kenya		1	1	
		Mauritania	1		1	
		Nigeria		2	2	
		Sierra Leone		2	2	
		South Africa	1	1	2	
		United Republic of Tanzania	1		1	
		African Total			4	9
	Asian	India	1		1	
		Iran (Islamic Republic of)		1	1	
		Jordan		1	1	
		Mongolia		1	1	
		Palestinian Territory, Occupied		1	1	
		Republic of Korea	1	2	3	
	Asian Total			2	6	8
	Eastern European	Belarus		1	1	
		Croatia	1		1	
		Georgia		1	1	
		Romania	2	1	3	
		Serbia		1	1	
		Ukraine		1	1	
	Eastern European Total			3	5	8
	GRULAC	Brazil		1	1	
		Colombia	2	1	3	
		Costa Rica	1		1	
	GRULAC Total			3	2	5
	WEOG	Australia		1	1	
		Austria	1		1	
		Belgium	1	2	3	
		Canada	4	3	7	
France		2	1	3		
Germany		2	4	6		
Ireland		1	1	2		
Italy		1		1		
Netherlands		1	2	3		
New Zealand		3		3		
Spain		1	3	4		
Switzerland			1	1		
United Kingdom		1	2	3		
United States of America		1		1		
WEOG Total			19	20	39	
P-2 Total			31	42	73	

Grade	Region	Nationality	F	M	Grand Total	
P-1	African	Nigeria	2		2	
	African Total		2		2	
	Asian	Iraq		1	1	
	Asian Total			1	1	
	Eastern European	Croatia		1	1	2
		Estonia		1		1
	Eastern European Total		2	1	3	
	GRULAC	Chile			1	1
		Saint Vincent and the Grenadines		1		1
	GRULAC Total		1	1	2	
	WEOG	Germany		1		1
		Ireland			1	1
		Netherlands		1		1
Spain			1		1	
Switzerland			1		1	
WEOG Total		4	1	5		
P-1 Total			9	4	13	

	F	M	Grand Total
Grand Total	81	122	203

Percentage of staff per post, per region

Chart 2: Percentage P-5 posts



Percentage D-1 posts

Due to the limited number of only 6 positions concerned, statistic and graphic representations could be misleading, please refer to the exact numbers in table above.

Chart 3: Percentage P-4 posts

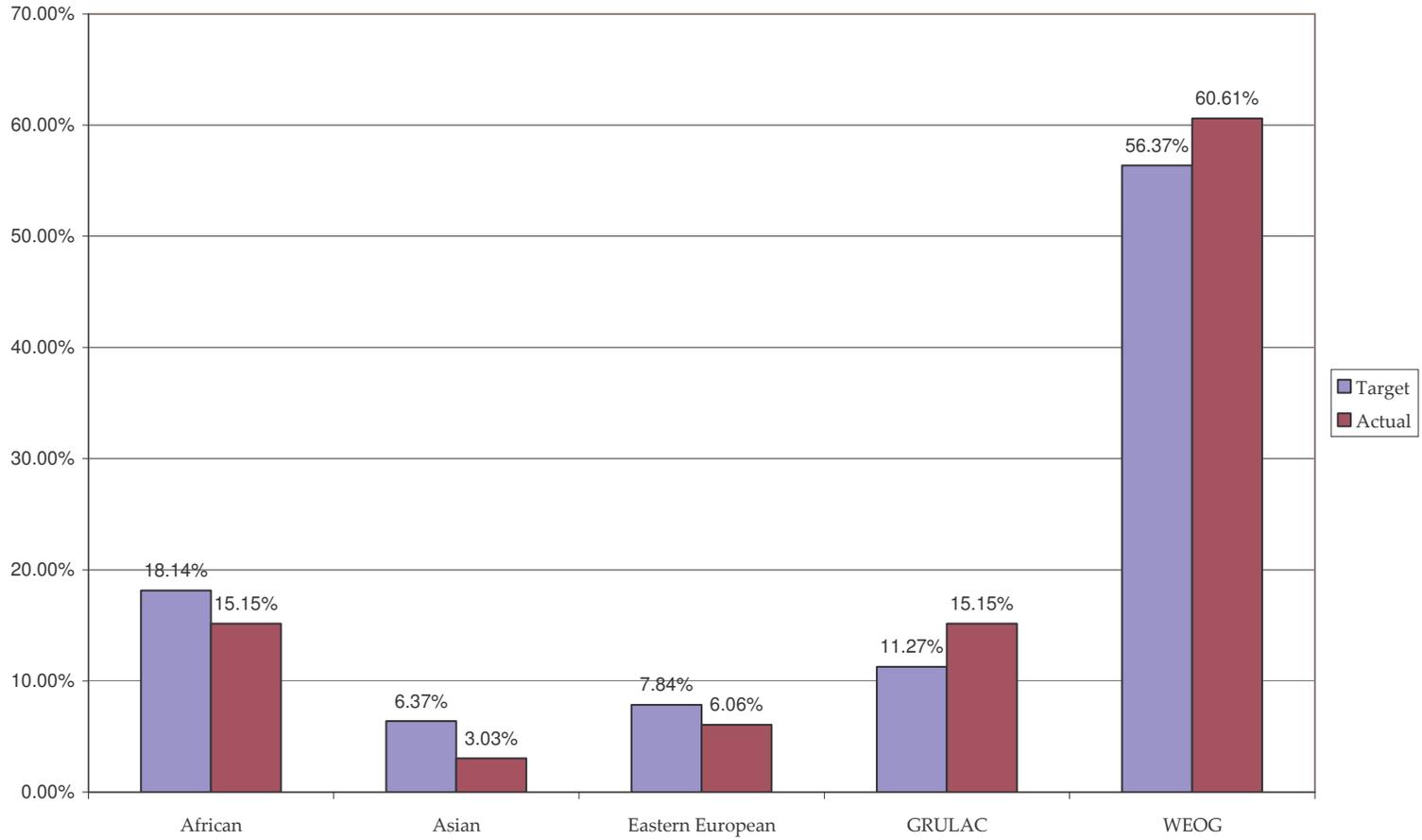


Chart 4: Percentage P-3 posts

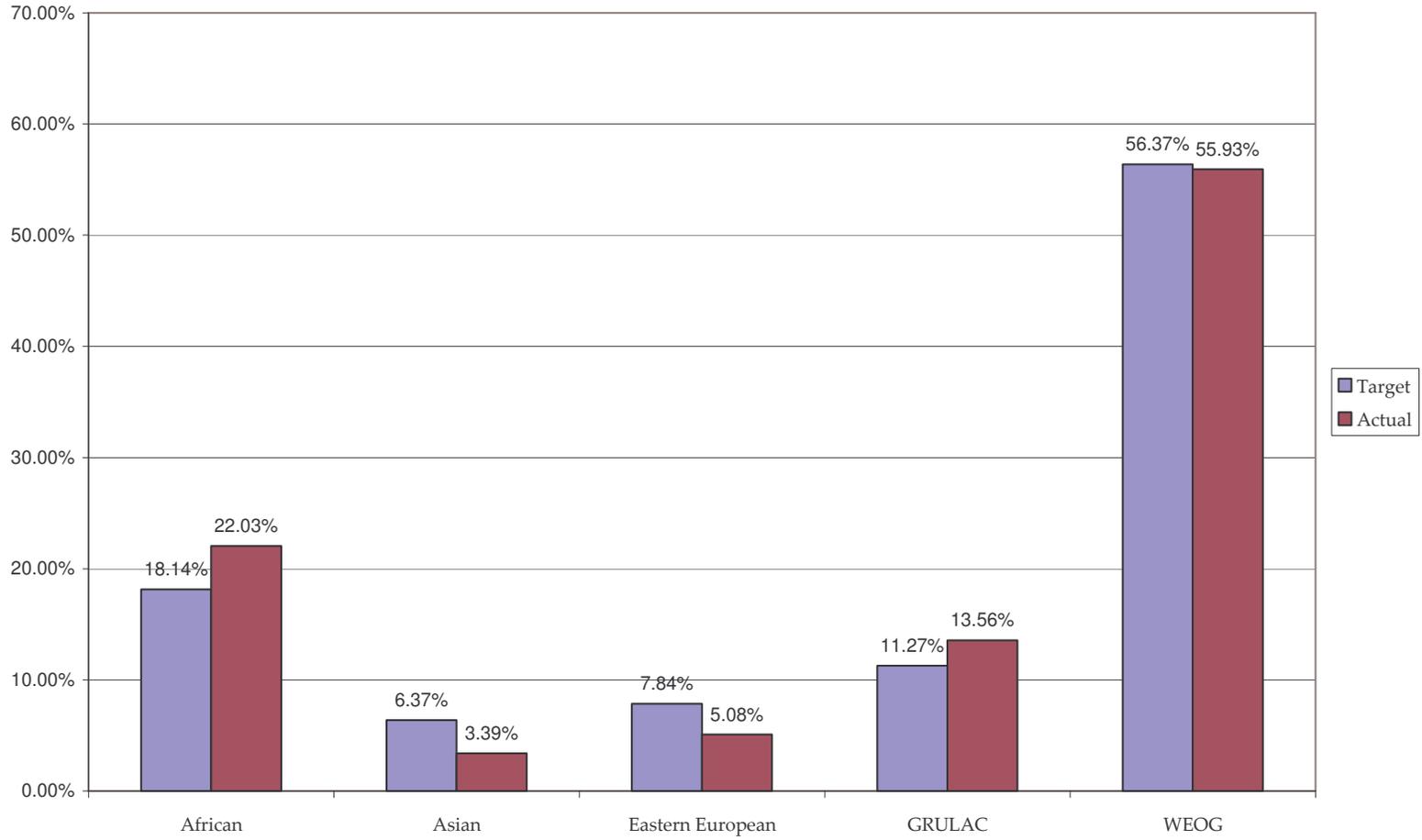


Chart 5: Percentage P-2 posts

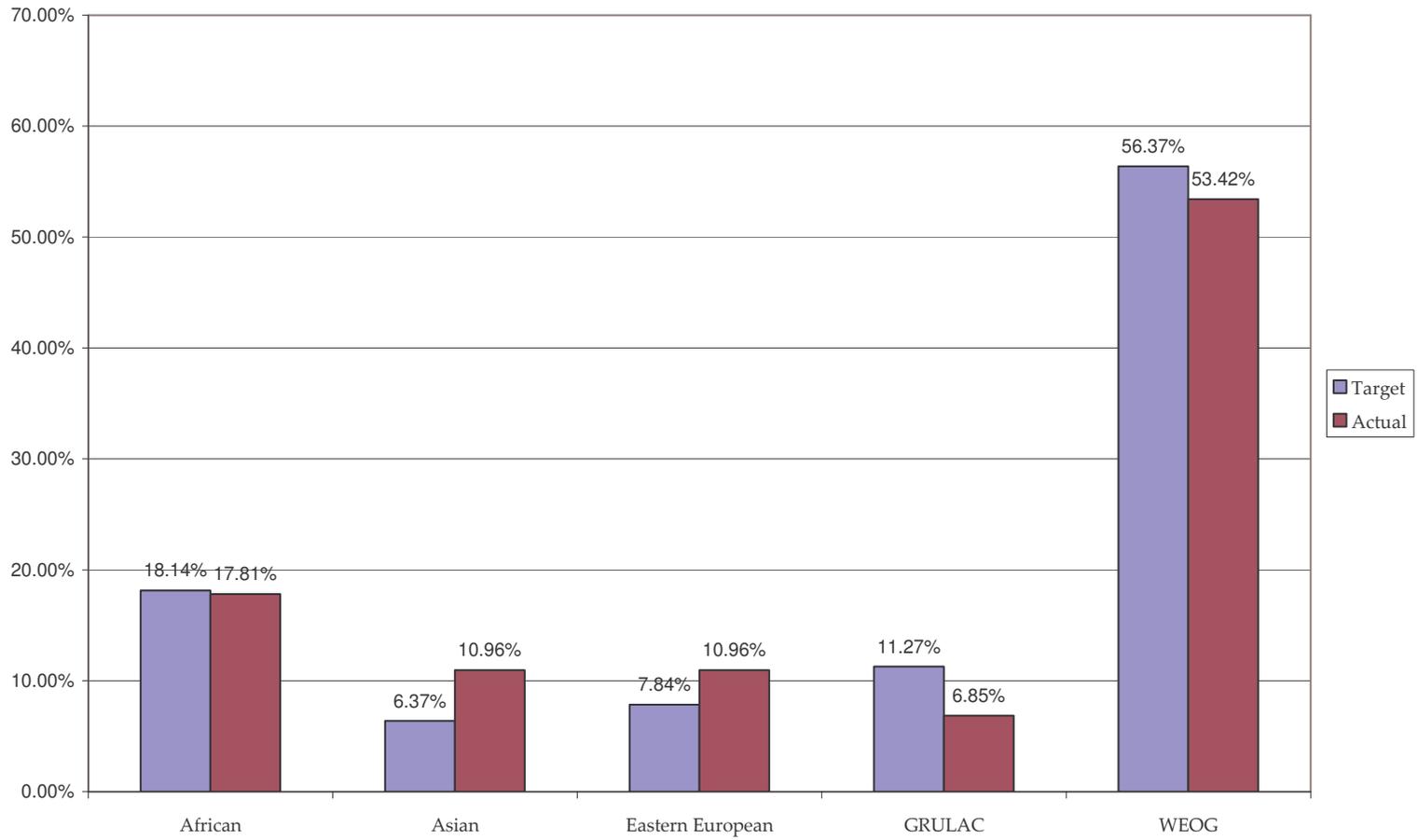
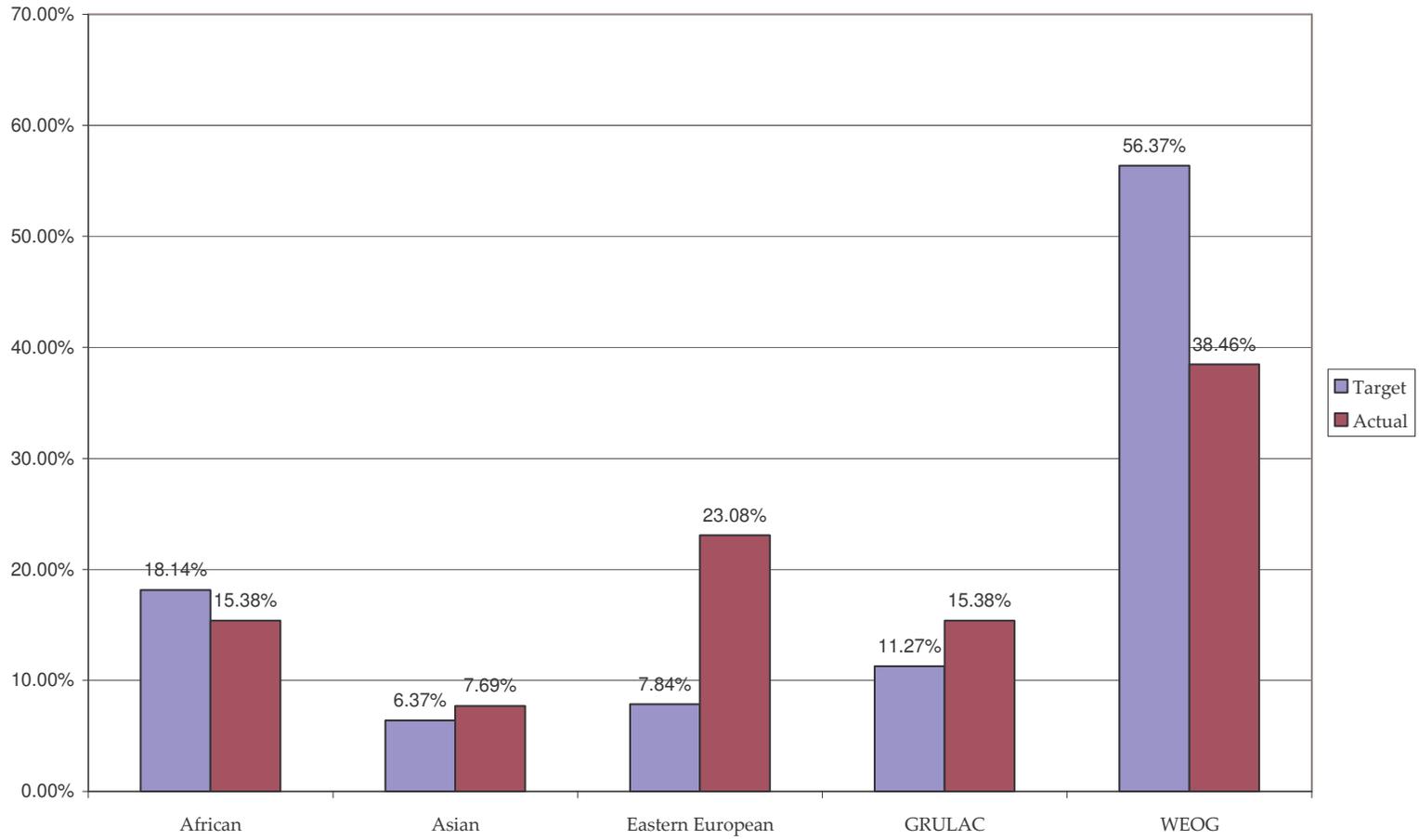


Chart 6: Percentage P-1 posts



Annex IV

Reclassification exercise

Summary of job evaluation findings Professional category

* = proposed change in grade

CHAMBERS

Position	Current Level	Recommended Level	# of positions
Associate Legal Officer	P-2	P-3*	16*

DIVISION OF COURT SERVICES

Court Interpretation and Translation Section

Position	Current Level	Recommended Level	# of positions
French Translator	P-2	P-3*	3*

Victims and Witnesses Unit

Position	Current Level	Recommended Level	# of positions
Operations Officer	P-3	P-4*	1*

Court Management Section

Position	Current Level	Recommended Level	# of positions
Knowledge Base Officer	P-3	P-3	1

FINANCE SECTION

Position	Current Level	Recommended Level	# of positions
Payroll Officer	P-2	P-3*	1*
Disbursement Officer	P-2	P-3*	1*

PROCUREMENT SECTION

Position	Current Level	Recommended Level	# of positions
Chief Procurement	P-3	P-4*	1*

OFFICE OF THE PROSECUTOR

SERVICES SECTION

Position	Current Level	Recommended Level	# of positions
Administration Officer	P-2	P-3*	1*

INVESTIGATION DIVISION

Planning & Operations Section

Position	Current Level	Recommended Level	# of positions
Planning & Control Officer	P-2	P-3*	1*
Forensics Coordinator	P-4	P-4	1

**Summary of job evaluation findings
General Service category**

* = proposed change in grade

SECRETARIAT OF THE ASSEMBLY OF STATES PARTIES

Position	Current Level	Recommended Level	# of positions
Finance Assistant	G-6	G-6	1

HUMAN RESOURCES SECTION

Position	Current Level	Recommended Level	# of positions
Recruitment Assistant	G-3	G-4*	1*

SECURITY AND SAFETY SECTION

Position	Current Level	Recommended Level	# of positions
Fire and Safety Officer	G-6	G-7*	1*

DIVISION OF COURT SERVICES

Court Interpretation and Translation Section

Position	Current Level	Recommended Level	# of positions
Administrative Assistant	G-5	G-5	1

Victims and Witnesses Unit

Position	Current Level	Recommended Level	# of positions
Support Assistant	G-5	G-7*	1*

Court Management Section

Position	Current Level	Recommended Level	# of positions
Senior Transcript Coord.	G-5	G-6*	1*
Court Records Assistant	G-5	G-5	2
Court Clerk	G-3	G-3	2

FINANCE SECTION

Position	Current Level	Recommended Level	# of positions
Cashier	G-4	G-4	1

GENERAL SERVICES SECTION

Position	Current Level	Recommended Level	# of positions
Administrative Assistant	G-4	G-4	1

IMMEDIATE OFFICE OF THE PROSECUTOR

Position	Current Level	Recommended Level	# of positions
Administrative Assistant	G-4	G-4	1

SERVICES SECTION

Position	Current Level	Recommended Level	# of positions
Administrative Assistant	G-3	G-4*	1*

INVESTIGATION DIVISION**Operational Support Unit**

Position	Current Level	Recommended Level	# of positions
Info Management Assistant	G-3	G-5*	3*

Annex V

Classification exercise

Summary of job evaluation findings
Professional category

* = proposed change in grade compared to budgeted level

PRESIDENCY

Position	Current Level	Recommended Level	# of positions
Legal Adviser	P-3	P-3	1
External Relations Adviser	P-3	P-3	1
Associate Legal Adviser	P-2	P-2	1
Special Assistant to the President	P-1	P-1	1

IMMEDIATE OFFICE OF THE REGISTRAR

Position	Current Level	Recommended Level	# of positions
Special Assistant to the Registrar	P-2	P-2	1
External Relations Officer	P-1	P-3*	1*

OFFICE OF INTERNAL AUDIT

Position	Current Level	Recommended Level	# of positions
Senior Internal Auditor	P-4	P-4	1

INFORMATION TECHNOLOGY & COMMUNICATION SECTION

Position	Current Level	Recommended Level	# of positions
E-court System Officer	P-3	P-3	1

VICTIMS PARTICIPATION AND REPARATIONS SECTION

Position	Current Level	Recommended Level	# of positions
Associate Legal Officer	P-2	P-2	1

PUBLIC INFORMATION AND DOCUMENTS SECTION

Position	Current Level	Recommended Level	# of positions
Head, Public Information & Doc.	P-4	P-5*	1*

Outreach Unit

Position	Current Level	Recommended Level	# of positions
Head of the Outreach Unit	P-3	P-4*	1*
Outreach Officer	P-2	P-2	1
Legal Outreach Officer	P-2	P-2	1

Protocol and Events Unit

Position	Current Level	Recommended Level	# of positions
Head of P & E Unit	P-3	P-3	1

Public Affairs Unit

Position	Current Level	Recommended Level	# of positions
Spokesperson and Head of Unit	P-3	P-4*	1*
Web Content Manager	P-2	P-2	1

Library

Position	Current Level	Recommended Level	# of positions
Chief Librarian	P-3	P-4*	1*
Associate Library Officer	P-2	P-2	1

Field Office

Position	Current Level	Recommended Level	# of positions
Field Outreach Coordinator	P-2	P-2	2

SECRETARIAT OF THE TRUST FUND FOR VICTIMS

Position	Current Level	Recommended Level	# of positions
Associate Legal Officer	P-2	P-2	1
Partnership Officer	P-4	P-4	1

FIELD OPERATIONS SECTION

Position	Current Level	Recommended Level	# of positions
Chief Field Operation Section	P-4	P-4	1
Field Office Manager	P-3	P-3	3

OFFICE OF THE PROSECUTOR**INVESTIGATION DIVISION****Operational Support Unit**

Position	Current Level	Recommended Level	# of positions
Head of OSU	P-4	P-4	1
Operations Analyst	P-3	P-3	2
Associate Operations Officer	P-2	P-2	1
Assistant Operations Officer	P-1	P-1	1

**Summary of job evaluation findings
General Service category**

* = proposed change in grade compared to budgeted level

PRESIDENCY

Position	Current Level	Recommended Level	# of positions
Administrative Assistant (New York)	G-5	G-5	1

DIVISION OF COURT SERVICES

Position	Current Level	Recommended Level	# of positions
Administrative Assistant	G-5	G-5	1

GENERAL SERVICES SECTION

Position	Current Level	Recommended Level	# of positions
Facilities Electrical Technician	G-5	G-5	1

INFORMATION TECHNOLOGY & COMMUNICATION SECTION

Position	Current Level	Recommended Level	# of positions
Service Desk Supervisor	G-6	G-6	1
E-court Software Engineer	G-6	G-6	1

PROTOCOL AND EVENTS UNIT

Position	Current Level	Recommended Level	# of positions
P & E Assistant	G-3	G-4*	1*

PUBLIC AFFAIRS UNIT

Position	Current Level	Recommended Level	# of positions
Public Information Assistant	G-5	G-6*	1*
Senior Public Information Assistant	G-7	P-2*	1*

LIBRARY

Position	Current Level	Recommended Level	# of positions
Library Assistant (Adm.)	G-6	G-5*	1*
Library Assistant (Systems)	G-6	G-6	1

VICTIMS PARTICIPATION AND REPARATIONS SECTION

Position	Current Level	Recommended Level	# of positions
Applications Assistant	GS (New)	P-1*	1*

FIELD OFFICE SECTION

Position	Current Level	Recommended Level	# of positions
Field Outreach Assistant	G-7	G-7	2
Field Outreach Assistant	G-5	G-5	6
Field Administrative Assistant	G-3	G-4*	3*

SECRETARIAT OF THE TRUST FUND FOR VICTIMS

Position	Current Level	Recommended Level	# of positions
Administrative Assistant	G-5	G-5	1
Communication Assistant	G-6	G-6	1

FIELD OPERATIONS SECTION

Position	Current Level	Recommended Level	# of positions
Forward Field Office Manager	G-7	G-7	1
Logistics Assistant	G-4	G-4	1

IMMEDIATE OFFICE OF THE PROSECUTOR

Position	Current Level	Recommended Level	# of positions
Human Resources Assistant	G-6	G-6	1

INVESTIGATION DIVISION**OPERATIONAL SUPPORT UNIT**

Position	Current Level	Recommended Level	# of positions
Administrative Assistant	G-4	G-4	1

2. Report of the Committee on Budget and Finance on the work of its ninth session, September 2007*

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I. Introduction

A. Opening of the session, election of officers and adoption of the agenda

1. The ninth session of the Committee on Budget and Finance (the “Committee”) was convened in accordance with the decision of the Assembly of States Parties (the “Assembly”) taken at the 7th plenary meeting of its fifth session, on 1 December 2006. The session, comprising 13 meetings, was held from 10 to 18 September 2007. The President of the International Criminal Court (the “Court”), Mr. Philippe Kirsch, delivered welcoming remarks at the opening of the session.

2. The Committee appointed Mr. Peter Lovell (United Kingdom of Great Britain and Northern Ireland) as Rapporteur for the session.

3. The Secretariat of the Assembly of States Parties (the “Secretariat”) provided the substantive servicing for the Committee, and its Director, Mr. Renan Villacis, acted as Secretary of the Committee.

4. At its 1st meeting, the Committee adopted the following agenda (ICC-ASP/6/CBF.2/L.1):

1. Opening of the session.
2. Adoption of the agenda.
3. Participation of observers.
4. Organization of work.
5. States in arrears.
6. Financial performance data of the 2007 budget.
7. Consideration of the proposed programme budget for 2008.
8. Audit reports:
 - (a) Financial statements of the International Criminal Court for the period 1 January to 31 December 2006;
 - (b) Financial statements of the Trust Fund for Victims for the period 1 January to 31 December 2006;
 - (c) Report of the Office of Internal Audit.
9. Future budget improvements.
10. Pension scheme for judges.
11. Classifications/Reclassifications.
12. Premises of the Court.
13. Detention costs.
14. Review of the 2008 budget format.
15. Other matters.

5. The following members attended the ninth session of the Committee:

1. David Dutton (Australia)
2. Eduardo Gallardo Aparicio (Bolivia)
3. Fawzi A. Gharaibeh (Jordan)
4. Myung-jae Hahn (Republic of Korea)
5. Rossette Nyirinkindi Katungye (Uganda)

6. Juhani Lemmik (Estonia)
7. Peter Lovell (United Kingdom of Great Britain and Northern Ireland)
8. Karl Paschke (Germany)
9. Elena Sopková (Slovakia)
10. Michel-Etienne Tilemans (Belgium)
11. Santiago Wins (Uruguay)

6. The following organs of the Court were invited to participate in the meetings of the Committee to introduce the reports: the Presidency, the Office of the Prosecutor and the Registry.

B. Participation of observers

7. The Committee decided to accept the request of the Coalition for the International Criminal Court to make a presentation to the Committee. The Committee expressed its appreciation for the presentation.

C. Statement by a representative of the host State

8. At the 7th meeting on 13 September, Ambassador Paul Wilke, Permanent Representative to the International Criminal Court, Ministry of Foreign Affairs of the Netherlands, made a statement on behalf of the host State addressing the issues of permanent premises, interim premises and detention costs.

II. Consideration of issues on the agenda of the Committee at its ninth session

A. Review of financial issues

1. Status of contributions

9. The Committee reviewed the status of contributions as at 17 September 2007 (annex II). It noted that a total of €73.7 million had been received for the 2007 financial period while €4.9 million was outstanding from previous financial periods, with €15.2 million outstanding for the 2007 financial period. The Committee noted that this represented 82.9 per cent of contributions due. This was an improvement over the same period for 2006, when 77.2 per cent of contributions had been received. Nevertheless the Committee remained concerned that, should the Court's expenditure rate move closer to the appropriation level, the Court could experience a cash shortage that would seriously impact on its operations.

2. States in arrears

Applications for exemption at the sixth session of the Assembly

10. The Committee noted that paragraph 44 of resolution ICC-ASP/4/Res.4 stipulated that the Committee should advise the Assembly before the Assembly decided on any requests for exemption under article 112, paragraph 8, of the Rome Statute.

11. The Committee noted that on 23 July 2007 the Secretariat had communicated with States in arrears, informing them of their outstanding contributions and advising them of the minimum payment required to avoid the application of article 112, paragraph 8, of the Rome Statute. The Secretariat advised the Committee that seven States were ineligible to vote as at 18 September 2007: Bolivia, Congo, the Democratic Republic of the Congo, Guinea, Liberia, Malawi and Niger.

A diplomatic note requesting an exemption had been received from the Democratic Republic of the Congo but without additional supporting documentation.

12. The Committee recalled that at its last session the Assembly had adopted recommendations setting out a specific procedure for requesting exemptions from the loss of voting rights.¹ Bearing in mind that the Committee was thus commencing its application of the novel procedure, it recommended that the request of the Democratic Republic of the Congo should be approved on an exceptional basis which should not constitute a precedent for future requests not accompanied by adequate supporting documentation. The Committee also urged the other States with outstanding contributions to take the necessary steps to pay their contributions prior to the sixth session of the Assembly.

13. The Committee requested the Secretariat to again advise States in arrears of the minimum payment required before the sixth session of the Assembly.² It recommended that countries which request exemptions should also indicate the likely timeline for payment and submit multi-year payment plans for the full amount of arrears where appropriate.

14. A further 11 States would become ineligible to vote on 1 January 2008 should they not make additional payments to avoid the application of article 112, paragraph 8, of the Statute.³

3. Surpluses

15. In accordance with regulation 4.6 of the Financial Regulations and Rules of the Court, the estimated cash surplus that is to be returned to States Parties on 1 January 2008 amounts to €18,158,199, and comprises the provisional cash surplus for 2006 and assessed contributions in respect of prior periods that were received from States Parties in 2007.

B. Audit reports

1. Financial statements of the Court for the period 1 January to 31 December 2006

2. Financial statements of the Trust Fund for Victims for the period 1 January to 31 December 2006

16. Introducing his reports on the financial statements of the Court (ICC-ASP/6/5) and of the Trust Fund for Victims (ICC-ASP/6/6), the External Auditor informed the Committee that the statements were free of material misstatement and presented fairly the financial position of the Court and of the Trust Fund and that he was able to offer an unqualified audit opinion. The Committee noted that total expenditure in 2006 amounted to €64,678,810 compared to the approved budget of €80,417,200 - representing a budget implementation rate of 80.4 per cent.

17. The Committee also welcomed the comments and recommendations made by the external auditor on the accounting modules of the new Systems, Applications and Products (SAP) system, implementation of the pension scheme for judges and procurement in field offices. The Committee

¹ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fifth session, The Hague, 23 November – 1 December 2006* (International Criminal Court publication, ICC-ASP/5/32) part III, resolution ICC-ASP/5/Res.3, annex III, recommendations 5 to 7.

See also *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fourth session, The Hague, 28 November – 3 December 2005* (International Criminal Court publication, ICC-ASP/4/32) part III, resolution ICC-ASP/4/Res.4, para. 42.

² In accordance with recommendation 8 of resolution ICC-ASP/5/Res.3, annex III, the Secretariat notifies twice a year (in mid-January and mid-June) States Parties which may face losing their voting rights so that they are able to take timely action to pay their arrears.

³ In addition to the two notes verbales sent by the Secretariat to States in arrears and the note verbale sent to those States which may become ineligible to vote on 1 January of the following year, the Registry provides States Parties, on a quarterly basis, with an updated information note on the contributions received from States Parties.

appreciated the opportunity to discuss these recommendations with the External Auditor and senior Court officials. In response to the External Auditor's comments on low-level purchases in the field, the Committee recommended that field offices should be provided with an increase in their delegated procurement authority and petty cash threshold. The Committee noted the Auditor's opinion that, in respect of procurement activity at headquarters, the system of delegated financial authority and separation of functions was operating effectively.

18. The Committee expressed appreciation for the quality of the reports and welcomed a further unqualified audit opinion. This had been achieved during the migration of the Court's accounts to the new SAP system and reflected well on the staff involved. The Committee recommended that the Assembly should approve the recommendations contained in the external audit reports and that the Court should ensure their full implementation.

3. Report of the Office of Internal Audit

19. The Committee considered the report on the activities of the Office of Internal Audit.⁴ It discussed the specific findings and recommendations with the Acting Head of Audit and the Court officials.

4. Other audit matters

20. The Committee considered the Court's report setting out the progress it had made in implementing the recommendations contained in the External Auditor's reports for the first three financial periods of the Court.⁵ While welcoming the information provided, the Committee felt that in many areas the report lacked detail and did not sufficiently specify the actions undertaken to give effect to the recommendations. It was not clear what action the Court intended to take in some instances.

21. The Committee expressed concern that the Court had not taken enough action to advance some audit recommendations and improve internal governance arrangements. In particular, the Committee was concerned at the pace of progress in appointing non-executive members to the Audit Committee, developing a risk management framework, and implementing a statement of internal control. The Committee was also concerned that, although the Director of Internal Audit had advised that he would not renew his contract in February 2007, no steps had been taken to recruit his replacement. Given the likely recruitment period this would result in the post being vacant for a minimum of six months and the office being staffed by only one person (because two other posts were also vacant).

22. The Committee considered the report on internal audit monitoring⁶ and concluded that the existing arrangements whereby the Internal Auditor undertook a hybrid of internal and external audit roles had diminished the effectiveness of the internal audit function. It therefore agreed that the internal audit function should be adjusted in the light of experience to strengthen the contribution that the Internal Auditor could make to the efficient running of the Court. The Committee recommended that the role of the Internal Auditor should be focused on providing independent assurance and advice to the Registrar, as accounting officer, on the effectiveness of the Court's control and management systems. The External Auditor should provide assurance to the Assembly regarding the financial management of the Court overall. The Committee further recommended that the annual programme of work for the Office of Internal Audit should be approved by the Audit Committee, retaining some capacity for urgent ad hoc reviews and investigations. Finally, the Committee recommended that the Internal Auditor should report annually, and on an ad hoc basis where appropriate, to the Committee on Budget and Finance,

⁴ ICC-ASP/6/7.

⁵ ICC-ASP/6/14.

⁶ ICC-ASP/6/CBF.2/2.

through the Chair of the Audit Committee. The Committee on Budget and Finance will refer any matters to the Assembly that require its attention.

23. To ensure that the role of Internal Audit maintains an appropriate level of independence, the Committee emphasizes the need to ensure that the Audit Committee includes non-executives at the earliest opportunity, and that it meets regularly. The Committee recommended that the Audit Committee should report annually to the Committee on Budget and Finance in order to strengthen the connection between the two bodies.

24. The Committee decided to revert to this issue at its next session and requested the Court to prepare a report looking holistically at the progress in developing audit and governance arrangements across the Court. This should include specific plans relating to:

- (a) The introduction of risk management linked to supporting the successful implementation of the strategic plan, objectives and performance indicators;
- (b) The scope of internal and external audit;
- (c) The status of the Audit Committee, including progress in appointing non-executives; and
- (d) Introduction of a statement of internal control, and other financial system controls identified by the External Auditor.

C. Budgetary matters

1. Financial performance data of the 2007 budget as at 31 July 2007

25. The Committee considered the report on the budget performance of the Court as at 31 July 2007.⁷ It noted that the implementation rate for 2007 to 31 July was only 42.3 per cent (45.2 per cent for basic resources and 38.7 per cent for situation-related resources). This was a comparable implementation rate to the situation in 2006. This pattern of monthly spending would result in an implementation rate for the full year of approximately 72 per cent, although the Court projected a rate of 85.9 per cent after factoring in an increase in expenses over the remainder of the year. The Court forecast an underspend for the year of approximately €12.5 million (based on expenditure of €76.3 million against a budget of €88.8 million).

26. With regard to staffing, 472 of the 647 approved posts were occupied as at 31 July, a difference of 175 posts, representing a vacancy rate of 27 per cent. Of the vacant posts, 75 were under recruitment as at 31 July (meaning that the deadline for applications had passed), while a further 58 had been advertised, and 42 posts had not been advertised. The Court forecast that a total of 555 posts would be filled as at 31 December.

27. The Committee observed that the Court had increased the total number of staff occupying approved posts by about 30 over the past year (there were 441 staff appointed to approved posts as at 31 August 2006). According to information supplied by the Court, the number of staff as at 1 January 2007 was 448 and this had increased to 473 by 1 September. A total of 105 staff had been recruited during this period, offset by 46 departures and 34 appointments of internal candidates (which therefore opened up new vacancies), representing an overall net increase of 25 additional staff over eight months.

28. The Committee noted that the continuing high level of vacancies for approved posts was a major cause of underspending in the budget: the Court forecast spending only 77 per cent of staff

⁷ ICC-ASP/6/10.

costs in 2007 (and this was based on a substantial increase in the number of approved posts filled). The Court continued to use additional general temporary service (GTA) staff and consultants to offset the lack of staff on approved posts. The Court advised the Committee that, as at 1 September, there were also 72 individuals on GTA contracts temporarily occupying approved posts.

29. The Committee was surprised that this increased reliance on GTA to cover approved posts had not led to an even greater anticipated overspending of GTA. Although the forecast underspend on approved posts was €10.8 million, the forecast increase in GTA was only €1.1 million (€9.9 million instead of €8.8 million) and for consultants €49,000 (€288,000 instead of €239,000). This raised the possibility that the salary budgets for GTA posts had been overestimated or that approved GTA resources were also being underutilized.

30. The Committee expressed its concern that the implementation rate in 2007 again appeared to be comparable with the rates of 80.4 per cent in 2006, 83.4 per cent in 2005 and 82 per cent in 2004. While underspending in each year had been partly the result of not realizing the stated assumptions, this did not appear to be the primary cause in 2007, since the delay in commencement of the first trial had led to savings on the costs of nine posts and approximately €1.5 million in non-staff costs (all in the Registry). The Committee concluded that the budget continued to contain a substantial level of capacity that had not been utilized. This could undermine budget discipline within the Court and diminished the ability of the Committee and the Assembly to assess budgetary needs.

2. Consideration of the proposed programme budget for 2008

(a) Presentation

31. The Committee congratulated the Court on its efforts to improve the presentation of the budget consistent with the agreements contained in paragraph 26 of the Committee's last report.⁸ The Committee agreed that the budget document had improved significantly from previous years, especially through the inclusion of a more substantial overview and analysis of the budget, the consolidation of many small subprogrammes, and better justification for new resources. The Committee recommended to the Assembly that the format of the proposed 2008 budget should be used again in 2009 with adjustments reflecting the comments below. The Committee also noted that the budget format would continue to evolve over time to reflect developments within the Court.

32. Nonetheless, the Committee concluded that continuing work to improve the quality of the budget document should be undertaken. In particular, the Committee observed that the link between the Strategic Plan and the budget should be better developed, and noted that the oral presentation made to the Committee was stronger in this regard than the budget document itself. The Committee also encouraged the Court to continue to improve the justification of non-recurrent resources and to ensure a clear delineation between proposed new resources and current resources.

33. The Committee was again concerned at the quality of the performance indicators in the budget and the lack of high-level indicators. Given continuing difficulties in implementing results-based budgeting in the Court, the Committee strongly recommended that the Court should develop an implementation plan to address these issues, and inculcate them in the culture of the Court. This should include the provision of training for all relevant managers and officers of the Court. The Committee agreed to return to this issue at its next session to review progress in respect of the 2009 budget and requested the Court to provide a report on its progress.

⁸ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Sixth session, New York, 30 November to 14 December 2007* (International Criminal Court publication, ICC-ASP/6/20, vol. II), part B.1.

(b) Assumptions and activities for 2008

34. The Committee noted that the stated assumptions for the 2008 budget were comparable to those for 2007, with the expectation of a single trial taking place throughout the year. The Committee recognized that the possibility of additional trials was dependent on the arrest and surrender of individuals subject to arrest warrants, and that these arrests required the effective cooperation of States. The Committee was informed that the Court had sufficient resources to advance its cooperation with States and that some relevant posts were in the process of being filled.

35. The Committee recognized that it was not possible to predict the length of the trial of the current detainee, especially in light of the many complexities and uncertainties entailed in the conduct of the Court's first trial. Nonetheless, the Committee urged the Court to maximize the efficiency of proceedings, consistent with the Statute and the interests of justice, since the precedents created during the first trial would have enduring effects on the reputation and costs of the Court. While the Committee did not object to the assumption contained in the budget that the first trial would run throughout 2008, it hoped that proceedings would be concluded more rapidly. It also urged the Court to schedule any second trial to avoid additional costs wherever possible and to ensure maximum use of existing resources, especially in the Division of Court Services.

36. The Committee welcomed the Court's intention to make human resources a priority for 2008. The Committee agreed that the human resources policies of the Court should be accorded high priority and attention, especially with a view to developing policies that would help attract and retain high-performing staff.

(c) Macro-analysis

37. The Court informed the Committee that it proposed a budget of €97.57 million for 2008, representing an increase of €8.7 million or 9.8 per cent over the approved budget level for 2007. The Court identified some €5.26 million or 5.9 per cent of additional costs as arising from inbuilt factors, including increased staff costs, changes in the vacancy rate, the reclassification of posts during 2007, higher costs for interim premises, and the pension scheme for judges. New requirements totalling €3.43 million or 3.9 per cent were also proposed, including €2.09 million for victims and witnesses, infrastructure in the field, security and legal aid.

38. The Committee noted that the proposed level of the budget for 2008 was 51 per cent higher than actual expenditure in 2006 and 28 per cent higher than projected expenditure in 2007. As it had last year, the Committee agreed that a more appropriate baseline for considering additional resource needs in the coming year would be the actual implementation rate rather than the approved budget. The continuing high level of underspending undermined the ability of the Committee and the Assembly to assess adequately the budget as a whole. While most proposed new resources related to clearly identified new needs and priorities, the quantum of unutilized capacity in the budget was of concern.

39. The Committee agreed that the use of the term "inbuilt costs" and the definition of "zero growth" could be confusing since attempting to differentiate between costs within and beyond the Court's control was often subjective. The Committee also felt the Court was responsible for managing the budget as a whole and should seek to subsume increases wherever possible. While it understood that the Court was seeking to differentiate costs over which it had no direct control, the Committee felt that the current application of these terms did not assist its examination of the budget. Instead the Committee agreed that the term "zero growth" should be defined as where the numerical value of the item or budget remained constant. The term "zero growth in real terms" should reflect the fact that the budget had increased only due to inflation or other price increases, the underlying factors having remained constant. Where the full impact of a decision with financial implications was not realized until the second or subsequent year it should be reflected as a

“previous commitment” or a “forward commitment”. Where budgetary growth was due to new activities or an increase in existing activities then it should be referred to as “new requirements”.

(d) Common staff costs / inflation

40. In the proposed programme budget for 2007, the Court proposed an increase of €1.49 million to cover “inflation”. At its seventh session the Committee considered that the information provided had been insufficient to judge whether that increase was justified and recommended that it should be accommodated within the existing levels for staff costs given the high level of underspending on staff.⁹ At its fifth session the Assembly agreed that “the recommendation of the Committee should be endorsed as an overall cut in the budget, made advisable under specific circumstances, and should not be regarded as a general policy for dealing with inflation costs”.¹⁰

41. In the proposed programme budget for 2008, the Court described these costs more accurately as “common system costs”, amounting to €2.74 million, and provided the Committee with additional information. The Committee and the Court had a thorough discussion of this issue, after which the Committee made the observations set out below.

42. “Common system costs” in the proposed programme budget for 2008 are constituted from standard salary rates¹¹ calculated by the International Civil Service Commission (ICSC) for the United Nations and other common system organizations. The standard salary costs are derived from the average base salary for each grade in the Professional and General Service categories of staff, plus a post adjustment multiplier, a common staff costs multiplier, and a representation allowance. Since common system salaries are calculated in United States (US) dollars, the post adjustment system is designed to achieve an equal level of purchasing power between salaries denominated in US dollars in New York and salaries paid in other currencies at other duties stations (in this case, The Hague). As such, the system incorporates forecast changes in the cost-of-living differential between The Hague and New York and variations in the exchange rate of the US dollar against the euro.

43. Accordingly, the Committee agreed that, since the Court is part of the common system and its staff contribute to the United Nations pension fund (which calculates pensions in US dollars), the Court’s calculation of staff costs in the proposed budget for 2008 was justified. However, the Committee also noted that this system was less than ideal for an organization with a budget denominated in euros and in which staff (with the exception of some local field staff) are paid in euros. Further, the forecasts relating to estimated staff costs are by nature imprecise, and, unlike the United Nations and some other common system organizations, the Court does not report the actual level of common system costs at the end of the financial period. There was as yet insufficient experience to assess whether the actual staff costs incurred by the Court matched the multiplier for common staff costs. The Committee also noted that the system was expensive to administer since it required monthly amendment of post adjustment and salaries for all staff.

44. Finally, the Committee requested the Court, in consultation with the International Civil Service Commission, to consider whether organ-specific adjustments to this system are possible and to examine the best practices of other international organizations within the common system. The Committee requested the Court to report on this subject at its next session.

⁹ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fifth session, The Hague, 23 November – 1 December 2006* (International Criminal Court publication, ICC-ASP/5/32), part II. D. 6 (b), para. 51.

¹⁰ *Ibid.*, part II.D.1(b), para. 19.

¹¹ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Sixth session, New York, 30 November to 14 December 2007* (International Criminal Court publication, ICC-ASP/6/20, vol. II), part A, annex V (d).

45. The Committee noted that the adjustment of staff costs (as described above) reflected price and exchange rate changes, among other components. It noted that adjustments for other price or exchange rate changes had not been applied systematically in the budget, with the exception of travel, which had been estimated on the basis of expected increases in 2008 travel prices. The Committee requested the Court to explain changes in staff costs in the annexes of the proposed programme budget in future years and agreed that no need had yet arisen for systematic adjustments for any other inflationary or exchange rate movements between budgetary periods.

(e) Recruitment delays and vacancy rates

46. The Committee closely examined the rate of recruitment over the past year. It concluded that the capacity of the Court to recruit staff did not appear to be sufficient to reach even its projected level of 555 occupied posts by the end of 2007. The rate of net recruitment in 2007 to the beginning of September had been an average of about three additional staff per month. To reach a level of 555 by 31 December would require an increase in recruitment to a rate of about 20 additional staff per month – a sevenfold increase in productivity. Yet, even if the Court were to achieve a level of 555 by year end, it would remain 92 posts below its approved staffing level for 2007. The Court would then be faced with recruiting 92 extant posts plus any new posts for 2008 approved by the Assembly.

47. The Committee asked the Court to explain the delays in the recruitment process and the reasons for the lack of progress in filling vacancies. The Court advised that delays occurred at several stages of the recruitment process, including:

- (a) Preparation of job descriptions;
- (b) A lack of time for recruitment by managers (many of whom are under time pressure, not least due to staffing vacancies);
- (c) Evaluation and short-listing of applications in the Human Resources Section (and the high volume of applications in some cases);
- (d) Composing and scheduling interview panels; and
- (e) Composing and scheduling selection panels.

48. Some efforts had been made to reduce administrative delays earlier in 2007, but the Committee could not discern any increase in the net recruitment rate as a result of these changes. In addition, the Court advised that an increase in staff departures and in internal applicants being recruited to vacant posts had reduced the net recruitment level.

49. Given the serious and ongoing difficulties in filling vacant posts, the Committee recommended that the Court should take urgent and strong action to increase its overall recruitment capacity. The Committee recommended that this action should include streamlining the interview and selection process, reducing administrative workload in the Human Resources Section, devoting additional resources to recruitment, and ensuring that managers give higher priority to filling vacancies. The Committee further recommended that heads of organs should continue to be responsible for the selection of staff and for ensuring that the highest standards of efficiency, competency and integrity apply in the employment of staff while taking account of the principal legal systems of the world, equitable geographical distribution and fair representation of women and men. The Committee decided to consider further the recruitment process of the Court at its next session, in the context of its consideration of human resources and career management policies, and requested the Court to provide a report detailing all aspects of the recruitment process and its efforts to increase the rate of recruitment.

50. The Committee strongly recommended that the vacancy rates for approved posts in the budget should be adjusted to a level commensurate with the likely rate of appointment of additional staff. This would reduce the appropriated funds for 2008 to a more realistic level, thereby eliminating the primary cause of continuing underspending. However, it would not affect the approved staffing table and would allow the Court to progressively realize the capacity already present in the budget up to the end of 2008. The impact of this would be to reduce the budgetary requirement for 2008 to a more realistic level, although States Parties should expect a corresponding increase in 2009 if the Court successfully fills the approved posts available to it.

51. Assuming that the Court takes immediate and urgent measures to increase the rate of recruitment, the Committee recommended that the vacancy rate should be adjusted to 18 per cent for all existing posts and 50 per cent for all new posts which the Assembly may approve for 2008. The rate of 18 per cent would provide for all current approved posts to be filled progressively at an average rate of 10.8 per month from September 2007 to December 2008. This recommendation assumes that the Court will be able to treble or quadruple the rate of new recruitment achieved so far in 2007, which the Committee agreed was ambitious but plausible if urgent measures were taken. The Committee recommended that the value of this adjustment for staff costs in each major programme to the vacancy rate should be distributed within each major programme according to its particular distribution of vacancies and its recruitment plans.

52. The Committee further recommended that the Court should identify any posts that are no longer required and propose such posts for abolition in the proposed programme budget for 2009.

(f) Major new requirements

53. The Committee welcomed the inclusion of victims and witnesses, field infrastructure, security and legal aid in the overview of the budget as new requirements in the proposed programme budget and generally supported the proposed additional resources for these areas. However, the Committee recommended that the Court should also provide cross-references to the relevant programmes in the next budget proposal to allow easy reference between the overview and the specifics in the budget.

(g) Contingency fund

54. The Committee reiterated its understanding of and support for the contingency fund as a mechanism to ensure that the Court was able to meet unexpected needs and avoid seeking funds for assumptions that may not materialize. The Committee welcomed the Court's proposal to utilize the fund in the event of additional arrests provided that the Court first sought to maximize use of its existing capacities.

(h) Major programme I: Judiciary

55. The Committee agreed that the resources proposed for programmes 1100 and 1200 were reasonable and recommended that they should be approved.

56. The Committee recalled that at its eighth session it had agreed that, before any further proposals were made to increase the provision of legal support in Chambers, the Court should submit a revised staffing structure.¹² The Committee noted that the revised structure for Chambers' legal support would maintain support for individual judges and Chambers, while providing additional staff for each Chamber as a whole rather than assigning staff to individual judges. Any further expansion of staffing would be based on workload experience and need.

¹² Ibid., part B.1, para. 73.

57. The Committee welcomed the inclusion of workload indicators in programme 1200. The Committee reiterated the comments made in the report on the work of its seventh session¹³ and welcomed the identification of “improved efficiency of proceedings” as an objective for Chambers in 2008. It noted that Chambers would develop performance indicators during the course of 2008 and reiterated its view that suitable and measurable performance indicators should be formulated for Chambers.

58. In reviewing major programme I, the Committee noted a tendency to treat consultancy resources as recurrent funds not requiring full justification, and noted that this was typical of other sections of the budget. The Committee reiterated its view that consultancy funds should not be automatically rolled forward each year and that a reduction in proposed resources should not be regarded as “savings”.

(i) Major programme II: Office of the Prosecutor

59. The Committee commended the Court for the clear presentation of the proposed budget for the Office of the Prosecutor, the adjustment of resources to changing priorities and circumstances, and the efficiencies identified. It also welcomed the overview contained in paragraphs 88 to 95, which provided a good summary of overall change in the budget of major programme II. The Committee agreed that resources proposed for the Office of the Prosecutor were reasonable and recommended that they should be approved.

60. The Committee was informed that the Prosecutor had advised the Bureau that he would not propose the appointment of a new Deputy Prosecutor at the sixth session of the Assembly. Since an appointment will therefore not be possible during 2008, the Committee recommended that the post should be budgeted at zero cost for 2008. The funds should be included again in the proposed programme budget for 2009 should a decision be taken to appoint a new Deputy Prosecutor.

(j) Major programme III: Registry

61. In programme 3100 (Office of the Registrar) the Committee recommended the approval of the proposed P-3 Writer/Editor (para. 203). The Committee agreed that this post would increase the ability of the Court to service the increased workload generated by the Assembly, The Hague Working Group and the Committee, including by producing good quality reports. For the same reason, the Committee urged the Court to fill the vacant P-5 external relations post.

62. In subprogramme 3140 (Security and Safety Section) the Committee supported the provision of additional capacity for security in the field and recommended that most staff and non-staff resources should be approved by the Assembly. However, the Committee felt that there was insufficient justification to establish a P-2 post for security analysis as a permanent post in basic resources, since there were already 40 existing permanent posts in basic resources. Accordingly, the Committee recommended that the post of analyst at the P-2 level should continue to be funded by GTA and that the Court should revert to this issue in its next proposed programme budget with clear workload indicators for the Security and Safety Section.

63. The Committee observed that the Court continued to require screening of every person who entered the Arc building and that this required considerable resources for security guards. The Committee also noted the view of the Court that the same standard of security should be provided at each of its interim premises as applied at the Arc. While the Committee remained strongly supportive of robust security measures for the Court, based on expert assessments of threat and risk, it queried whether a more selective approach to screening people entering the Arc might be possible. If the Court were to screen only visitors, and not screen all its own staff (often several

¹³ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fifth session, The Hague, 23 November – 1 December 2006* (International Criminal Court publication, ICC-ASP/5/32), part II.D.6 (b), para. 54.

times a day) then significant savings would be realized. The Committee recognized that higher security standards might be required when detainees were in the building or a trial was taking place, and noted this might be achieved through additional security screening at the perimeter of the courtrooms. The Committee requested the Court to continue to review and determine security requirements on the basis of expert assessments of the threats and risks facing the Court, bearing in mind the need to use resources efficiently.

64. In programme 3200 (Common Administrative Services Division) the Committee recommended the approval of the proposed P-2 Associate Human Resources Officer (para. 236). Moreover, the Committee reiterated that the performance of the Human Resources Section was of major strategic importance to the Court given the need to lift recruitment rates and the challenges of developing human resources policies that better fitted the Court's circumstances and work.

65. The Committee agreed that provisions for travel of Committee members for informal meetings at the Court should be included in the budget of the Secretariat of the Assembly and therefore recommended that the amount of €2,581 should be transferred accordingly.¹⁴

66. In programme 3300 (Division of Court Services) the Committee observed that the Court was requesting a total of 116 posts and €1,154,000 for GTA and temporary assistance for the conduct of one trial. The proposed 2006 budget for the Division had sought 119 posts and €501,000 for the conduct of two simultaneous trials. The Committee expressed concern that the Division claimed to have less capacity to service trials despite an increase in resources (notwithstanding the fact that the workload of the Victims and Witnesses Unit had increased in that period).

67. In subprogramme 3330 (Detention Section) the Committee was informed that provision had been made for travel of the family of the detainee to The Hague. The Court advised that, in response to a recommendation by the International Committee of the Red Cross, the Registrar had decided that the Court would meet travel costs for the families of indigent detainees to visit them in The Hague. The decision represented a policy decision and had no precedent in the other international criminal tribunals. The Committee noted that this could become costly as the number of detainees increased in future and recommended that the Assembly should consider the policy question involved and the frequency with which such travel should be funded from the budget of the Court.

68. In subprogramme 3340 (Court Interpretation and Translation Section) the Committee was concerned at the increasing expense of interpretation and translation work despite the absence of a trial. The Committee was informed that the Section undertook work for several other areas of the Court. The Committee agreed that it was appropriate for interpretation and translation functions to be as centralized as possible, but felt that managers responsible for generating work should be responsible for managing the associated costs. Accordingly, the Committee recommended that the Court should consider distributing costs for such work to relevant areas in the proposed programme budget for 2009, and ensure that managers are accountable for the expenditure of such funds.

69. Further, the Committee was not convinced of the need to increase GTA by €59,300 in these circumstances and recommended that the increase should not be approved. The Committee believed that this reduction could be managed by efforts to discipline the translations requested by other areas of the Court.

70. Further, the Committee expressed concern at the low translation rates applied by the Court and the increasing burden of translation costs on the budget of the Court. The Committee recommended that options for outsourcing translation work should be explored with the aim of finding lower cost providers, particularly for less sensitive work, and requested the Court to provide

¹⁴ The Committee recommended that the funds should be transferred from subprogramme 3210: Office of the Director (*Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Sixth session, New York, 30 November to 14 December 2007* (International Criminal Court publication, ICC-ASP/6/20, vol. II), part A, para. 232).

a report to the Committee on outsourcing options at its next session. The Committee noted that the International Criminal Tribunal for the former Yugoslavia and some other international organizations had achieved significant savings from outsourcing translation functions.

71. In programme 3400 (Public Information and Documentation Section) the Committee appreciated the substantial efforts that had been made to implement the requests of the Committee and the Assembly by developing tools for evaluating the results of outreach activities and improving the quality of the performance indicators. While recognizing the difficulty of evaluating outreach activities the Committee encouraged the Court to continue its work on effective evaluation tools and meaningful performance indicators. At the current stage, the Committee welcomed the decision to undertake surveys and interviews to measure the impact of outreach activities and noted that many of the proposed indicators still described outputs. The Committee indicated its interest in discussing this issue in greater depth in future, including when the Strategic Plan for outreach is next updated.

72. In programme 3500 (Division of Victims and Counsel) the Committee was informed of the possible volume of work for legal support for the defence and for the participation of victims. Notwithstanding the Committee's recommendation in favour of an increase in legal aid rates,¹⁵ the Committee expressed concern at the rapidly escalating estimates of the cost of legal assistance. The Committee noted that the Court had chosen to create a scheme of funding for the defence of indigent accused as well as a public defender's office. The provision of both private and public defence resources combined with the complexity of judicial proceedings in the Court could lead to an unprecedented level of expense. While the Committee remained strongly supportive of the principle that indigent accused were entitled to an effective defence, it was concerned that the Court should apply firm and reasonable limits to the provision of resources for defence. The Committee believed that legal aid continued to represent an area in which there were considerable financial and reputational risks for the Court.

73. The Committee emphasized the need to thoroughly and rigorously examine the claims of indigence made by accused persons. In this regard it was essential for the Court to ensure that it utilized the resources available to it to search for assets. The Committee was therefore disappointed to be informed that a financial investigator had not yet been appointed to the approved post, although an individual was employed on a GTA contract. The Committee noted that a financial provision to engage experts as consultants might be a suitable supplementary means of obtaining expertise for this function in future. The Committee noted that any additional services required in 2008 could be sourced from the budget approved for contractual funds. Further, the Committee invited the Court to consider how this function could best be performed and funded in the long run and requested it to report to the Committee on this subject at its next session.

74. The Committee observed that the Division of Victims and Counsel had spent only 29 per cent of the situation-related resources available to it up to 31 July. It was informed that €459,028 related to the delay in the commencement of a first trial. The Committee noted that the Division remained underspent after taking into account this delay, and was seeking a 16.6 per cent increase in its budget. In these circumstances the Committee was not convinced that all the proposed resources would be required in 2008 and recommended that the increase in contractual services for legal aid (of €321,500) and the GTA P-4 Counsel should not be approved. The Committee agreed that there should be sufficient resources in the existing budget level for the Court to meet these requirements in 2008.

¹⁵ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Sixth session, New York, 30 November to 14 December 2007* (International Criminal Court publication, ICC-ASP/6/20, vol. II), part B.1, paras. 79-82.

(k) Major programme IV: Secretariat of the Assembly of States Parties

75. The Committee noted that major programme IV consisted of two subprogrammes: the conference budget (programme 4100) and the Secretariat budget (programme 4200), which would vary on a yearly basis depending on the venue and length of the sessions of the Assembly. The rental of premises, security services, travel of Secretariat staff, and other costs would vary from year to year.

76. The Committee observed that the growth in discussion of budgetary and administrative matters in the Assembly and its subsidiary bodies had created considerable new demands and workload for the Secretariat. The Committee agreed that it would be desirable to establish an additional post at the P-4 level for a Finance and Administration Officer to provide specialist support to the Assembly, The Hague Working Group and the Committee on budgetary, administrative, and premises questions. This would also alleviate the excessive workload and unreasonably long hours currently being undertaken by staff in the Secretariat. The Committee recommended that the Assembly should approve a new post for this task, to be budgeted at the P-4 level. Should the Assembly agree to this recommendation, the Committee also recommended that the cost should be offset by eliminating the vacant post of GS-PL Finance Assistant at the G-6 level.

(l) Major programme V: Investment in the Court's premises

77. In programme 5100 (Interim Premises) the Committee observed that very little use had been made of the available resources up to 31 July, with only €126,000 or 7.1 per cent of the budget implemented. The Committee recalled that the budget had been prepared on the expectation of prefabricated interim premises being available and that this had not been the case. The minimal utilization of the programme suggested that other assumptions for costs associated with the Hoftoren building had also not been realized. The Committee welcomed advice from the host State and the Court that the host State had met additional costs associated with interim premises at the Hoftoren and indications that the host State would also meet significant new costs for the Haagse Veste building.

78. The Committee agreed that the Court was unlikely to require a large proportion of the nearly €2.5 million proposed for interim premises. In particular, the Committee noted that the provision of €750,000 for security investments in the Haagse Veste should not be required since the host State had provided similar security in the Arc and the Hoftoren and should do so for the Haagse Veste as part of its commitment to provide rent-free accommodation. Similarly, the Committee felt there was no need to make additional provisions for €70,000 for security equipment at the Hoftoren since the host State was already meeting security requirements at the site. The Committee also agreed that the proposed resources for a third interim location were not justified since no arrangements for a third site had yet been determined and the Committee expected that the great majority of any additional costs would be met by the host State. Finally, the Committee noted that additional ICT helpdesk staff should not be budgeted for the Haagse Veste building since the workload could be accommodated within the restructured and augmented Customer Competency Centre. The Committee noted the Court's comments on loss of synergy but felt that the close proximity of the Haagse Veste to the Arc building should minimize any inefficiencies. The Committee also agreed that it would be preferable to incorporate provisions for interim premises in the appropriate sections of the Registry.

79. Accordingly, the Committee recommended that the programme should be terminated, that the items addressed above should not be approved, and that the remaining provisions should be integrated into the appropriate areas of the Registry budget.

80. In programme 5200 (Permanent Premises) the Committee observed that – should the Assembly decide to create a new office with overall responsibility for the permanent premises – the role of the Project Office would be devoted to issues relating to user requirements. The Committee

observed that, in that scenario, most of the functions listed (para. 431) would not be performed within the Project Office.

81. The Committee agreed that the proposed additional posts for a P-4 Construction Economist and a P-3 Project Auditor were not appropriate for the functions envisaged in the draft governance arrangements for the permanent premises. The Court presented an alternative proposal to the Committee for a P-3 Project Manager (Engineering) and a P-3 Project Auditor. However, the Committee felt that the revised proposal remained equally inappropriate for the functions envisaged in the draft governance arrangements. The Committee noted that the Court's consultant had been paid from the provision for contractual services in the programme. The Committee therefore recommended that the proposed new posts should not be approved, but that a continuation of the provision for contractual services should be allowed in order to give the Project Office capacity to source specialist assistance where needed. The Committee further recommended that the programme should be integrated in the budget for major programme III.

(m) Major programme VI: Secretariat of the Trust Fund for Victims

82. The Committee welcomed the progress made by the Secretariat in establishing the Trust Fund's activities. The Committee recommended that the Assembly should approve the funds proposed for 2008, including the P-3 Field Programme Officer, which would be based in Kampala in order to support activities in the field. Should the Assembly agree to this recommendation, the Committee also recommended that the cost should be offset by eliminating the post of P-2 Associate Officer as proposed in the budget.

83. The Committee also noted its intention to continue to review the cost of the Secretariat relative to the volume of funds and activities successfully generated once the Trust Fund is in full operation.

(n) Estimated income for 2008

84. The Committee noted that the Court projected income in 2008 of €162,338 in depreciation from the Special Court for Sierra Leone and €1,677,881 from interest.

D. Future budget improvements

85. The Committee noted the Assembly's comments on adopting a multi-year approach to the budget and flexibility between major programmes.¹⁶ On the issue of multi-year budgets, the Committee felt that it would be premature to change the annual basis of the budget, given that the Court had yet to experience a full operational cycle and the related financial expenditure. The Committee noted that although the latest budget had suggested that increases were beginning to level off, the unpredictable nature of many of the Court's operational activities was likely to make it difficult to move to multi-year budgeting for the foreseeable future.

86. Nevertheless the Committee believed that for some aspects of the budget, particularly investment projects, it would be desirable to have a clear view at the outset of the project of what the overall financial commitment would be in future years. The Committee recommended that for investment programmes where the financial commitment will exceed one financial year the level of future year commitments should be indicated in the budget. To achieve this, the Committee proposed that a copy of the project business case with an investment appraisal setting out the projected costs and benefits should be annexed to the budget.

¹⁶ *Official Records Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fifth session, The Hague, 23 November – 1 December 2006* (International Criminal Court publication, ICC-ASP/5/32), part II.C, paras. 7 and 8.

87. The Committee also considered the issue of flexibility within major programmes and recalled the decision of the Assembly at its fourth session that the possibility of flexibility between major programmes should be maintained providing that mechanisms guaranteeing transparency and accountability were developed. The Committee noted that, given the continued level of underspending in the Court's budget, it remained difficult to establish an appropriate balance between providing the Court with adequate flexibility while maintaining budgetary discipline and adhering to the Assembly's decisions.

88. The Committee discussed this issue with the Court and decided it would be useful to agree on the precise circumstances in which the Court should report "significant level of transfers" within a major programme to the Committee and the Assembly (as decided by the Assembly).¹⁷ It recommended that transfers of €200,000 or more between subprogrammes should be reported to the Chair of the Committee at the time they take place, and then reported in the annual performance report. It further recommended that for the time being transfers of €200,000 or more should not take place between staff and non-staff costs, except as a result of a decision to outsource a function.

E. Premises of the Court

1. Permanent premises

89. The Committee welcomed the presentation by the facilitator of The Hague Working Group, Mr. Masud Husain (Canada), wherein he informed the Committee of outcome of the series of experts meetings held in The Hague of which the most recent had been from 5 to 7 September 2007. The Committee noted that considerable progress had been made since its eighth session in April 2007, in particular on the issues of the architectural design competition, governance arrangements, area requirements and cost estimates. The Committee had a useful discussion with the facilitator, the Registrar and the representative of the host State.

(a) Area requirements and costs of the project

90. The Committee noted that, through a rigorous validation process of the second functional brief, the experts had reached consensus on the area requirements of 46,000 square metres including the provision of three courtrooms, and in this connection had also determined a preliminary financial envelope of €165 million for the construction costs of the permanent premises.

91. The Committee recommended that, since at this stage the main objective of all parties involved was to proceed with the first phase of the architectural design competition, the Assembly should proceed on the basis suggested by the experts, as it took into account the importance of flexibility and scalability.

92. Additionally, the Committee recommended that additional project costs not directly related to the construction of the premises, such as financing and relocation costs, ICT infrastructure, furniture costs, as well as the rent for the interim premises beyond 2012, should be identified as soon as possible in order to provide States Parties with an estimate of the total cost of the project.¹⁸ The Committee recommended that responsibility for these other aspects should be identified and formally recorded to avoid any uncertainty at a later date.

¹⁷ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fourth session, The Hague, 28 November – 3 December 2005* (International Criminal Court publication, ICC-ASP/4/32), part II.B.1(b), para. 6.

¹⁸ It remains to be determined which major programme would administer the costs for, inter alia, the relocation of the Court and renting of interim premises beyond 2012.

(b) Governance

93. On the issue of governance, the Committee noted that the facilitator of The Hague Working Group and the experts had proposed a governance structure that recognized the critical role of the Court in identifying the operational requirements and subsequently providing assurance on the viability of specific proposals, while also allowing effective oversight by the Assembly of States Parties.

94. The Committee emphasized that the role of the proposed steering committee should not extend to close management of the project and that consideration should be given to its composition to prevent delays in decision-making. The Committee suggested that the title "Oversight Committee" might be more fitting since the notion of "steering" suggested a strong role in determining the direction of the project. In order to benefit from continuity of approach, the Committee also noted it was desirable to maximize the stability of the steering or oversight committee by selecting members who could serve for sustained periods of time. The Committee also noted the importance of selecting individuals with appropriate expertise.

95. The Committee further agreed that the Project Director should be independent of the Court and the host State. Nonetheless, in order to be entitled to the privileges and immunities of the Court, including the exemption from paying value added tax, it was also recognized that the Project Office should be part of the Court for administrative purposes. An amendment to the Financial Regulations and Rules of the Court would most likely be required. The Project Director would then be able to enter directly into legally binding commitments related to the project, while under the existing Financial Regulations and Rules only the Registrar was allowed to do so. The Committee recommended that the draft amendments should be provided to the Chair of the Committee in order to allow the Committee an opportunity to review them prior to consideration by the Assembly at its sixth session.

96. In this connection, the Committee also recommended that a major programme VII be established to cover the Office of the Project Director. The Committee noted that the experts had recommended that the recruitment of the Project Director should be undertaken in early 2008, in order to allow sufficient time for setting up a Project Office and to allow the Director to take part in the architectural design competition process. In this connection, the Committee recommended that a careful evaluation of the budgetary implications of setting up the office should be undertaken and the draft proposals should also be forwarded to the Chair of the Committee to allow it to provide comments prior to the sixth session of the Assembly.

(c) Financing of the project

97. The host State provided additional information on the host State bid and, in this connection, addressed the following questions that were raised by the Committee at its eighth session:

(i) *What variability is available in the start date for repayments?*

The host State noted that, according to Dutch practice, repayments start once construction work has been finalized.

(ii) *Can the loan be for any period up to 30 years?*

The host State confirmed that it would be possible for the Court to repay the loan in a shorter period of time.

(iii) *How would the arrangement handle late payments due to arrears of States Parties?*

The fact that States Parties are in arrears would not release the Court from its obligation to repay the loan. The host State indicated that this issue would have to be addressed in a loan agreement between the host State and the Court.

(iv) *Could the value of the loan be taken as a direct subsidy to the project?*

The host State indicated that the value of the loan being taken as a direct subsidy for the project could be considered.

98. The Committee noted that it was not the intention of The Hague Working Group to address the issue of financing of the project prior to the sixth session of the Assembly, and that discussions on this issue would be resumed in 2008. The Committee therefore decided to revert to the various aspects of financing at its future sessions.

99. The Committee also recalled that at its eighth session it had recommended that the Court and The Hague Working Group should continue to give consideration to means by which specific parts of the permanent premises (for example, courtrooms, meeting rooms, library, art) could be financed by donations. It noted that fund-raising capacities in the project team may be necessary to attract donations.¹⁹

F. Pension scheme for judges

100. The Committee recalled its recommendation²⁰ at its eighth session that the pension scheme for future judges should be amended, and its request²¹ that the Court should submit draft amendments to give effect to these proposals and the financial implications of their adoption. The Committee thanked the Court for its report on the pension scheme for judges, noted that the draft amendments to the pension scheme regulations for judges²² would result in considerable future savings²³ and recommended that the Assembly should approve the draft amendments to the pension scheme regulations for judges of the International Criminal Court.

101. The Committee noted further that the Court was still in the process of negotiating a formal contract with the selected insurance provider, Allianz/NL, expressed concern that the contract had not yet been formalized, and urged the Court to conclude the negotiations as soon as possible.

G. Classifications/Reclassifications

102. The Committee recalled that, pursuant to the authorization given by the Assembly, it had approved the classification or reclassification of a total of 20 positions, covering 39 individual posts, at its eighth session. The Court submitted three additional cases to the Committee, covering two posts of Senior Investigator (for reclassification from P-3 to P-4) and one case of Protective Security Officer (for reclassification from G-7 to P-3), which had, due to an administrative oversight, been omitted from the list of posts submitted by the Court. The Committee recalled the

¹⁹ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Sixth session, New York, 30 November to 14 December 2007* (International Criminal Court publication, ICC-ASP/6/20, vol. II), part B.1, para. 46.

²⁰ *Ibid.*, part B.1, para. 77.

²¹ *Ibid.*, part B.1, para. 78.

²² Annex III.

²³ If the draft amendments to the pension scheme regulations were approved by the Assembly, the savings to the Assembly for the 2008 budget would be €197,088 and would rise to €2,175,208 when fully implemented (annex III, appendix).

comments it had made in the report on the work of its eighth session on this exercise²⁴ and, taking account of the explanations by the Court, approved the reclassification of the three posts reflected in annex IV.²⁵

H. Detention costs

103. The Committee recalled that at its eighth session it had advised the Court to resolve with the host State the matter of the outstanding debt for detention facilities from 2006.²⁶ The Committee noted that this issue had now been resolved between the Court and the host State and that the outstanding figure had been agreed at €391,056.²⁷ The Committee recommended that the Assembly should approve the payment of this amount from the 2007 budget.

104. The Committee noted that the Court and the host State had now reached agreement on further detention costs on the basis of the Court renting six cells but was concerned that this agreement had not yet been formalized. The Committee therefore recommended that the agreement should be formalized at the earliest opportunity and certainly before the commencement of the next financial period.

I. Other matters

1. Future meetings

105. The Committee decided, tentatively, to hold its tenth session in The Hague, from 21 to 25 April 2008, and its eleventh session from 15 to 23 September 2008 in The Hague.

2. Timeliness of documentation

106. The Committee welcomed the improvements by the Court in submitting documentation before the beginning of the session, but noted that further efforts were still required by the Court so as to comply with prior requests by the Committee²⁸ to have all reports and papers submitted in a timely and orderly manner so that Committee members have at least three weeks to examine the documentation before the beginning of the sessions.

²⁴ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Sixth session, New York, 30 November to 14 December 2007* (International Criminal Court publication, ICC-ASP/6/20, vol. II), part B.1, paras. 64-73.

²⁵ The Court indicated that the proposals contained therein had been recommended by the respective Head of Organ following the review of the consultant's findings.

²⁶ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Sixth session, New York, 30 November to 14 December 2007* (International Criminal Court publication, ICC-ASP/6/20, vol. II), part B.1, para. 83.

²⁷ ICC-ASP/6/13, para. 5.

²⁸ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Sixth session, New York, 30 November to 14 December 2007* (International Criminal Court publication, ICC-ASP/6/20, vol. II), part B.1, paras. 9-11.

Annex I

List of documents

Committee on Budget and Finance

ICC-ASP/6/INF.1	Report on the principles and criteria for the determination of indigence for the purposes of legal aid (pursuant to paragraph 116 of the Report of the Committee on Budget and Finance of 13 August 2004)
ICC-ASP/6/1	Provisional agenda
ICC-ASP/6/2	Report of the Committee on Budget and Finance on the work of its eighth session
ICC-ASP/6/3	Report on programme performance of the International Criminal Court for the year 2006
ICC-ASP/6/4	Report on the operation of the Court's legal aid system and proposals for its amendment
ICC-ASP/6/5	Financial statements for the period 1 January to 31 December 2006
ICC-ASP/6/6	Trust Fund for Victims financial statements for the period 1 January to 31 December 2006
ICC-ASP/6/7	Report of the Office of Internal Audit
ICC-ASP/6/8	Proposed Programme Budget for 2008 of the International Criminal Court
ICC-ASP/6/8/Corr.1	Proposed Programme Budget for 2008 of the International Criminal Court - Corrigendum
ICC-ASP/6/10	Report on budget performance of the International Criminal Court as at 31 July 2007
ICC-ASP/6/CBF.2/L.1	Provisional agenda
ICC-ASP/6/CBF.2/L.2/Rev.1	Annotated list of items included in the provisional agenda
ICC-ASP/6/CBF.2/1	Report on detention costs
ICC-ASP/6/CBF.2/2	Report on internal audit monitoring
ICC-ASP/6/CBF.2/3	Report on monitoring the Court's implementation of external audit recommendations

ICC-ASP/6/CBF.2/4	Reclassification of posts - Three additional cases as an amendment to the approval of reclassifications by the Committee on Budget and Finance
ICC-ASP/6/CBF.2/5	Report on the pension scheme for judges
ICC-ASP/6/CBF.2/6	Report on the future permanent premises of the International Criminal Court - Report on certain financing options
ICC-ASP/6/CBF.2/7	Report on budget performance of the International Criminal Court as at 31 July 2007

Annex II

Status of contributions as at 17 September 2007

States Parties		Prior Year Assessed Contributions	Prior Year Receipts	Prior Year Outstanding Contributions	2007 Assessed Contributions	2007 Contributions Receipt	2007 Outstanding Contributions	Total Outstanding Contributions
1	Afghanistan	8,465	6,033	2,432	1,696	-	1,696	4,128
2	Albania	21,432	21,432	-	10,178	10,178	-	-
3	Andorra	22,870	22,870	-	13,570	13,570	-	-
4	Antigua and Barbuda	13,474	13,474	-	3,393	3,393	-	-
5	Argentina	4,528,844	2,552,687	1,976,157	551,293	-	551,293	2,527,450
6	Australia	7,501,930	7,501,930	-	3,031,263	3,031,263	-	-
7	Austria	4,090,537	4,090,537	-	1,504,605	1,504,605	-	-
8	Barbados	44,240	44,240	-	15,267	3,449	11,818	11,818
9	Belgium	5,060,006	5,060,006	-	1,869,307	1,869,307	-	-
10	Belize	4,697	4,697	-	1,696	1,696	-	-
11	Benin	9,395	9,395	-	1,696	1,696	-	-
12	Bolivia	41,658	5,958	35,700	10,178	-	10,178	45,878
13	Bosnia & Herzegovina	14,710	14,710	-	10,178	10,178	-	-
14	Botswana	55,134	55,134	-	23,748	23,748	-	-
15	Brazil	7,642,736	5,207,107	2,435,629	1,485,946	-	1,485,946	3,921,575
16	Bulgaria	77,383	77,383	-	33,926	33,926	-	-
17	Burkina Faso	7,061	7,061	-	3,393	3,393	-	-
18	Burundi	3,074	217	2,857	1,696	-	1,696	4,553
19	Cambodia	9,395	9,395	-	1,696	204	1,492	1,492
20	Canada	13,059,533	13,059,533	-	5,049,843	5,049,843	-	-
21	Central African Republic	4,697	1,841	2,856	1,696	-	1,696	4,552
22	Chad	-	-	-	1,696	-	1,696	1,696
23	Colombia	738,214	738,214	-	178,110	178,110	-	-
24	Comoros	267	-	267	1,696	-	1,696	1,963
25	Congo	3,440	126	3,314	1,696	-	1,696	5,010
26	Costa Rica	134,743	134,743	-	54,281	29,393	24,888	24,888
27	Croatia	175,039	175,039	-	84,814	84,814	-	-
28	Cyprus	182,579	182,579	-	74,637	74,637	-	-
29	Democratic Republic of the Congo	14,710	2,917	11,793	5,089	-	5,089	16,882
30	Denmark	3,392,830	3,392,830	-	1,253,555	1,253,555	-	-
31	Djibouti	4,501	3,222	1,279	1,696	-	1,696	2,975
32	Dominica	4,697	3,304	1,393	1,696	-	1,696	3,089
33	Dominican Republic	76,138	-	76,138	40,711	-	40,711	116,849
34	Ecuador	92,958	92,958	-	35,622	35,622	-	-
35	Estonia	55,134	55,134	-	27,141	27,141	-	-
36	Fiji	18,790	18,790	-	5,089	603	4,486	4,486
37	Finland	2,497,545	2,497,545	-	956,705	956,705	-	-
38	France	28,602,566	28,602,566	-	10,688,296	10,688,296	-	-
39	Gabon	45,364	28,458	16,906	13,570	-	13,570	30,476
40	Gambia	4,697	3,418	1,279	1,696	-	1,696	2,975
41	Georgia	12,429	12,429	-	5,089	2,954	2,135	2,135
42	Germany	41,384,792	41,384,792	-	14,549,042	14,549,042	-	-
43	Ghana	19,407	19,407	-	6,785	6,785	-	-

States Parties		Prior Year Assessed Contributions	Prior Year Receipts	Prior Year Outstanding Contributions	2007 Assessed Contributions	2007 Contributions Receipt	2007 Outstanding Contributions	Total Outstanding Contributions
44	Greece	2,495,811	2,495,811	-	1,010,986	165,931	845,055	845,055
45	Guinea	13,386	1,147	12,239	1,696	-	1,696	13,935
46	Guyana	3,074	1,744	1,330	1,696	-	1,696	3,026
47	Honduras	23,329	10,355	12,974	8,481	-	8,481	21,455
48	Hungary	588,324	588,324	-	413,894	413,894	-	-
49	Iceland	159,093	159,093	-	62,763	62,763	-	-
50	Ireland	1,609,962	1,609,962	-	754,847	754,847	-	-
51	Italy	23,064,027	23,064,027	-	8,615,435	4,189,541	4,425,894	4,425,894
52	Jordan	49,818	49,818	-	20,355	20,355	-	-
53	Kenya	21,652	21,652	-	16,963	16,963	-	-
54	Latvia	67,372	67,372	-	30,533	30,533	-	-
55	Lesotho	4,697	4,697	-	1,696	1,696	-	-
56	Liberia	3,074	57	3,017	1,696	-	1,696	4,713
57	Liechtenstein	24,105	24,105	-	16,963	16,963	-	-
58	Lithuania	101,163	101,163	-	52,585	1,954	50,631	50,631
59	Luxembourg	363,553	363,553	-	144,184	144,184	-	-
60	Malawi	5,078	264	4,814	1,696	-	1,696	6,510
61	Mali	9,395	6,963	2,432	1,696	-	1,696	4,128
62	Malta	63,431	63,431	-	28,837	28,837	-	-
63	Marshall Islands	4,697	1,730	2,967	1,696	-	1,696	4,663
64	Mauritius	51,671	51,671	-	18,659	18,659	-	-
65	Mexico	3,011,352	3,011,352	-	3,828,517	1,814,326	2,014,191	2,014,191
66	Mongolia	4,697	4,697	-	1,696	1,696	-	-
67	Montenegro	933	933	-	1,696	1,696	-	-
68	Namibia	28,802	28,802	-	10,178	738	9,440	9,440
69	Nauru	4,697	2,030	2,667	1,696	-	1,696	4,363
70	Netherlands	7,970,305	7,970,305	-	3,177,143	2,527,091	650,052	650,052
71	New Zealand	1,050,797	1,050,797	-	434,249	434,249	-	-
72	Niger	4,697	300	4,397	1,696	-	1,696	6,093
73	Nigeria	211,453	188,838	22,615	81,422	-	81,422	104,037
74	Norway	3,170,089	3,170,089	-	1,326,495	1,326,495	-	-
75	Panama	88,633	84,377	4,256	39,015	-	39,015	43,271
76	Paraguay	58,840	58,840	-	8,481	5,758	2,723	2,723
77	Peru	448,382	301,418	146,964	132,310	-	132,310	279,274
78	Poland	2,104,866	2,104,866	-	849,839	849,839	-	-
79	Portugal	2,203,464	2,203,464	-	893,943	893,943	-	-
80	Republic of Korea	8,106,325	8,106,325	-	3,686,029	3,686,029	-	-
81	Romania	280,767	280,767	-	118,740	118,740	-	-
82	Saint Kitts and Nevis	267	267	-	1,696	1,696	-	-
83	Saint Vincent and the Grenadines	4,501	1,535	2,966	1,696	-	1,696	4,662
84	Samoa	4,579	4,579	-	1,696	1,696	-	-
85	San Marino	13,473	13,473	-	5,089	5,089	-	-
86	Senegal	23,487	23,487	-	6,785	194	6,591	6,591
87	Serbia	89,869	89,869	-	35,622	35,622	-	-
88	Sierra Leone	4,697	2,262	2,435	1,696	-	1,696	4,131
89	Slovakia	234,623	234,623	-	106,866	106,866	-	-

States Parties	Prior Year Assessed Contributions	Prior Year Receipts	Prior Year Outstanding Contributions	2007 Assessed Contributions	2007 Contributions Receipt	2007 Outstanding Contributions	Total Outstanding Contributions
90 Slovenia	384,568	384,568	-	162,843	8,081	154,762	154,762
91 South Africa	1,443,784	1,443,784	-	491,923	491,923	-	-
92 Spain	11,839,860	11,839,860	-	5,034,576	770,105	4,264,471	4,264,471
93 Sweden	4,707,065	4,707,065	-	1,816,722	1,816,722	-	-
94 Switzerland	5,670,350	5,670,350	-	2,062,683	2,062,683	-	-
95 Tajikistan	4,697	3,770	927	1,696	-	1,696	2,623
96 The Former Yugoslav Rep. of Macedonia	28,184	27,034	1,150	8,481	-	8,481	9,631
97 Timor-Leste	4,579	4,579	-	1,696	1,696	-	-
98 Trinidad and Tobago	99,635	99,635	-	45,800	45,800	-	-
99 Uganda	27,566	27,566	-	5,089	1,161	3,928	3,928
100 United Kingdom	28,422,573	28,422,573	-	11,266,730	11,266,730	-	-
101 United Republic of Tanzania	26,632	26,632	-	10,178	10,179	-	-
102 Uruguay	245,404	186,611	58,793	45,800	-	45,800	104,593
103 Venezuela	826,431	826,431	-	339,257	104,388	234,869	234,869
104 Zambia	9,001	6,991	2,010	1,696	-	1,696	3,706
Total	231,273,746	226,416,792	4,856,954	88,871,800	73,706,457	15,165,343	20,022,297

Annex III

Draft amendments to the pension scheme regulations for judges of the International Criminal Court

Article I Retirement pension

1. A judge who has ceased to hold office and who has reached the age of **sixty-two (62)** shall be entitled during the remainder of his or her life, subject to paragraph 5 below, to a retirement pension payable monthly, provided that he or she has not been required to relinquish his or her appointment for reasons other than the state of his or her health.

2. The amount of the retirement pension shall be determined as follows:

For each year of service, the amount of the annual pension shall be **1/72nd (one seventy-second)** of the annual salary.

3. No additional pension shall be paid if the judge has completed more than a full nine-year term.

4. A judge who ceases to hold office before attaining the age of **sixty-two (62)** and who would be entitled to a retirement pension when he or she reaches that age may elect to receive a pension from any date after the date on which he or she ceases to hold office. Should he or she so elect, the amount of such pension shall be that amount which has the same actuarial value as the retirement pension that would have been paid to him or her at the age of **sixty-two (62)**.

5. No retirement pension shall be payable to a former judge who has been re-elected to office until he or she again ceases to hold office. At that time, the amount of his or her pension shall be calculated on the basis of his or her total period of service and shall be subject to a reduction equal in actuarial value to the amount of any retirement pension paid to him or her before he or she reached the age of **sixty-two (62)**.

Article II Disability pension

1. A judge found by the Court to be unable to perform his or her duties because of permanent ill health or disability shall be entitled upon leaving office to a disability pension payable monthly.

2. The Court's decision as to whether a judge is unable to perform his or her duties because of permanent ill health or disability shall be based on two medical opinions, one issued by a medical doctor designated by the Court and the other issued by a medical doctor of the judge's choice. In the event that the two opinions differ, a third medical opinion shall be obtained through a medical doctor mutually agreed upon by the Court and the judge.

3. The amount of the disability pension shall be equal to the amount of the retirement pension that would have been payable to the judge concerned had he or she, at the time of leaving office, completed the term for which he or she had been elected.

Article III
Surviving spouse's pension

1. Upon the death of a married judge who was entitled to a retirement pension, the surviving spouse, provided he or she was the spouse at the date that the former judge's service ended, shall be entitled to a surviving spouse's pension calculated as follows:
 - (a) If the judge had not begun, at the date of his or her death, to receive his or her retirement pension, the surviving spouse's pension shall amount to one half of the pension that would have been payable to the judge under article I, paragraph 4, above, had the judge commenced receiving such pension on the date of his or her death, provided that the surviving spouse's pension shall not be less than **one forty eighth** of the annual salary;
 - (b) If the judge had begun to receive his or her retirement pension under article I, paragraph 4, above, before he or she reached the age of **sixty two (62)**, the surviving spouse's pension shall amount to one half of the amount of such pension, but shall not be less than **one forty eighth** of the annual salary;
 - (c) If the judge had reached the age of **sixty two (62)** when he or she began to receive his or her retirement pension, the surviving spouse's pension shall amount to one half of the judge's pension, but shall not be less than **one twenty fourth** of the annual salary.
2. Upon the death of a married judge, his or her surviving spouse shall be entitled to a surviving spouse's pension amounting to one half of the pension which the judge would have received had the judge become entitled to a disability pension at the time of his or her death, provided that the surviving spouse's pension shall not be less than **one twenty fourth** of the annual salary.
3. Upon the death of a married former judge who was in receipt of a disability pension, the surviving spouse, provided that he or she was the spouse at the date that the former judge's service ended, shall be entitled to a surviving spouse's pension amounting to one half of the pension which the former judge was receiving, provided that the surviving spouse's pension shall not be less than **one twenty fourth** of the annual salary.
4. Upon remarriage, the surviving spouse's pension shall cease and the surviving spouse shall be granted a lump sum equal to twice the amount of his or her current annual benefit as final settlement."

Article IV
Child benefit

1. Upon the death of a judge or a former judge, his or her natural or legally adopted child shall be entitled, while unmarried and under the age of twenty-one (21), to a benefit calculated as follows:
 - (a) Where there is a surviving spouse entitled to a pension under article III above, the annual amount of the child benefit shall be:
 - (i) The equivalent of ten (10) per cent of the retirement pension that the judge was receiving; or,
 - (ii) If the judge had not begun, at the date of his or her death, to receive his or her retirement pension, ten (10) per cent of the pension that would have

been payable to him or her under article I, paragraph 4, had he or she commenced to receive such pension at the date of his or her death; or,

- (iii) In the case of the death of a judge in office, ten (10) per cent of the pension that the judge would have received had he or she qualified for a disability pension at the date of his or her death;

Provided, in all cases, that the amount of the child's benefit shall not exceed one thirty sixth of the annual base salary;

- (b) Where there is no surviving spouse entitled to a pension under article III, or upon the death of the surviving spouse, the total amount of the child benefit payable under subparagraph (a) above shall be increased by the following amount:
 - (i) If there is only one eligible child, by one half of the amount of the pension that was being paid or would have been paid to the surviving spouse;
 - (ii) If there are two or more eligible children, by the amount of the pension that was being paid or would have been paid to the surviving spouse;
 - (c) The total child benefit payable under subparagraph (b) above shall be divided equally among all of the eligible children to determine the amount of any one child's benefit; as and when a child ceases to be eligible, the total benefit payable to the remainder shall be recalculated in accordance with subparagraph (b).
2. The total amount of child benefit, when added to the amount of any surviving spouse's benefit in payment, shall not exceed the pension that the judge or former judge received or would have received had he or she survived.
3. The age-limit noted in paragraph 1 above shall be waived if the child is incapacitated by illness or injury, and the benefit shall continue to be paid for as long as the child remains incapacitated."

Article V Miscellaneous provisions

- 1. Pensions provided for by the present regulations shall be calculated in terms of the currency in which the Assembly has fixed the remuneration of the judge concerned, namely euros.
- 2. The pension scheme provided for by these regulations shall be non-contributory and shall be a direct charge to the budget of the Court.

Appendix

Financial implications of the adoption of the new pension scheme for judges

As requested by the Committee on Budget and Finance, a comparison of the financial terms of the current and proposed new pension schemes highlights the major differences in table 1 below:

Table 1: Comparison of pension schemes

	Current scheme	Proposed (“new”) scheme
Retirement age	60	62
Eligibility	After 3 years service	Immediate
Pension benefit calculation	$N * PS * 5.5556\%$ ¹	$(N * PS)/72$
Pension benefit after 9 years service	€ 90,000	€ 22,500
Estimated yearly costs (premiums) for 18 judges	€ 3,136,088	€ 900,000 ²

¹ “N” refers to number of years of service and “PS” to pensionable salary.

² Estimated yearly cost (premiums) after judges vested under the current scheme are replaced by new judges, who will accrue benefits under the proposed new scheme.

The cost savings reflected above would phase in over a number of years until all judges vested under the current scheme have retired, which is expected by 2015. The review of current vs. proposed schemes side by side in table 2 below indicates substantial savings for the Court in the long run.

Table 2: Estimated costs of current vs. proposed pension schemes

	Total costs ¹ Current scheme	Total costs ² Proposed scheme	Variance
2008	3,136,088	2,939,000	197,088
2009	3,136,208	2,226,000	910,208
2010	3,136,208	2,186,000	950,208
2011	3,136,208	2,161,000	975,208
2012	3,136,208	1,359,000	1,777,208
2013	3,136,208	995,000	2,141,208
2014	3,136,208	854,000	2,282,208
2015	3,136,208	931,000	2,205,208
2016	3,136,208	893,132	2,243,076
2017	3,136,208	844,000	2,292,208
2018	3,136,208	889,000	2,247,208
2019	3,136,208	961,000	2,175,208

¹ Extrapolated from August 2006 pension cost estimate by Allianz of costs of current judges only.

² Ernst & Young estimate dated 20 July, 2007 includes replacement judges.

In conclusion, estimated yearly savings after the proposed pension scheme is fully implemented are approximately €2.2 million.

Annex IV

Reclassification exercise

**Summary of job evaluation findings
Professional category**

* = proposed change in grade

INVESTIGATION DIVISION
Planning & Operations Section

Position	Current Level	Recommended Level	# of positions
Senior Investigator	P-3	P-4*	2*

**Summary of job evaluation findings
General Service category**

* = proposed change in grade

SECURITY AND SAFETY SECTION

Position	Current Level	Recommended Level	# of positions
Protective Security Officer	G-7	P-3*	1*

Annex V

Budgetary implications of the implementation of the recommendations of the Committee on Budget and Finance

Comparison of proposed budget and the recommendations of the Committee on Budget and Finance

(Changes are indicated in grey)

TOTAL – ALL MAJOR PROGRAMMES

Item	Proposed budget 2008 (thousands of euros)			CBF – Proposed budget 2008 (thousands of euros)			CBF changes (thousands of euros)			
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Percent
<i>Judges</i>	6,269.7		6,269.7	6,269.7		6,269.7				
Professional staff	17,957.6	17,736.8	35,694.4	15,850.6	15,881.4	31,732.0	-2,107.0	-1,855.4	-3,962.4	-11.1
General Service staff	9,690.1	8,406.9	18,097.0	8,678.3	7,595.8	16,274.1	-1,011.8	-811.1	-1,822.9	-10.1
<i>Subtotal staff</i>	<i>27,647.7</i>	<i>26,143.7</i>	<i>53,791.4</i>	<i>24,528.9</i>	<i>23,477.2</i>	<i>48,006.1</i>	<i>-3,118.8</i>	<i>-2,666.5</i>	<i>-5,785.3</i>	<i>-10.8</i>
General temporary assistance	2,593.0	5,273.5	7,866.5	2,521.8	5,115.0	7,636.8	-71.2	-158.5	-229.7	-2.9
Temporary assistance to meetings	1,515.9	44.7	1,560.6	1,515.9	44.7	1,560.6				
Overtime	287.6	95.4	383.0	287.6	95.4	383.0				
Consultants	75.4	275.0	350.4	75.4	275.0	350.4				
<i>Subtotal other staff</i>	<i>4,471.9</i>	<i>5,688.6</i>	<i>10,160.5</i>	<i>4,400.7</i>	<i>5,530.1</i>	<i>9,930.8</i>	<i>-71.2</i>	<i>-158.5</i>	<i>-229.7</i>	<i>-2.3</i>
Travel	938.4	3,533.1	4,471.5	938.4	3,533.1	4,471.5				
Hospitality	58.5		58.5	58.5		58.5				
Contractual services incl. training	3,348.7	4,383.9	7,732.6	3,348.7	4,062.4	7,411.1		-321.5	-321.5	-4.2
General operating expenses	6,459.3	5,384.2	11,843.5	6,219.3	5,384.2	11,603.5	-240.0		-240.0	-2.0
Supplies and materials	809.9	418.1	1,228.0	809.9	418.1	1,228.0				
Furniture and equipment	1,689.4	325.0	2,014.4	869.4	325.0	1,194.4	-820.0		-820.0	-40.7
<i>Subtotal non-staff</i>	<i>13,304.2</i>	<i>14,044.3</i>	<i>27,348.5</i>	<i>12,244.2</i>	<i>13,722.8</i>	<i>25,967.0</i>	<i>-1,060.0</i>	<i>-321.5</i>	<i>-1,381.5</i>	<i>-5.1</i>
Distributed maintenance	46.4	-46.4	0.0	46.4	-46.4	0.0				
Total All Major Programmes	51,739.9	45,830.2	97,570.1	47,489.9	42,683.7	90,173.6	-4,250.0	-3,146.5	-7,396.5	-7.6

<i>Item</i>	Proposed budget 2008 Post table			CBF – Proposed budget 2008 Post table			CBF changes Post table			
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total	Percent
Professional staff	164	186	350	162	186	348	-2		-2	-0.6
General Service staff	169	160	329	168	160	328	-1		-1	-0.3
Total staff	333	346	679	330	346	676	-3		-3	-0.4

Comparison of proposed budget and the recommendations of the Committee on Budget and Finance

(Changes are indicated in grey)

1. Major Programme I - Judiciary

Item	Proposed budget 2008 (thousands of euros)			CBF – Proposed budget 2008 (thousands of euros)			CBF changes (thousands of euros)			
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total	Percent
<i>Judges</i>	6,269.7		6,269.7	6,269.7		6,269.7				
Professional staff	2,440.0	386.9	2,826.9	2,106.7	333.9	2,440.6	-333.3	-53.0	-386.3	-13.7
General Service staff	792.3	178.8	971.1	683.4	154.2	837.6	-108.9	-24.6	-133.5	-13.7
<i>Subtotal staff</i>	<i>3,232.3</i>	<i>565.7</i>	<i>3,798.0</i>	<i>2,612.2</i>	<i>488.1</i>	<i>3,278.2</i>	<i>-442.2</i>	<i>-77.6</i>	<i>-519.8</i>	<i>-13.7</i>
General temporary assistance	317.4		317.4	317.4		317.4				
Consultants	26.4		26.4	26.4		26.4				
<i>Subtotal other staff</i>	<i>343.8</i>		<i>343.8</i>	<i>343.8</i>		<i>343.8</i>				
Travel	227.0	34.4	261.4	227.0	34.4	261.4				
Hospitality	11.0		11.0	11.0		11.0				
Contractual services incl. training	25.5		25.5	25.5		25.5				
General operating expenses	74.3		74.3	74.3		74.3				
Supplies and materials	5.0		5.0	5.0		5.0				
Furniture and equipment	10.0		10.0	10.0		10.0				
<i>Subtotal non-staff</i>	<i>352.8</i>	<i>34.4</i>	<i>387.2</i>	<i>352.8</i>	<i>34.4</i>	<i>387.2</i>				
Distributed maintenance	133.5	13.5	147.0	133.5	13.5	147.0				
Total Major Programme I	10,332.1	613.6	10,945.7	9,712.0	536.0	10,425.9	-442.2	-77.6	-519.8	-4.7

Item	Proposed budget 2008 Post table			CBF – Proposed budget 2008 Post table			CBF changes Post table			
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total	Percent
Professional staff	24	3	27	24	3	27				
General Service staff	13	3	16	13	3	16				
Total staff	37	6	43	37	6	43				

Comparison of proposed budget and the recommendations of the Committee on Budget and Finance
(Changes are indicated in grey)

1.1 Programme 1100 – The Presidency

Item	Proposed budget 2008 (thousands of euros)			CBF – Proposed budget 2008 (thousands of euros)			CBF changes (thousands of euros)			
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total	Percent
<i>Judges</i>	1,259.0		1,259.0	1,259.0		1,259.0				
Professional staff	857.6		857.6	612.1		612.1	-245.5		-245.5	-28.6
General Service staff	315.5		315.5	222.5		222.5	-93.0		-93.0	-29.5
<i>Subtotal staff</i>	1,173.1		1,173.1	834.6		834.6	-338.5		-338.5	-28.9
General temporary assistance	66.6		66.6	66.6		66.6				
Consultants	26.4		26.4	26.4		26.4				
<i>Subtotal other staff</i>	93.0		93.0	93.0		93.0				
Travel	100.9		100.9	100.9		100.9				
Hospitality	10.0		10.0	10.0		10.0				
Contractual services incl. training	10.0		10.0	10.0		10.0				
General operating expenses	53.3		53.3	53.3		53.3				
Supplies and materials	5.0		5.0	5.0		5.0				
<i>Subtotal non-staff</i>	179.2		179.2	179.2		179.2				
Distributed maintenance	46.9		46.9	46.9		46.9				
Total programme	2,751.2		2,751.2	2,412.7		2,412.7	-338.5		-338.5	-12.3

Item	Proposed budget 2008 Post table			CBF – Proposed budget 2008 Post table			CBF changes Post table			
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total	Percent
Professional staff	8		8	8		8				
General Service staff	5		5	5		5				
Total staff	13		13	13		13				

Comparison of proposed budget and the recommendations of the Committee on Budget and Finance

(Changes are indicated in grey)

1.2 Programme 1200 – Chambers

Item	Proposed budget 2008 (thousands of euros)			CBF – Proposed budget 2008 (thousands of euros)			CBF changes (thousands of euros)			
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Percent
<i>Judges</i>	5,010.7		5,010.7	5,010.7		5,010.7				
Professional staff	1,582.4	386.9	1,969.3	1,366.4	333.9	1,700.3	-216.0	-53.0	-269.0	-13.7
General Service staff	476.8	178.8	655.6	411.2	154.2	565.4	-65.6	-24.6	-90.2	-13.8
<i>Subtotal staff</i>	2,059.2	565.7	2,624.9	1,777.6	488.1	2,265.7	-281.6	-77.6	-359.2	-13.7
General temporary assistance	250.8		250.8	250.8		250.8				
<i>Subtotal other staff</i>	250.8		250.8	250.8		250.8				
Travel	126.1	34.4	160.5	126.1	34.4	160.5				
Hospitality	1.0		1.0	1.0		1.0				
Contractual services incl. training	15.5		15.5	15.5		15.5				
General operating expenses	21.0		21.0	21.0		21.0				
Furniture and equipment	10.0		10.0	10.0		10.0				
<i>Subtotal non-staff</i>	173.6	34.4	208.0	173.6	34.4	208.0				
Distributed maintenance	86.6	13.5	100.1	86.6	13.5	100.1				
Total programme	7,580.9	613.6	8,194.5	7,299.3	536.0	7,835.3	-281.6	-77.6	-359.2	-4.4

Item	Proposed budget 2008 Post table			CBF – Proposed budget 2008 Post table			CBF changes Post table			
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Percent
Professional staff	16	3	19	16	3	19				
General Service staff	8	3	11	8	3	11				
Total staff	24	6	30	24	6	30				

Comparison of proposed budget and the recommendations of the Committee on Budget and Finance
(Changes are indicated in grey)

2. Major Programme II – Office of the Prosecutor

Item	Proposed budget 2008 (thousands of euros)			CBF – Proposed budget 2008 (thousands of euros)			CBF changes (thousands of euros)			
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Percent
Professional staff	3,689.4	10,622.6	14,312.0	3,185.7	9,523.2	12,708.9	-503.7	-1,099.4	-1,603.1	-11.2
General Service staff	977.4	2,707.2	3,684.6	890.7	2,467.2	3,357.9	-86.7	-240.0	-326.7	-8.9
<i>Subtotal staff</i>	<i>4,666.8</i>	<i>13,329.8</i>	<i>17,996.6</i>	<i>4,076.4</i>	<i>11,990.4</i>	<i>16,066.8</i>	<i>-590.4</i>	<i>-1,339.4</i>	<i>-1,929.8</i>	<i>-10.7</i>
General temporary assistance	40.5	3,513.6	3,554.1	40.5	3,513.6	3,554.1				
Overtime	15.0		15.0	15.0		15.0				
Consultants		67.8	67.8		67.8	67.8				
<i>Subtotal other staff</i>	<i>55.5</i>	<i>3,581.4</i>	<i>3,636.9</i>	<i>55.5</i>	<i>3,581.4</i>	<i>3,636.9</i>				
Travel	180.0	1,812.7	1,992.7	180.0	1,812.7	1,992.7				
Hospitality	10.0		10.0	10.0		10.0				
Contractual services incl. training	51.2	309.5	360.7	51.2	309.5	360.7				
General operating expenses		274.6	274.6		274.6	274.6				
Supplies and materials	53.0	48.0	101.0	53.0	48.0	101.0				
Furniture and equipment		30.0	30.0		30.0	30.0				
<i>Subtotal non-staff</i>	<i>294.2</i>	<i>2,474.8</i>	<i>2,769.0</i>	<i>294.2</i>	<i>2,474.8</i>	<i>2,769.0</i>				
Distributed maintenance	219.6	508.9	728.5	219.6	508.9	728.5				
Total Major Programme II	5,236.1	19,894.9	25,131.0	4,645.7	18,555.5	23,201.2	-590.4	-1,339.4	-1,929.8	-7.7

Item	Proposed budget 2008 Post table			CBF – Proposed budget 2008 Post table			CBF changes Post table			
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Percent
Professional staff	31	110	141	31	110	141				
General Service staff	17	48	65	17	48	65				
Total staff	48	158	206	48	158	206				

Comparison of proposed budget and the recommendations of the Committee on Budget and Finance

(Changes are indicated in grey)

2.1 Programme 2100 – The Prosecutor

Item	Proposed budget 2008 (thousands of euros)			CBF – Proposed budget 2008 (thousands of euros)			CBF changes (thousands of euros)			
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Percent
Professional staff	2,042.4	366.3	2,408.7	1,860.8	290.9	2,151.7	-181.6	-75.4	-257.0	-10.7
General Service staff	639.0	620.4	1,259.4	582.3	565.4	1,147.7	-56.7	-55.0	-111.7	-8.9
<i>Subtotal staff</i>	<i>2,681.4</i>	<i>986.7</i>	<i>3,668.1</i>	<i>2,443.1</i>	<i>856.3</i>	<i>3,299.4</i>	<i>-238.3</i>	<i>-130.4</i>	<i>-368.7</i>	<i>-10.1</i>
General temporary assistance	40.5	1,385.1	1,425.6	40.5	1,385.1	1,425.6				
Overtime	15.0		15.0	15.0		15.0				
Consultants		67.8	67.8		67.8	67.8				
<i>Subtotal other staff</i>	<i>55.5</i>	<i>1,452.9</i>	<i>1,508.4</i>	<i>55.5</i>	<i>1,452.9</i>	<i>1,508.4</i>				
Travel	98.8	346.9	445.7	98.8	346.9	445.7				
Hospitality	10.0		10.0	10.0		10.0				
Contractual services incl. training	51.2	249.5	300.7	51.2	249.5	300.7				
General operating expenses		10.0	10.0		10.0	10.0				
Supplies and materials	53.0	28.0	81.0	53.0	28.0	81.0				
Furniture and equipment		30.0	30.0		30.0	30.0				
<i>Subtotal non-staff</i>	<i>213.0</i>	<i>664.4</i>	<i>877.4</i>	<i>213.0</i>	<i>664.4</i>	<i>877.4</i>				
Distributed maintenance	137.4	48.3	185.7	137.4	48.3	185.7				
Total programme	3,087.3	3,152.3	6,239.6	2,849.0	3,021.9	5,870.9	-238.3	-130.4	-368.7	-5.9

Item	Proposed budget 2008 Post table			CBF – Proposed budget 2008 Post table			CBF changes Post table			
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Percent
Professional staff	19	4	23	19	4	23				
General Service staff	11	11	22	11	11	22				
Total staff	30	15	45	30	15	45				

Comparison of proposed budget and the recommendations of the Committee on Budget and Finance
(Changes are indicated in grey)

2.2 Programme 2200 – Jurisdiction, Complementarity and Cooperation Division

Item	Proposed budget 2008 (thousands of euros)			CBF – Proposed budget 2008 (thousands of euros)			CBF changes (thousands of euros)			
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Percent
Professional staff	716.4	812.9	1,529.3	652.7	740.6	1,393.3	-63.7	-72.3	-136.0	-8.9
General Service staff	112.8		112.8	102.8		102.8	-10.0		-10.0	-8.9
<i>Subtotal staff</i>	829.2	812.9	1,642.1	755.5	740.6	1,496.1	-73.7	-72.3	-146.0	-8.9
Travel	45.7	264.8	310.5	45.7	264.8	310.5				
<i>Subtotal non-staff</i>	45.7	264.8	310.5	45.7	264.8	310.5				
Distributed maintenance	36.6	25.8	62.4	36.6	25.8	62.4				
Total programme	911.5	1,103.5	2,015.0	837.8	1,031.2	1,869.0	-73.7	-72.3	-146.0	-7.2

Item	Proposed budget 2008 Post table			CBF – Proposed budget 2008 Post table			CBF changes Post table			
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Percent
Professional staff	6	8	14	6	8	14				
General Service staff	2		2	2		2				
Total staff	8	8	16	8	8	16				

Comparison of proposed budget and the recommendations of the Committee on Budget and Finance

(Changes are indicated in grey)

2.3 Programme 2300 – Investigation Division

Item	Proposed budget 2008 (thousands of euros)			CBF – Proposed budget 2008 (thousands of euros)			CBF changes (thousands of euros)			
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Percent
Professional staff	480.7	7,150.4	7,631.1	262.2	6,482.6	6,744.8	-218.5	-667.8	-886.3	-11.6
General Service staff	112.8	1,692.0	1,804.8	102.8	1,542.0	1,644.8	-10.0	-150.0	-160.0	-8.9
<i>Subtotal staff</i>	<i>593.5</i>	<i>8,842.4</i>	<i>9,435.9</i>	<i>365.0</i>	<i>8,024.6</i>	<i>8,389.6</i>	<i>-228.5</i>	<i>-817.8</i>	<i>-1,046.3</i>	<i>-11.1</i>
General temporary assistance		1,909.0	1,909.0		1,909.0	1,909.0				
<i>Subtotal other staff</i>		<i>1,909.0</i>	<i>1,909.0</i>		<i>1,909.0</i>	<i>1,909.0</i>				
Travel	7.4	1,076.0	1,083.4	7.4	1,076.0	1,083.4				
Contractual services incl. training		60.0	60.0		60.0	60.0				
General operating expenses		264.6	264.6		264.6	264.6				
Supplies and materials		20.0	20.0		20.0	20.0				
<i>Subtotal non-staff</i>	<i>7.4</i>	<i>1,420.6</i>	<i>1,428.0</i>	<i>7.4</i>	<i>1,420.6</i>	<i>1,428.0</i>				
Distributed maintenance	22.7	341.5	364.2	22.7	341.5	364.2				
Total programme	623.6	12,513.5	13,137.1	395.1	11,695.7	12,090.8	-228.5	-817.8	-1,046.3	-8.0

Item	Proposed budget 2008 Post table			CBF – Proposed budget 2008 Post table			CBF changes Post table			
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Percent
Professional staff	3	76	79	3	76	79				
General Service staff	2	30	32	2	30	32				
Total staff	5	106	111	5	106	111				

Comparison of proposed budget and the recommendations of the Committee on Budget and Finance
(Changes are indicated in grey)

2.4 Programme 2400 – Prosecution Division

Item	Proposed budget 2008 (thousands of euros)			CBF – Proposed budget 2008 (thousands of euros)			CBF changes (thousands of euros)			
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total	Percent
Professional staff	449.9	2,293.0	2,742.9	410.0	2,009.1	2,419.1	-39.9	-283.9	-323.8	-11.8
General Service staff	112.8	394.8	507.6	102.8	359.8	462.6	-10.0	-35.0	-45.0	-8.9
<i>Subtotal staff</i>	<i>562.7</i>	<i>2,687.8</i>	<i>3,250.5</i>	<i>512.8</i>	<i>2,368.9</i>	<i>2,881.7</i>	<i>-49.9</i>	<i>-318.9</i>	<i>-368.8</i>	<i>-11.3</i>
General temporary assistance		219.5	219.5		219.5	219.5				
<i>Subtotal other staff</i>		<i>219.5</i>	<i>219.5</i>		<i>219.5</i>	<i>219.5</i>				
Travel	28.1	125.0	153.1	28.1	125.0	153.1				
<i>Subtotal non-staff</i>	<i>28.1</i>	<i>125.0</i>	<i>153.1</i>	<i>28.1</i>	<i>125.0</i>	<i>153.1</i>				
Distributed maintenance	22.9	93.3	116.2	22.9	93.3	116.2				
Total programme	613.7	3,125.6	3,739.3	563.8	2,806.7	3,370.5	-49.9	-318.9	-368.8	-9.9

Item	Proposed budget 2008 Post table			CBF – Proposed budget 2008 Post table			CBF changes Post table			
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total	Percent
Professional staff	3	22	25	3	22	25				
General Service staff	2	7	9	2	7	9				
Total staff	5	29	34	5	29	34				

Comparison of proposed budget and the recommendations of the Committee on Budget and Finance

(Changes are indicated in grey)

3. Major Programme III – Registry

Item	Proposed budget 2008 (thousands of euros)			CBF – Proposed budget 2008 (thousands of euros)			CBF changes (thousands of euros)			
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Percent
Professional staff	10,652.0	6,623.2	17,275.2	9,577.2	5,972.2	15,549.4	-1,074.8	-651.0	-1,725.8	-10.0
General Service staff	7,413.4	5,520.9	12,934.3	6,710.6	4,974.4	11,685.0	-702.8	-546.5	-1,249.3	-9.7
<i>Subtotal staff</i>	<i>18,065.4</i>	<i>12,144.1</i>	<i>30,209.5</i>	<i>16,287.8</i>	<i>10,946.6</i>	<i>27,234.4</i>	<i>-1,777.6</i>	<i>-1,197.5</i>	<i>-2,975.1</i>	<i>-9.8</i>
General temporary assistance	1,239.4	1,656.4	2,895.8	1,304.1	1,497.9	2,802.0	64.7	-158.5	-93.8	-3.2
Temporary assistance to meetings	310.2	44.7	354.9	310.2	44.7	354.9				
Overtime	202.6	95.4	298.0	202.6	95.4	298.0				
Consultants	39.0	207.2	246.2	39.0	207.2	246.2				
<i>Subtotal other staff</i>	<i>1,791.2</i>	<i>2,003.7</i>	<i>3,794.9</i>	<i>1,855.9</i>	<i>1,845.2</i>	<i>3,701.1</i>	<i>64.7</i>	<i>-158.5</i>	<i>-93.8</i>	<i>-2.5</i>
Travel	230.9	1,561.6	1,792.5	228.3	1,561.6	1,789.9	-2.6		-2.6	-0.1
Hospitality	10.0		10.0	10.0		10.0				
Contractual services incl. training	1,739.3	4,057.4	5,796.7	1,739.3	3,735.9	5,475.2		-321.5	-321.5	-5.5
General operating expenses	5,355.9	5,109.6	10,465.5	5,355.9	5,109.6	10,465.5				
Supplies and materials	687.8	370.1	1,057.9	687.8	370.1	1,057.9				
Furniture and equipment	596.3	295.0	891.3	596.3	295.0	891.3				
<i>Subtotal non-staff</i>	<i>8,620.2</i>	<i>11,393.7</i>	<i>20,013.9</i>	<i>8,617.6</i>	<i>11,072.2</i>	<i>19,689.8</i>	<i>-2.6</i>	<i>-321.5</i>	<i>-324.1</i>	<i>-1.6</i>
Distributed maintenance	-371.8	-571.0	-942.8	-371.8	-571.0	-942.8				
Total Major Programme III	28,105.0	24,970.5	53,075.5	26,389.5	23,293.0	49,682.5	-1,715.5	-1,677.5	-3,393.0	-6.4

Item	Proposed budget 2008 Post table			CBF – Proposed budget 2008 Post table			CBF changes Post table			
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Percent
Professional staff	99	72	171	98	72	170	-1		-1	-0.6
General Service staff	131	109	240	131	109	240				
Total staff	230	181	411	229	181	410	-1		-1	-0.2

Comparison of proposed budget and the recommendations of the Committee on Budget and Finance
(Changes are indicated in grey)

3.1 Programme 3100 – Office of the Registrar

Item	Proposed budget 2008 (thousands of euros)			CBF – Proposed budget 2008 (thousands of euros)			CBF changes (thousands of euros)			
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Percent
<i>Judges</i>										
Professional staff	2,306.6	389.3	2,695.9	2,023.7	321.3	2,345.0	-282.9	-68.0	-350.9	-13.0
General Service staff	2,424.6	1,321.9	3,746.5	2,209.5	1,241.5	3,451.0	-215.1	-80.4	-295.5	-7.9
<i>Subtotal staff</i>	<i>4,731.2</i>	<i>1,711.2</i>	<i>6,442.4</i>	<i>4,233.2</i>	<i>1,562.8</i>	<i>5,796.0</i>	<i>-498.0</i>	<i>-148.4</i>	<i>-646.4</i>	<i>-10.0</i>
General temporary assistance	891.4	20.9	912.3	956.1	20.9	977.0	64.7		64.7	7.1
Overtime	132.6	37.4	170.0	132.6	37.4	170.0				
<i>Subtotal other staff</i>	<i>1,024.0</i>	<i>58.3</i>	<i>1,082.3</i>	<i>1,088.7</i>	<i>58.3</i>	<i>1,147.0</i>	<i>64.7</i>		<i>64.7</i>	<i>6.0</i>
Travel	52.3	567.2	619.5	52.3	567.2	619.5				
Hospitality	10.0		10.0	10.0		10.0				
Contractual services incl. training	217.1	283.9	501.0	217.1	283.9	501.0				
General operating expenses	100.0	30.0	130.0	100.0	30.0	130.0				
Supplies and materials	75.0	22.4	97.4	75.0	22.4	97.4				
Furniture and equipment	1.3		1.3	1.3		1.3				
<i>Subtotal non-staff</i>	<i>455.7</i>	<i>903.5</i>	<i>1,359.2</i>	<i>455.7</i>	<i>903.5</i>	<i>1,359.2</i>				
Distributed maintenance	223.8	45.0	268.8	223.8	45.0	268.8				
Total programme	6,434.7	2,718.0	9,152.7	6,001.4	2,569.6	8,571.0	-433.3	-148.4	-581.7	-6.4

Item	Proposed budget 2008 Post table			CBF – Proposed budget 2008 Post table			CBF changes Post table			
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Percent
Professional staff	19	5	24	18	5	23	-1		-1	-4.2
General Service staff	43	15	58	43	15	58				
Total staff	62	20	82	61	20	81	-1		-1	-1.2

Comparison of proposed budget and the recommendations of the Committee on Budget and Finance

(Changes are indicated in grey)

3.2 Programme 3200 – Common Administrative Services Division

Item	Proposed budget 2008 (thousands of euros)			CBF – Proposed budget 2008 (thousands of euros)			CBF changes (thousands of euros)			
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Percent
Professional staff	3,456.9	997.0	4,453.9	3,099.6	913.0	4,012.6	-357.3	-84.0	-441.3	-9.9
General Service staff	3,935.9	1,677.5	5,613.4	3,564.5	1,471.4	5,035.9	-371.4	-206.1	-577.5	-10.3
<i>Subtotal staff</i>	<i>7,392.8</i>	<i>2,674.5</i>	<i>10,067.3</i>	<i>6,664.1</i>	<i>2,384.4</i>	<i>9,048.5</i>	<i>-728.7</i>	<i>-290.1</i>	<i>-1,018.8</i>	<i>-10.1</i>
General temporary assistance	198.6	665.2	863.8	198.6	665.2	863.8				
Temporary assistance to meetings	32.5		32.5	32.5		32.5				
Overtime	70.0	28.0	98.0	70.0	28.0	98.0				
Consultants	20.0		20.0	20.0		20.0				
<i>Subtotal other staff</i>	<i>321.1</i>	<i>693.2</i>	<i>1,014.3</i>	<i>321.1</i>	<i>693.2</i>	<i>1,014.3</i>				
Travel	96.3	203.4	299.7	93.7	203.4	297.1	-2.6		-2.6	-0.9
Contractual services incl. training	1,046.2	894.5	1,940.7	1,046.2	894.5	1,940.7				
General operating expenses	4,148.9	3,035.1	7,184.0	4,148.9	3,035.1	7,184.0				
Supplies and materials	421.6	231.7	653.3	421.6	231.7	653.3				
Furniture and equipment	477.4	242.0	719.4	477.4	242.0	719.4				
<i>Subtotal non-staff</i>	<i>6,190.4</i>	<i>4,606.7</i>	<i>10,797.1</i>	<i>6,187.8</i>	<i>4,606.7</i>	<i>10,794.5</i>	<i>-2.6</i>		<i>-2.6</i>	<i>0.0</i>
Distributed maintenance	-830.2	-881.3	-1,711.5	-830.2	-881.3	-1,711.5				
Total programme	13,074.1	7,093.1	20,167.2	12,342.8	6,803.0	19,145.8	-731.3	-290.1	-1,021.4	-5.1

Item	Proposed budget 2008 Post table			CBF – Proposed budget 2008 Post table			CBF changes Post table			
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Percent
Professional staff	34	10	44	34	10	44				
General Service staff	69	33	102	69	33	102				
Total staff	103	43	146	103	43	146				

Comparison of proposed budget and the recommendations of the Committee on Budget and Finance
(Changes are indicated in grey)

3.3 Programme 3300 – Division of Court Services

Item	Proposed budget 2008 (thousands of euros)			CBF – Proposed budget 2008 (thousands of euros)			CBF changes (thousands of euros)			
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Percent
Professional staff	2,886.6	3,621.8	6,508.4	2,630.1	3,304.4	5,934.5	-256.5	-317.4	-573.9	-8.8
General Service staff	394.8	2,059.3	2,454.1	359.8	1,840.5	2,200.3	-35.0	-218.8	-253.8	-10.3
<i>Subtotal staff</i>	<i>3,281.4</i>	<i>5,681.1</i>	<i>8,962.5</i>	<i>2,989.9</i>	<i>5,144.9</i>	<i>8,134.8</i>	<i>-291.5</i>	<i>-536.2</i>	<i>-827.7</i>	<i>-9.2</i>
General temporary assistance	118.0	714.3	832.3	118.0	655.0	773.0		-59.3	-59.3	-7.1
Temporary assistance to meetings	277.7	44.7	322.4	277.7	44.7	322.4				
Overtime		30.0	30.0		30.0	30.0				
Consultants	11.0	207.2	218.2	11.0	207.2	218.2				
<i>Subtotal other staff</i>	<i>406.7</i>	<i>996.2</i>	<i>1,402.9</i>	<i>406.7</i>	<i>936.9</i>	<i>1,343.6</i>		<i>-59.3</i>	<i>-59.3</i>	<i>-4.2</i>
Travel	30.4	605.8	636.2	30.4	605.8	636.2				
Contractual services incl. training	390.9	222.3	613.2	390.9	222.3	613.2				
General operating expenses	1,100.0	2,006.5	3,106.5	1,100.0	2,006.5	3,106.5				
Supplies and materials	30.5	116.0	146.5	30.5	116.0	146.5				
Furniture and equipment	47.6	38.0	85.6	47.6	38.0	85.6				
<i>Subtotal non-staff</i>	<i>1,599.4</i>	<i>2,988.6</i>	<i>4,588.0</i>	<i>1,599.4</i>	<i>2,988.6</i>	<i>4,588.0</i>				
Distributed maintenance	122.7	184.4	307.1	122.7	184.4	307.1				
Total programme	5,410.2	9,850.3	15,260.5	5,118.7	9,254.8	14,373.5	-291.5	-595.5	-887.0	-5.8

Item	Proposed budget 2008 Post table			CBF – Proposed budget 2008 Post table			CBF changes Post table			
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Percent
Professional staff	27	39	66	27	39	66				
General Service staff	7	43	50	7	43	50				
Total staff	34	82	116	34	82	116				

Comparison of proposed budget and the recommendations of the Committee on Budget and Finance

(Changes are indicated in grey)

3.4 Programme 3400 – Publication Information and Documentation Section

Item	Proposed budget 2008 (thousands of euros)			CBF – Proposed budget 2008 (thousands of euros)			CBF changes (thousands of euros)			
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Percent
Professional staff	841.4	494.4	1,335.8	766.5	412.5	1,179.0	-74.9	-81.9	-156.8	-11.7
General Service staff	313.4	188.3	501.7	288.4	171.4	459.8	-25.0	-16.9	-41.9	-8.4
<i>Subtotal staff</i>	<i>1,154.8</i>	<i>682.7</i>	<i>1,837.5</i>	<i>1,054.9</i>	<i>583.9</i>	<i>1,638.8</i>	<i>-99.9</i>	<i>-98.8</i>	<i>-198.7</i>	<i>-10.8</i>
General temporary assistance		94.1	94.1		94.1	94.1				
<i>Subtotal other staff</i>		<i>94.1</i>	<i>94.1</i>		<i>94.1</i>	<i>94.1</i>				
Travel	14.0	76.0	90.0	14.0	76.0	90.0				
Contractual services incl. training	65.7	802.7	868.4	65.7	802.7	868.4				
General operating expenses	7.0		7.0	7.0		7.0				
Supplies and materials	160.0		160.0	160.0		160.0				
Furniture and equipment	70.0	15.0	85.0	70.0	15.0	85.0				
<i>Subtotal non-staff</i>	<i>316.7</i>	<i>893.7</i>	<i>1,210.4</i>	<i>316.7</i>	<i>893.7</i>	<i>1,210.4</i>				
Distributed maintenance	50.6	38.2	88.8	50.6	38.2	88.8				
Total programme	1,522.1	1,708.7	3,230.8	1,422.2	1,609.9	3,032.1	-99.9	-98.8	-198.7	-6.2

Item	Proposed budget 2008 Post table			CBF – Proposed budget 2008 Post table			CBF changes Post table			
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Percent
Professional staff	8	6	14	8	6	14				
General Service staff	6	11	17	6	11	17				
Total staff	14	17	31	14	17	31				

Comparison of proposed budget and the recommendations of the Committee on Budget and Finance
(Changes are indicated in grey)

3.5 Programme 3500 – Division of Victims and Counsel

Item	Proposed budget 2008 (thousands of euros)			CBF – Proposed budget 2008 (thousands of euros)			CBF changes (thousands of euros)			
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Percent
Professional staff	1,160.5	1,120.7	2,281.2	1,057.3	1,021.0	2,078.3	-103.2	-99.7	-202.9	-8.9
General Service staff	344.7	273.9	618.6	288.4	249.6	538.0	-56.3	-24.3	-80.6	-13.0
<i>Subtotal staff</i>	<i>1,505.2</i>	<i>1,394.6</i>	<i>2,899.8</i>	<i>1,345.7</i>	<i>1,270.6</i>	<i>2,616.3</i>	<i>-159.5</i>	<i>-124.0</i>	<i>-283.5</i>	<i>-9.8</i>
General temporary assistance	31.4	161.9	193.3	31.4	62.7	94.1		-99.2	-99.2	-51.3
Consultants	8.0		8.0	8.0		8.0				
<i>Subtotal other staff</i>	<i>39.4</i>	<i>161.9</i>	<i>201.3</i>	<i>39.4</i>	<i>62.7</i>	<i>102.1</i>		<i>-99.2</i>	<i>-99.2</i>	<i>-49.3</i>
Travel	37.9	109.2	147.1	37.9	109.2	147.1				
Contractual services incl. training	19.4	1,854.0	1,873.4	19.4	1,532.5	1,551.9		-321.5	-321.5	-17.2
General operating expenses		38.0	38.0		38.0	38.0				
Supplies and materials	0.7		0.7	0.7		0.7				
<i>Subtotal non-staff</i>	<i>58.0</i>	<i>2,001.2</i>	<i>2,059.2</i>	<i>58.0</i>	<i>1,679.7</i>	<i>1,737.7</i>		<i>-321.5</i>	<i>-321.5</i>	<i>-15.6</i>
Distributed maintenance	61.3	42.7	104.0	61.3	42.7	104.0				
Total programme	1,663.9	3,600.4	5,264.3	1,504.4	3,055.7	4,560.1	-159.5	-544.7	-704.2	-13.4

Item	Proposed budget 2008 Post table			CBF – Proposed budget 2008 Post table			CBF changes Post table			
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Percent
Professional staff	11	12	23	11	12	23				
General Service staff	6	7	13	6	7	13				
Total staff	17	19	36	17	19	36				

Comparison of proposed budget and the recommendations of the Committee on Budget and Finance

(Changes are indicated in grey)

4. Major Programme IV – Secretariat of the Assembly of States Parties

Item	Proposed budget 2008 (thousands of euros)			CBF – Proposed budget 2008 (thousands of euros)			CBF changes (thousands of euros)			
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total	Percent
Professional staff	500.5		500.5	522.1		522.1	21.6		21.6	4.3
General Service staff	337.8		337.8	239.4		239.4	-98.4		-98.4	-29.1
<i>Subtotal staff</i>	838.3		838.3	761.5		761.5	-76.8		-76.8	-9.2
General temporary assistance	614.1		614.1	614.1		614.1				
Temporary assistance to meetings	1,205.7		1,205.7	1,205.7		1,205.7				
Overtime	60.0		60.0	60.0		60.0				
<i>Subtotal other staff</i>	1,879.8		1,879.8	1,879.8		1,879.8				
Travel	211.4		211.4	214.0		214.0	2.6		2.6	1.2
Hospitality	10.0		10.0	10.0		10.0				
Contractual services incl. training	1,021.0		1,021.0	1,021.0		1,021.0				
General operating expenses	50.0		50.0	50.0		50.0				
Supplies and materials	40.0		40.0	40.0		40.0				
Furniture and equipment	20.0		20.0	20.0		20.0				
<i>Subtotal non-staff</i>	1,352.4		1,352.4	1,355.0		1,355.0	2.6		2.6	0.2
Distributed maintenance	32.5		32.5	32.5		32.5				
Total Major Programme IV	4,103.0		4,103.0	4,028.8		4,028.8	-74.2		-74.2	-1.8

Item	Proposed budget 2008 Post table			CBF – Proposed budget 2008 Post table			CBF changes Post table			
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total	Percent
Professional staff	4		4	5		5	1		1	25.0
General Service staff	5		5	4		4	-1		-1	-20.0
Total staff	9		9	9		9				

Comparison of proposed budget and the recommendations of the Committee on Budget and Finance
(Changes are indicated in grey)

5. Major Programme V – Investment in the Court’s Premises

Item	Proposed budget 2008 (thousands of euros)			CBF – Proposed budget 2008 (thousands of euros)			CBF changes (thousands of euros)			
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Percent
Professional staff	387.9		387.9	196.7		196.7	-191.2		-191.2	-49.3
General Service staff	56.4		56.4	51.4		51.4	-5.0		-5.0	-8.9
<i>Subtotal staff</i>	<i>444.3</i>		<i>444.3</i>	<i>248.1</i>		<i>248.1</i>	<i>-196.2</i>		<i>-196.2</i>	<i>-44.2</i>
General temporary assistance	324.0		324.0	188.1		188.1	-135.9		-135.9	-41.9
<i>Subtotal other staff</i>	<i>324.0</i>		<i>324.0</i>	<i>188.1</i>		<i>188.1</i>	<i>-135.9</i>		<i>-135.9</i>	<i>-41.9</i>
Travel	11.4		11.4	11.4		11.4				
Contractual services incl. training	435.3		435.3	435.3		435.3				
General operating expenses	916.1		916.1	676.1		676.1	-240.0		-240.0	-26.2
Supplies and materials	9.1		9.1	9.1		9.1				
Furniture and equipment	1,063.1		1,063.1	243.1		243.1	-820.0		-820.0	-77.1
<i>Subtotal non-staff</i>	<i>2,435.0</i>		<i>2,435.0</i>	<i>1,375.0</i>		<i>1,375.0</i>	<i>-1,060.0</i>		<i>-1,060.0</i>	<i>-43.5</i>
Distributed maintenance	18.0		18.0	18.0		18.0				
Total Major Programme V	3,221.3		3,221.3	1,829.2		1,829.2	-1,392.1		-1,392.1	-43.2

Item	Proposed budget 2008 Post table			CBF – Proposed budget 2008 Post table			CBF changes Post table			
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Percent
Professional staff	4		4	2		2	-2		-2	-50.0
General Service staff	1		1	1		1				
Total staff	5		5	3		3	-2		-2	-40.0

Comparison of proposed budget and the recommendations of the Committee on Budget and Finance

(Changes are indicated in grey)

5.1 Programme 5100 – Interim Premises (*)

Item	Proposed budget 2008 (thousands of euros)			CBF – Proposed budget 2008 (thousands of euros)			CBF changes (thousands of euros)			
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total	Percent
Professional staff										
General Service staff	56.4		56.4	51.4		51.4	-5.0		-5.0	-8.9
<i>Subtotal staff</i>	<i>56.4</i>		<i>56.4</i>	<i>51.4</i>		<i>51.4</i>	<i>-5.0</i>		<i>-5.0</i>	<i>-8.9</i>
General temporary assistance	324.0		324.0	188.1		188.1	-135.9		-135.9	-41.9
<i>Subtotal other staff</i>	<i>324.0</i>		<i>324.0</i>	<i>188.1</i>		<i>188.1</i>	<i>-135.9</i>		<i>-135.9</i>	<i>-41.9</i>
Contractual services incl. training	125.3		125.3	125.3		125.3				
General operating expenses	916.1		916.1	676.1		676.1	-240.0		-240.0	-26.2
Supplies and materials	9.1		9.1	9.1		9.1				
Furniture and equipment	1,063.1		1,063.1	243.1		243.1	-820.0		-820.0	-77.1
<i>Subtotal non-staff</i>	<i>2,113.6</i>		<i>2,113.6</i>	<i>1,053.6</i>		<i>1,053.6</i>	<i>-1,060.0</i>		<i>-1,060.0</i>	<i>-50.2</i>
Distributed maintenance	3.6		3.6	3.6		3.6				
Total programme	2,497.6		2,497.6	1,296.7		1,296.7	-1,200.9		-1,200.9	-48.1%

Item	Proposed budget 2008 Post table			CBF – Proposed budget 2008 Post table			CBF changes Post table			
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total	Percent
Professional staff										
General Service staff	1		1	1		1				
Total staff	1		1	1		1				

(*) **Note:** The CBF in paragraph 79 of its report of the work of its ninth session recommends that programme 5100 be disbanded and integrated into appropriate areas of the Registry. The changes are presented in the 5100 format for ease of reference.

Comparison of proposed budget and the recommendations of the Committee on Budget and Finance
(Changes are indicated in grey)

5.2 Programme 5200 – Permanent Premises

Item	Proposed budget 2008 (thousands of euros)			CBF – Proposed budget 2008 (thousands of euros)			CBF changes (thousands of euros)			
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total	Percent
Professional staff	387.9		387.9	196.7		196.7	-191.2		-191.2	-49.3
<i>Subtotal staff</i>	387.9		387.9	196.7		196.7	-191.2		-191.2	-49.3
Travel	11.4		11.4	11.4		11.4				
Contractual services incl. training	310.0		310.0	310.0		310.0				
<i>Subtotal non-staff</i>	321.4		321.4	321.4		321.4				
Distributed maintenance	14.4		14.4	14.4		14.4				
Total programme	723.7		723.7	532.5		532.5	-191.2		-191.2	-26.4

Item	Proposed budget 2008 Post table			CBF – Proposed budget 2008 Post table			CBF changes Post table			
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total	Percent
Professional staff	4		4	2		2	-2		-2	
General Service staff										
Total staff	4		4	2		2	-2		-2	

Comparison of proposed budget and the recommendations of the Committee on Budget and Finance

(Changes are indicated in grey)

6. Major Programme VI – Secretariat of the Trust Fund for Victims

Item	Proposed budget 2008 (thousands of euros)			CBF – Proposed budget 2008 (thousands of euros)			CBF changes (thousands of euros)			
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Percent
Professional staff	287.8	104.1	391.9	262.2	52.1	314.3	-25.6	-52.0	-77.6	-19.8
General Service staff	112.8		112.8	102.8		102.8	-10.0		-10.0	-8.9
<i>Subtotal staff</i>	<i>400.6</i>	<i>104.1</i>	<i>504.7</i>	<i>365.0</i>	<i>52.1</i>	<i>417.1</i>	<i>-35.6</i>	<i>-52.0</i>	<i>-87.6</i>	<i>-17.4</i>
General temporary assistance	57.6	103.5	161.1	57.6	103.5	161.1				
Overtime	10.0		10.0	10.0		10.0				
Consultants	10.0		10.0	10.0		10.0				
<i>Subtotal other staff</i>	<i>77.6</i>	<i>103.5</i>	<i>181.1</i>	<i>77.6</i>	<i>103.5</i>	<i>181.1</i>				
Travel	77.7	124.4	202.1	77.7	124.4	202.1				
Hospitality	17.5		17.5	17.5		17.5				
Contractual services incl. training	76.4	17.0	93.4	76.4	17.0	93.4				
General operating expenses	63.0		63.0	63.0		63.0				
Supplies and materials	15.0		15.0	15.0		15.0				
<i>Subtotal non-staff</i>	<i>249.6</i>	<i>141.4</i>	<i>391.0</i>	<i>249.6</i>	<i>141.4</i>	<i>391.0</i>				
Distributed maintenance	14.6	2.2	16.8	14.6	2.2	16.8				
Total Major Programme VI	742.4	351.2	1,093.6	706.8	299.2	1,006.0	-35.6	-52.0	-87.6	-8.0

Item	Proposed budget 2008 Post table			CBF – Proposed budget 2008 Post table			CBF changes Post table			
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total	Percent
Professional staff	2	1	3	2	1	3				
General Service staff	2		2	2		2				
Total staff	4	1	5	4	1	5				

C. Related documents

1. Financial statements for the period 1 January to 31 December 2006*

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Letter of transmittal

29 March 2007

In accordance with Financial Regulation 11.1, I have the honour to submit the financial statements of the International Criminal Court for the financial period 1 January to 31 December 2006.

(Signed) Bruno Cathala
Registrar

Sir John Bourn
Comptroller and Auditor General
National Audit Office
157-197 Buckingham Palace Road
Victoria
London SW1W 9SP
United Kingdom

Financial Statements of the International Criminal Court for the year ended 31 December 2006

Audit Opinion

To the Assembly of States Parties of the International Criminal Court

I have audited the accompanying financial statements, comprising Statements I to IV, Schedules 1 to 7 and the supporting Notes 1-13 of the International Criminal Court for the financial period ended 31 December 2006.

Respective responsibilities

These financial statements are the responsibility of the Registrar as set out in Financial Regulation 11.1. My responsibility is to express an opinion on these financial statements based on my audit performed in accordance with Financial Regulation 12.

Basis of opinion

I conducted my audit in accordance with the Common Auditing Standards of the Panel of External Auditors of the United Nations, the Specialized Agencies and the International Atomic Energy Agency and conforming to International Standards on Auditing. Those standards require that I plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, and as considered by the auditor to be necessary in the circumstances, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by the Registrar, as well as evaluating the overall financial statement presentation. I believe that my audit provides a reasonable basis for the audit opinion.

Opinion

In my opinion, these financial statements present fairly, in all material respects, the financial position as at 31 December 2006 and the results of operations and cash flows for the period then ended in accordance with the International Criminal Court's stated accounting policies set out in Note 2 to the financial statements.

Further, in my opinion, the transactions of the International Criminal Court, which I have tested as part of my audit, have in all significant respects been in accordance with the Financial Regulations and legislative authority.

In accordance with Regulation 12 of the Financial Regulations, I have also issued a long-form report on my audit.

(Signed) Sir John Bourn
Comptroller and Auditor General
United Kingdom
External Auditor

London, 9 July 2007

External Auditor's Report 2006

The audit of the financial statements of the International Criminal Court for 2006

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Executive Summary

- An unqualified audit opinion on the 2006 financial statements.
- Financial results and other financial matters.
- Review of the SAP Enterprise Resource Management System.
- Recommendation to improve internal control.
- Further valuation of judges' pension scheme liabilities.
- Permanent premises for the Court.
- Procedures for procurement of goods and services for field offices.
- Follow up to 2005 audit recommendations.

Overall results of the Audit

1. We have audited the financial statements of the International Criminal Court in accordance with the financial regulations and in conformity with the Common Auditing Standards of the Panel of External Auditors of the United Nations, the Specialized Agencies and the International Atomic Energy Agency and with International Auditing Standards.

2. **The audit examination revealed no weaknesses or errors which we considered to be material to the accuracy, completeness and the validity of the financial statements as a whole and I have placed an unqualified audit opinion on the Court's financial statements for the year ended 31 December 2006.**

3. The scope and approach of the audit were communicated to management in a detailed audit strategy, key aspects of which are set out at Annex B to this report. Observations and recommendations arising from the audit are set out in summary below. A more detailed analysis of the audit issues is provided in the section of this report entitled Detailed Findings.

Main Audit Findings and Recommendations

4. The detailed findings of this report provide a commentary on the Court's financial position. For the financial year ended 31 December 2006, the Court recorded a surplus of €17.5 million compared with a restated surplus of €5.9 million in 2005. The higher surplus recorded in 2006 is partly explained by the fact that the provision for the judge's pension scheme in respect of 2006 was funded from the surplus in 2005, in line with the Assembly of State Parties' resolution. The Court's income and expenditure continued to increase in line with the growth of its activities. Income increased as a result of a rise in assessed contributions from states parties and higher interest income. Expenditure increased primarily as a result of higher staff costs.

5. During 2006 we undertook a review of the SAP based Enterprise Resource Management System (ERMS) implemented by the Court in that year. As a part of our review we have examined the migration of data from the legacy system to the SAP ERMS, the project timeframe, security policy and access controls. Overall we obtained sufficient assurance that accounting data had been accurately migrated from the legacy system to SAP; and that by the end of the financial year reliable accounting information had been produced to support the disclosures in the Court's financial statements. However, at the end of our review in December 2006 we reported to management a number of areas where improvements could be made. These included:

- Closure of accounting ledgers at the end of each month;
- Implementation of the remaining SAP modules to ensure appropriate functionality;
- Finalisation, issue and wider publication of the IT Security Policy;
- Improvements in password security and allocation of user roles;

- Continued monitoring of the use of external IT consultants to provide support; and
- Appropriate controls over access to the live operating environment.

6. Following the implementation of the ERMS, we noted the weakening of one of the key internal financial controls where bank reconciliations had not been properly completed for the first eight months of 2006. Our examination showed that for this period the Court did not meet its target of reconciling all bank accounts within two weeks of the end of each month. The absence of this key control throughout the first eight months of the year exposed the Court to the risk of erroneous or fraudulent transactions not being detected on a timely basis. However, by the end of the year all reconciliations had been completed and brought up to date, and retrospectively we obtained assurance that no instances of material fraud or error had occurred during this period.

7. In December 2005, the Assembly of State Parties passed a resolution that the judges' pension scheme should be fully funded using the 2005 surplus. In 2005 based on an actuarial estimation provided by Ernst & Young, a provision of €8 million was made for the scheme. In 2006 Allianz were selected to administer the scheme and in preparation for the contract they provided an actuarial valuation for the scheme which calculated the liability in respect of the period March 2003 – December 2005 as €4.3 million and a liability in respect of 2006 amounting to €2 million. In total this valuation amounts to €6.3 million compared to a provision made by the Court in 2005 of €8 million. As the actuarial valuation provided by Allianz is materially different to the provision made in 2005, the prior year comparative figures in the 2006 accounts have been restated to reflect the lower valuation. Allianz have yet to be contracted as the scheme administrators and therefore the scheme liability remains a provision rather than an obligation.

8. The Assembly of States Parties at its fifth meeting recommended that the Court concentrate on investigating and planning for a move to permanent premises in a purpose built building on the site of the Alexanderkaserne. The Court has now begun to plan for the requirements of any new premises. Planning has included the production of a Court Capacity Model in August 2006 in order to gauge future human resource requirements, based on the future activity of the court (i.e. the number of simultaneous trials and appeals). There is a risk that a permanent location for the Court may not be sufficiently adaptable for the Court to downsize if there was a significant reduction in its activities. We encourage the Court to take this factor in to account in its deliberations for the design and build of the permanent location.

9. In our review of transactions relating to purchases carried out for each of the three field offices, we noted a significant duplication of effort for the procurement of goods and services for these offices. This is because the field offices do not have remote access to the SAP accounting system or sufficient resources to carry our purchases locally. While recognising the risks associated with delegation of authority for procurement to field office staff, we encourage the Court to consider the benefits of allowing remote access and local procurement of lower value goods and services, with appropriate mitigating controls being put in place to manage the risks associated with such delegation.

10. Annex A to this report records the recommendations made in our 2005 report; the Court's response to those recommendations; and our comments on the progress subsequently made. The Court has taken forward all nine of our recommendations made in the 2005 report and we welcome the action being taken in the areas of strengthening internal control, corporate governance and procurement. We carried out some further work on procurement and risk management in 2006. On procurement we note the improvements made in developing procurement plans and we confirmed that there were legitimate reasons for a noticeable rise in expenditure at the year end. On risk management, we note that the Court has established a risk management project and we encourage best practice in the evaluation, recording and ongoing monitoring of risks through the use of a risk evaluation matrix and a risk register.

Detailed Findings for 2006

Financial Results

Income and Expenditure

11. The Financial Statements report that for 2006 income increased from €68 million to €82.2 million, an increase of some 21 percent. This significant increase is accounted for by a rise in assessed contributions from €66.9 million to €80.4 million and an increase in interest income from €1.1 million to €1.7 million. The level of assessed contributions is set by the Assembly of States Parties (ASP) based on the budgeted expenditure for the Court.

12. The Court incurred total expenditure of €64.7 million in 2006 compared to €62.1 million in 2005. The increase in disbursed expenditure is explained by an increase in staff costs from €41.8 million in 2005 to €43.5 million in 2006 as the Court continued to recruit staff to carry out its full range of functions. Staff costs in 2005 included a provision for the judges' pension scheme to the period ending 31 December 2006 and the actual increase in staff costs in 2006 was €8.7 million.

13. Travel and hospitality costs in 2006 remained constant at €2.8 million compared to 2005. Operating expenses increased by €2.3 million with the continued expansion of the Court. Costs for contractual services and acquisition costs fell by €2.7 million and €0.6 million respectively due to lower activity in these areas.

14. As part of our audit we examined all significant income and expenditure balances; and ensured that there was sufficient reliable evidence to support the receipts and disbursements recorded in the Court's financial statements, and to explain movements in income and expenditure between 2005 and 2006.

Collection of Contributions

15. The Court collected 91.3 percent of assessed contributions in 2006 compared with 82.3 percent in 2005. This is a significant improvement in the collection rate for assessed contributions and demonstrates the action taken by the Court to improve its performance in this regard. In addition the Court collected contributions arrears of €10.1 million or 67 percent of arrears outstanding at the start of 2006. The total value of arrears outstanding as at 31 December amounted to €12 million. We welcome the improved collection rates for arrears and for assessed contributions in respect of 2006; and continue to encourage the Court to reduce the level of contributions arrears.

Other Financial Matters

Cases of Fraud or Presumptive Fraud

16. Under the terms of reference governing the external audit, contained in the financial regulations, we are required to bring to the notice of the Assembly of States Parties any cases of fraud or presumptive fraud. Primary responsibility for the prevention and detection of fraud rests with management. The Court informed us that they had not recorded or investigated any cases of fraud or presumptive fraud during 2006. The Director of the Office of Internal Audit (OIA) also confirmed that no cases of fraud or presumptive fraud came to his attention during 2006. Our audit did not identify any cases of fraud or presumptive fraud during the year.

Losses, Write-Offs and Ex-Gratia Payments

17. The Property Survey Board wrote off €12,758 of non-expendable property in 2006 and there was an amount of €1,200 written off as a loss of cash. No ex-gratia payments were made by

the Court in 2006.

Financial Management Issues

Review of the SAP Enterprise Resource Management System

Scope of our examination

18. During 2005 and 2006 the ICC moved from using a variety of IT systems for human resource management, payroll and financial management to a single integrated enterprise resource management system (ERMS), produced by SAP.

19. In December 2006 we undertook an IT review of the ERMS at the Court. The main focus of our work was to assess the ability of the new system to process and produce reliable financial information to support the Court's financial statements. We also looked at the accuracy of the migration of data from the previous computer system to SAP.

Preparation of Financial Statements for Year Ending 31st December 2006

20. We reviewed the implementation of SAP to assess the adequacy of management controls over the financial information generated for the preparation of the financial statements for 2006, on which we have provided an audit opinion.

21. We were pleased to see that parallel running of SAP alongside predecessor systems had allowed for the reconciliation of general ledger balances for 2005 produced by SAP to those previously produced by the SUN system; and the reconciliation of payroll reports from SAP to those produced by Progen. These reconciliations provided us with assurance that the opening account balances had been correctly brought into the SAP system and that the payroll was being correctly processed.

22. However, we noted that the automatic closure for transaction posting at the end of each month had not been activated as at December 2006. This increases the risk that transactions may be posted to earlier months, weakening key controls such as bank reconciliations which cannot be properly finalised without the closure of accounting ledgers. The ability to post back transactions to earlier accounting periods also reduces the accuracy of monthly financial reports which similarly cannot be finalised. The Court has activated this facility in SAP and that the accounting records are closed at the end of each month. We welcome the action taken by the Court to improve the quality of monthly reporting using transaction data which cannot be altered.

Project Timeframe

23. In December 2006 several SAP modules originally scheduled for implementation in 2006 remained outstanding. These included business warehousing, electronic recruitment, audit information system, legal aid concern, medical system, trust funds for victims support and the asset management module.

24. Other key SAP functionalities had not been set up as at the year end, including exception reporting in the payroll module and settlement of outstanding travel claims relating to 2006 after the year end, where SAP attempted to charge the incorrect year of account with differences between travel advances and claims. The inability of the SAP payroll module to run monthly exception reports required the payroll department to perform manual recalculation and testing of payslips in order to gain comfort over staff costs. The inability of the travel module to settle 2006 travel claims after the year end led to a significant delay in staff receiving money owed to them and this was particularly problematic for translators, to whom payments are made using this module. The Court used procedures outside SAP to clear the backlog of outstanding travel claims.

25. We also noted that SAP consultants working on these developments had been transferred to the development of a Management Information Restructure (MIR), to enable improved budgeting for individual cases and oversight of field office expenditure. MIR required the addition of information to the transaction structure originally installed, the development of which had further delayed the operation of MIR until the end of May 2007.

26. The delay in the implementation of the planned modules, in particular the business warehousing, limits the provision of up-to-date management reports, which users informed us had been the main weakness of the new implementation. The specific delays in providing fully functional payroll reporting and solving issues with the year end travel module gave rise to the risk of errors remaining undetected in payroll and unacceptable delay in the payment of travel claims.

Recommendation 1:

We recommend that the Court ensure the effective operation of the travel claims module and review the implementation of outstanding SAP modules and functionalities to obtain business critical functionality as a matter of priority.

Security Policy

27. We reviewed a draft SAP Security Policy dated December 2006 which awaited Registry approval. This provided guidance on the security framework which controls system access, information security and departmental responsibility for security.

28. We found, however, that the Court did not confirm staff awareness of and compliance with the security policies; and the policy did not include action to be taken if staff or departments failed to comply with the policy, for example by sharing passwords.

Recommendation 2:

We recommend that the Security Policy be clarified to include enforcement procedures for breaches of the policy approved by Senior Management and publicised to all staff.

Recommendation 3:

We also recommend that, periodically, staff be required to confirm their awareness of and compliance with the IT security policy.

Systems Access Controls

29. As part of our IT review we looked at the way that initial network and SAP access was granted to new users. We found that new users were set up on both the ICC network and SAP using commonly known default passwords. The SAP password required immediate change, but we found instances where the SAP password had been set as the default network password. We were also informed of instances of password sharing for operational reasons. In addition we found that the number of log-in attempts had been unrestricted, to avoid operational difficulties arising where court proceeding are in process. The use of default passwords, password sharing and tolerance of unlimited log-in attempts greatly increases the risk of unauthorised access to ICC systems.

30. User profiles are authorised by units to meet business needs. However, our examination revealed that no formal procedure was in place for periodic confirmation that the profile rights remained valid. This weakens management assurance that only valid and authorised transaction recording is allowed. We brought these weaknesses to the attention of the head of IT and the Registry by issuing a report to management on our IT review. We commend the Court for taking immediate action to rectify access control weaknesses and we will continue to check such controls as a part of our testing of internal control on an annual basis.

Recommendation 4:

We recommend that periodic changing of passwords is enforced and that, in the absence of log-in restrictions, the Court should consider monitoring exception reports on unsuccessful user access attempts.

Recommendation 5:

We also recommend that units provide periodic feedback to the IT department confirming the continuing business requirement for user access profiles.

Consultant Support

31. SAP supplies consultant support to ICC through an annually agreed contract detailing the levels of service to be provided and the time frame for response. This support provides up-to-date SAP awareness, but the extent of consultancy usage increases the risk of continuous dependency on external expertise rather than in-house system support, which may not be wholly cost effective.

32. Our examination also revealed that software consultants had retained access to the production system in which transactions are recorded, budgets established and the financial statements prepared. This increases the risk of unauthorised or untested code being entered into the SAP system.

Recommendation 6:

We recommend that the Court consider its approach to system support to ensure that adequate support systems are maintained in the most cost effective way.

Recommendation 7:

If the Court continues its reliance on external consultancy support we recommend that the contract for the support services be competitively tendered to provide assurance that best value is being achieved.

Recommendation 8:

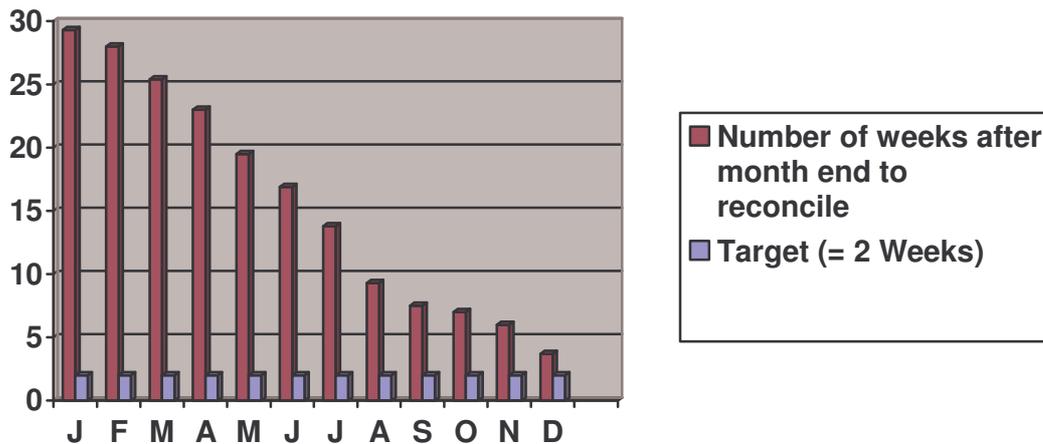
We also recommend that software consultant access to the production system should be strictly limited. In the event that access has to be provided, a system log of changes should be maintained and monitored to detect any unauthorised or improper actions.

Bank Reconciliations and Internal Control

33. Bank reconciliations are a fundamental control to validate the completeness and accuracy of the accounting records, and are an essential procedure to help management prevent and detect fraud or error. We found that following the upgrade of the financial information systems, ICC had not started to complete monthly bank reconciliations for the main bank accounts until August 2006. However we did note that these bank accounts were subsequently all reconciled for the year ending December 2006 and were sufficient to support our audit opinion at that time.

34. Figure 1 show the delays encountered in completing bank reconciliations against the target for completing such reconciliations two weeks after the month end. This demonstrates the weakening in this key internal control in the first eight months of the year.

Figure 1: Showing the time taken to complete bank reconciliations in 2006.



35. We consider that bank reconciliations should be performed for all bank accounts on a timely and regular basis to confirm that receipts and payments are matched to the financial records and to enable management to investigate any un-reconciled items. The delay in completing bank reconciliation procedures until August 2006 resulted in the absence of a key internal control for eight months of the reporting period. The absence of this control exposes the ICC to a risk of fraud or error remaining undetected for an unacceptably long period of time. We were unable to find other mitigating controls in place to counter this weakness. We recognise that the control was working effectively by the year end and we encourage the Court to ensure that the target for completing bank reconciliations is strictly adhered to.

Recommendation 9:

To ensure that this key control operates effectively throughout the reporting period, we recommend that ICC ensure regular and timely reconciliation of all bank accounts. In the absence of such a key control, ICC should ensure that alternative checking procedures are invoked to mitigate the risk of fraud or error.

Judges Pension Scheme

Provision made for the judges pension scheme in 2005

36. In the December 2005 the Assembly of State Parties passed a resolution such that the judges' pension scheme should be accounted for on an accruals basis and should be fully funded using the 2005 surplus.

37. In 2005 an actuarial estimation of the pension liability was calculated by Ernst & Young, which valued the accrued pension liability from the start of the scheme in March 2003 to 31 December 2005 at €5.6 million and the estimated liability for the year to 31 December 2006 at a further €2.4 million.

38. The charge of €5.6 million was made to the income statement in 2005 with a provision created in the balance sheet for the corresponding amount. The Assembly resolved that the estimated pension liability for 2006 should be funded by the surplus in 2005 and consequently, in line with the actuarial estimation of €2.4 million for 2006, that amount was also charged to the income statement in 2005, thereby using the available surplus in that year. A reserve was created in the balance sheet to allow this amount to be carried forward to 2006 where it would become a provision.

Developments in 2006

39. In our 2005 report we recommended that the Court should seek to appoint a scheme administrator as soon as possible and that in doing so obtain a full actuarial valuation in order to finalise the actual cost of the scheme. The Committee on Budget and Finance asked the Court to find an insurer for the Judges Pension Scheme, which led to Ernst & Young conducting a procurement exercise on the Court's behalf and assisting the Court in identifying the most suitable solution. The report on the tender exercise was presented to the Committee on Budget & Finance in May 2006, outlining proposals from a variety of insurers.

40. Only one offer satisfied all of the Court's requirements, that of Allianz Nederland BV (Allianz). Allianz subsequently provided an up-to-date valuation of the pension liability of the Court for the period March 2003 – December 2006.

41. The valuation calculated the liability in respect of the period March 2003 – December 2005 as €4,252,814 and the liability in respect of 2006 as €2,038,475. The valuation amounts to €6,291,289 compared to a provision in 2005 of €8 million. We had advised the Court that if the actuarial valuation was materially different to the provision made in 2005 based on Ernst Young's actuarial estimation, the prior year comparative figures in the 2006 accounts would have to be adjusted to reflect this. The Court has accordingly restated the prior year comparative figures, reducing expenditure and increasing the surplus for that year. As at 30 June 2007, the Court has not yet formally contracted Allianz to insure the scheme and consequently the charge for the pension scheme remains a provision in the financial statements rather than an obligation. The provision is based on the most reliable information available provided by Allianz and we will examine the actual charge to the Court in our 2007 audit once the insurer has been contracted.

Recommendation 10:

We continue to encourage the Court to finalise the arrangements for the Judges Pension Scheme so that it has suitable arrangements in place to administer the scheme when pension payments become due.

Scheme entitlements

42. The judges are entitled to a half of their annual salary per year as a pension – a maximum of €90,000 per year after they have served their full nine year term. If they serve for less than nine years, then the pension is pro-rated based on the number of years served, provided they have served for at least three years. Based upon this, Allianz have calculated the accrued benefit as €10,000 for each completed year of service. Spouses and dependents of judges are also entitled to death benefits if the judge dies.

43. We have reviewed the liability for the period to 31 December 2006 and we are satisfied that this is materially correct based on the information available at the year end to support the provision in the financial statements. Our examination showed that a non-material amount (approximately €11,000) in respect of entitlements for dependents had not yet been included in Allianz's calculations, the absence of which is not critical for reporting the provision made. However, we encourage the Court to confirm that all aspects of scheme entitlements are covered when the contract is finalised.

Recommendation 11:

We recommend that the Court confirms that all entitlements have been accounted for by Allianz in determining the premium payable for the administration of the Judges Pension Scheme prior to contracting them to insure the scheme.

44. The judges are also entitled to disability benefits if a judge is forced to stop working due to

disability. In such an event, judges will immediately receive the full pension that they would have been entitled to if they had served a full nine year term. This benefit is without any age limit.

45. From 1 January 2007, Allianz will charge a disability risk premium each year. The amount of the premium will depend on the amount that the Court has already paid to Allianz as a lump sum for the pension of the judge. Allianz do not insure people against disability after they have reached retirement age. Hence, for the five judges who are over 65, Allianz have not included a disability premium as part of the 2007 premium calculation. Four judges will reach age 65 during their term at the ICC. For these judges, Allianz will charge a disability premium to the ICC until they reach 65 years of age.

46. For judges over 65, therefore, the ICC will have to manage the disability risk in the absence of insurance cover, and bear the cost of benefits if they need to be paid. In these circumstances, the Court may need to consider the extent of financial liability involved; and whether any provision for this liability would be appropriate.

Recommendation 12:

We recommend that the Court considers the potential cost of disability payments that may have to be made for judges over 65 years of age if they were to become disabled, and whether any financial provision should be established for this liability.

Permanent Premises

Background

47. When the Court was set up in 2002, it moved into temporary accommodation provided by the Dutch Government. This accommodation ('The Arc') was provided rent free until 2012.

48. Due to a rise in ICC staff numbers and the size constraints of The Arc, in late 2006 the Court moved its finance, procurement, Internal Audit and Trust Fund for Victims Secretariat functions to the Hoftoren building in the centre of The Hague. These extra temporary premises were also provided rent-free by the Dutch Government until 2012.

49. Since 2005, The Court has been considering several options for the eventual location of permanent premises with capacity to house the Court's three major organs. The three options considered by the Committee on Budget and Finance and the Assembly of States Parties were:

- Staying at the current premises and using spare capacity created by a possible move for Eurojust;
- Moving into the ICTY (International Criminal Tribunal for the Former Yugoslavia) building;
- A purpose built building on the site of the Alexanderkazerne.

50. At its fifth meeting, the Assembly of States Parties recommended that the Court concentrate on investigating and planning for the third option – a purpose built structure on the site of the Alexanderkazerne.

51. The Court has now begun to plan for the requirements of new premises. Planning has included the production of a Court Capacity Model in August 2006, to gauge future human resource requirements based on the future activity of the Court (such as the number of simultaneous trials and appeals). This planning also included the commissioning of a functional brief, produced by Drees & Sommer International GmbH in January 2007, to identify the optimal layout for future permanent premises.

Risks of Moving to Permanent Premises

52. The ICC is an international Court of last resort. Cases are only referred to the Court when it is felt that the courts of countries to which the cases relate are not able to try the case. Because of this, it is very hard to estimate the long-term future level of Court activities. If, for some reason and for a period of time, the number of investigations that the Court was conducting were to decrease substantially, the Court would potentially have to downsize in line with the reduction in activities.

53. In the event of such circumstances, there would be a risk that the Court could incur unnecessary costs having moved to large, purpose-built, permanent premises which could not be readily adapted to a reduction in the work of the Court.

54. The Court should use the Court Capacity Model and the Functional Brief in its deliberations so that any permanent premises fit the future and changing needs of the ICC.

Recommendation 13:

We recommend that any permanent premises into which the Court moves should be adaptable according to the level of Court activities, so that if the workload of the Court were to reduce, parts of the building could be easily separated in order to rent to third parties.

Field Offices

The Current System for Procurement for Field Offices

55. The ICC has a field office for each situation that it is currently investigating. Field offices are located in Kinshasa and Kampala, with one in Chad for the Sudan investigation. Each field office is run by a locally based field office manager (centrally recruited and professional members of staff). These field office managers are in turn managed by the Head of Field Offices, whose department is situated in The Hague. Currently, field office managers play very little part in the procurement of goods and services for field offices. The purchasing process is such that:

- The field office manager contacts the Field Office Unit in The Hague to request the raising of a requisition in SAP. They also send over quotes and pro-forma invoices to support the requisition request;
- The requisition is raised in SAP by one of the Head of Field Offices' assistants, and then approved by the Head of Field Offices (the certifying officer for the Field Office budget allocation);
- The Procurement department then put the contract out to tender and obtain quotes. Once a suitable supplier has been chosen, the Procurement department raise a purchase order in SAP;
- The Field Office unit in The Hague then contacts the Receipt & Inspection Unit to confirm receipt, having first contacted the Field Office Manager to confirm delivery of goods and services; and
- Lastly the field office manager provides the bank details of the vendor to The Hague, as well as the invoice when it is received.

Inefficiencies in the Current Arrangements

56. Such a lack of delegation to the field may give rise to duplication of work in the raising of the requisition, especially when the Field office unit in The Hague attempts to confirm receipt of goods and services with the Field Office.

57. Currently, procurement staff find themselves involved in the purchasing of many locally-supplied small items for the field offices, in which they are not adding value to the procurement process.

Potential Solutions

58. One option is for the field office managers to gain access to SAP, to raise the requisitions and fill in receipt and inspection reports directly. For requisitions, they would still need the Head of Field Office's approval as the certifying officer.

59. In addition, the field office petty cash balance could be increased, or the field office unit could be given a low level delegation to raise their own purchase orders in SAP – thus sparing Procurement section from getting involved in procurement where they cannot add any value.

60. The further delegation of responsibility to field offices would carry associated risks, as control was passed from headquarters to remote field offices. We encourage the Court to identify and assess the risks associated with the delegation of authority and manage these accordingly.

Recommendation 14:

We recommend that, before Field Offices are granted remote access to SAP, an extensive review be carried out of the risks to data security, with mitigating controls being put in place.

Recommendation 15:

We also recommend that where there is delegation of extra procurement authorities to the field, approval still needs to be sought from the Head of Field Office for each purchase.

Follow up to previous audit recommendations

61. At Annex A, we have set out a comprehensive review of the progress made by management in responding to the previous year's audit recommendations. The Court has progressed all nine of our recommendations made in the External Auditor's report for 2005 and we welcome this positive response to audit findings. We will continue to conduct follow up work to assess the effectiveness of the implementation of our recommendations. We note the Court's comments on recommendations which have not yet been fully implemented, particularly in regard to the establishment of an independent audit committee and the development of a detailed strategy for the adoption of IPSAS. We will continue to work with the Court on these issues as appropriate. In 2006 we carried out some further work on procurement and our observations on this work and on the risk management process are set out further below.

Procurement

62. We carried out a review of procurement in 2004 and conducted a follow up in our 2005 report, where we recommended that procurement plans be developed and submitted to the Procurement Department, so that procurement can be managed more effectively and evenly throughout the year. We noted that such plans should mitigate against a year end peak in procurement.

63. Figure 2 below shows that the number of procurement decisions and resulting requisitions are fairly evenly spread throughout the year, although there is a gradual increase in the number of requisitions in the final quarter of the year. However, Figure 3, which shows procurement by value, demonstrates that there is a peak in actual expenditure at the year end, suggesting that there is a risk of inefficient procurement at that time.

Figure 2: Showing the number of procurement requisitions raised each month between 2004 –2006.

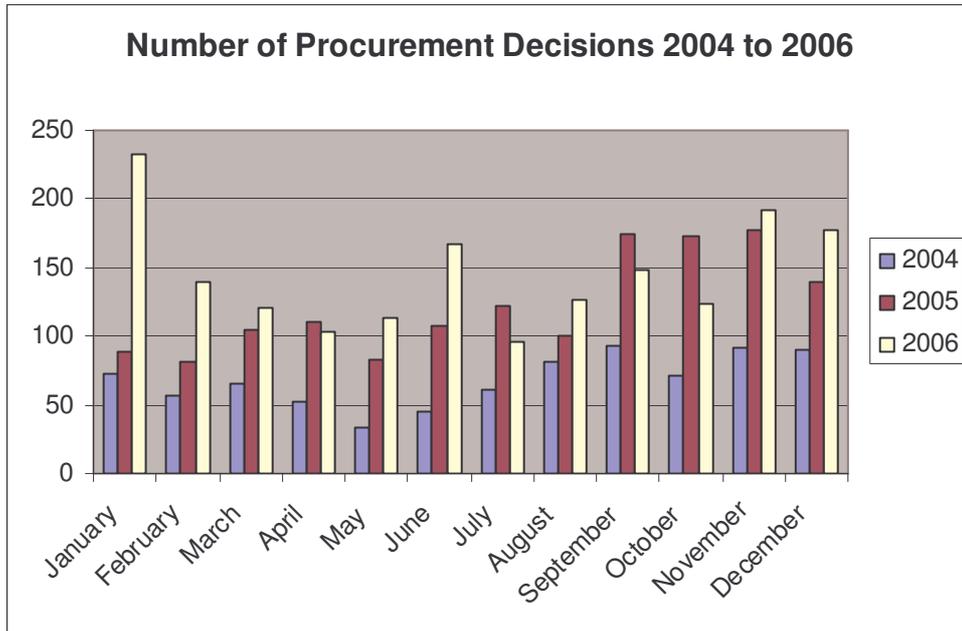
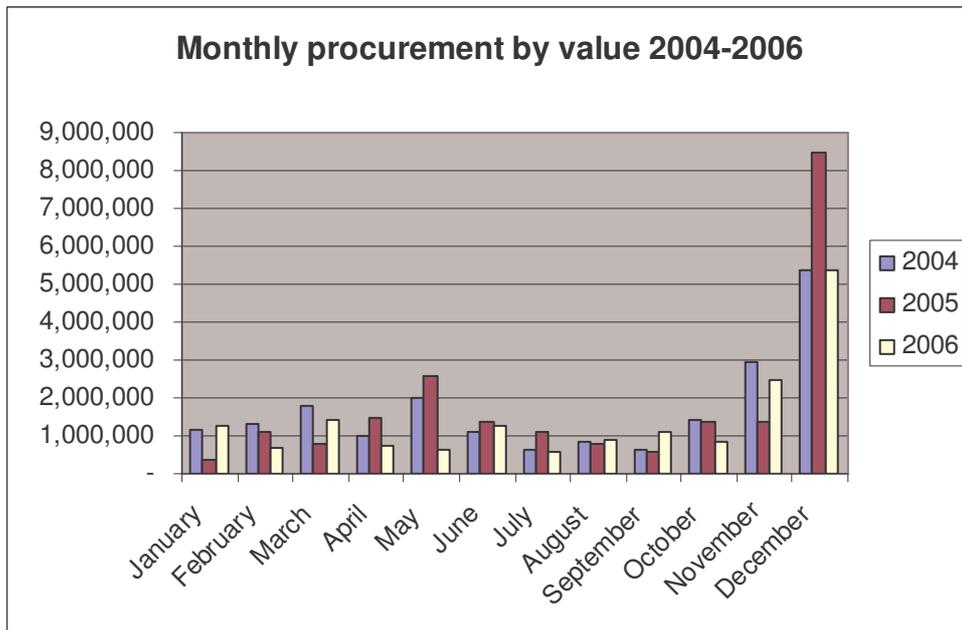


Figure 3: Showing the value of obligations raised each month between 2004 – 2006



64. We carried out a review of year end requisitions to examine why there was a peak in expenditure towards the year end. We examined some 25 unliquidated obligations raised towards the year end and found that there was no compelling evidence of a year end surge in decisions to spend funds. Our detailed examination showed that in many cases the process to procure goods and services started much earlier in the year and that it was only as a result of the time taken to complete procedures such as competitive tendering and finalising contracts that resulted in expenditure being obligated at the year end.

65. We are pleased to note that the Court has now started to produce procurement plans, and that these plans assist Registry staff in monitoring procurement more effectively. We encourage the Court to continue to develop the procurement planning; and continue to manage procurement to achieve best value for money through effective decision making throughout the year.

Risk Management

66. We note that the Court has decided to appoint consultants to conduct a risk identification and risk assessment exercise; and that the Court is presently reviewing tender bids to appoint a suitable supplier to provide this service. We welcome the action that the Court is now taking to progress systematic risk identification and assessment in line with our audit recommendations in previous reports. Once this exercise has been undertaken and risks have been identified, the Court will need to ensure that it has appropriate risk management processes in place, such as:

- Prioritisation of risks identified through the consultancy exercise;
- Development of a risk register to record all risk;
- Development of an action plan, which includes milestones for planned action;
- Regular review and updating of the risk register;
- Making the risk register available to those charged with governance (which, in the context of the Court, is the Oversight Committee).

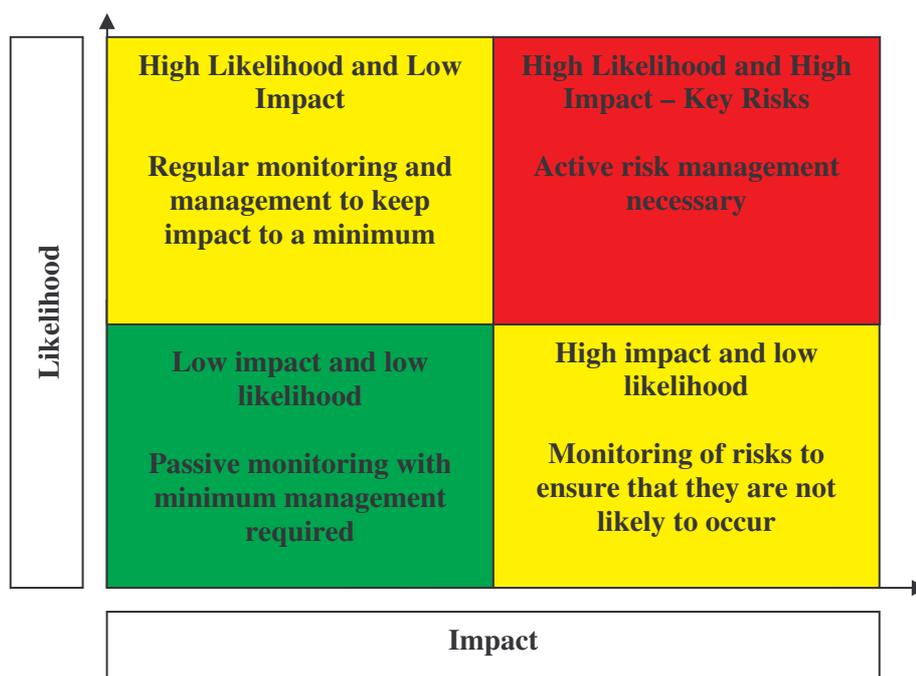
Risk Prioritisation

67. The Court is in the process of selecting a suitable provider to undertake a risk assessment. In setting the terms of reference it is important that the Court ensure this review also provides risk evaluation, where risks are measured for their impact on the Court and in relation to the likelihood of these risks occurring. Such a risk evaluation will enable the Court to prioritise risks in the following categories:

- High impact and high likelihood – key risks which require active management;
- Low impact and high likelihood - risks that require active monitoring, as they are more certain to arise;
- High impact and low likelihood – risks which require some monitoring, but are less certain to arise;
- Low impact and low likelihood – risks which have minimal effect and are unlikely to arise.

68. Risks identified and evaluated in accordance with these criteria can be plotted on a risk rating matrix, an example of which is shown in Figure 4 below. Such a schematic diagram can be used effectively to highlight key risks to the Court.

Figure 4: Risk Evaluation Matrix showing risks based on their likelihood and impact

**Recommendation 16:**

We recommend that the appointed consultant, responsible for carrying out the risk assessment for the Court, provides a risk evaluation matrix demonstrating the key risks to the Court. The Court should use this information to prioritise risks and allocate resources to establish mitigating controls accordingly.

Risk Register

69. As a part of the risk assessment exercise, the Court should ensure that it develops a risk register which clearly identifies the following information:

- Risk category, for example financial risk, operational risk or risk to human resources;
- Risk description, which clearly identifies the nature and extent of the risk which has been identified;
- Risk evaluation, which indicates the likelihood and impact of the risk;
- Mitigating controls in place for each risk;
- A risk owner nominating an individual or department to actively monitor and manage the risk, and to undertake any action planned to establish mitigating controls;
- Action required to implement further mitigating controls, in order to reduce the risk to an acceptable level;
- Milestones for the completion of planned action;
- Progress on action taken.

Recommendation 17:

A risk register containing the information set out above should be used by the Court as an active diagnostic tool to manage risks on an ongoing basis. The risk register should be reviewed by the Oversight Committee and an annual submission should be made to the Court's governing body to bring key risks to their attention.

Acknowledgement

70. We are grateful for the continued assistance and co-operation provided by the Registrar and staff of the International Criminal Court during our audit.

(Signed) Sir John Bourn
Comptroller and Auditor General, United Kingdom
External Auditor

Annex A

Follow up to previous audit recommendations

Audit Recommendation	Management Response on progress	External Auditor's Comments
<p>Recommendation 1: Given the continuing passage of time, we recommend that the Court makes best efforts to finalise the arrangements for the administration of the Judges' pension scheme and to arrange for a full actuarial valuation when the scheme administrator is appointed</p>	<p>The insurer for the pension scheme of the judges has been selected and approved by the ASP in its last meeting of December 2006. A full actuarial valuation has been received from the insurer (Allianz NL) and the financial statements have been revised to reflect the new amounts. The final contract with Allianz is expected to be completed in July 2007.</p>	<p>We note the progress that has been made and we conducted further work on reviewing the actuarial valuation which supports the provision in the 2006 financial statements.</p>
<p>Recommendation 2: We recommend that a suite of management checks be implemented to verify the accuracy of data input to spreadsheets and other systems such as payroll on SAP</p>	<p>More regular reviews are conducted on data and formulae used in spreadsheets and the ICC is taking action to eliminate use of spreadsheets for staff payroll by extending these functions to SAP. SAP extension should be operational by end 2007.</p>	<p>We welcome the move to use SAP functionality for payroll information. We will continue to monitor the outputs from SAP as a part of our annual audit.</p>
<p>Recommendation 3: We recommend that the Court ensures that management routinely review exception reports to verify changes and confirm the accuracy of standing data</p>	<p>Exception reports to review payroll data have been planned as part of SAP projects. Current planning for implementation operational end 2007</p>	<p>We welcome the move to use SAP functionality for payroll information. We will continue to monitor the outputs from SAP as a part of our annual audit.</p>
<p>Recommendation 4: We encourage the Court to progress the development of the budget monitoring system quickly so that this functionality is available for budget managers before the end of 2006. This will help budget managers to use their resources more effectively through more detailed monitoring</p>	<p>Done: real-time budget reports are available on-line through the SAP system.</p>	<p>We welcome this achievement.</p>
<p>Recommendation 5: We recommend that the Registrar should develop an action plan for each review carried out by the Internal Auditor and that the action plan should be promulgated to the relevant parts of the Court to whom the findings relate</p>	<p>Internal and external recommendations are recorded in one document. Responsibilities, as understood by Registry's office of the Director of Administration are assigned to each recommendation, per Organ. When possible, descriptions of expected actions and completion dates are</p>	<p>We welcome the progress made in recording and monitoring all audit recommendations and will continue to use this information in our annual follow up of past recommendations.</p>

	attached to the recommendation. Implementation of review process on-going.	
Recommendation 6: We recommend the adoption of the independent IPSAS accounting standards to the Court as an appropriate financial reporting framework and recommend that the Court prepares a detailed strategy to provide for this development	The Court will conduct a review of the impact of changing its accounting standards to IPSAS including the impact on its budget as well as the SAP system. Administration Division Section heads (Finance and ICT) are part of a UN based knowledge-sharing network dedicated to this topic. Several meetings already took place.	We note the comments and the action planned and we will continue to monitor developments and offer advice as appropriate.
Recommendation 7: We recommend that the Court should establish an independent audit committee with a majority of external independent representatives. The audit committee should focus on promoting effective internal control; provide a focus to make best use of assurance resources; monitor internal and external audit outputs; and assess the effectiveness of risk management	Establishment of audit committee in process: interviews of potential external representatives will take place in May 2007.	We welcome the progress being made and will offer our advice and assistance is setting up an audit committee.
Recommendation 8: We recommend that as a part of the strategic planning process, the Court should identify risks and develop a risk register to form the basis for managing the likelihood of risks materialising and their impact. The Court should also assign risk owners to manage risk to an acceptable level. The risk register should be regularly reviewed and updated	The Strategic Plan process is reaching the phase where strategic objectives are defined, which includes risk assessment. In combination with strategic planning, a risk management project was launched in March 2006. The first phase consists of establishing a Risk Management structure. The second phase is the implementation of this structure. Regular reviews will take place in future stages.	We note the progress being made and we have provided further commentary on best practice in risk management in this report.
Recommendation 9: We recommend that procurement plans be developed and submitted to the Procurement Department, so that procurement can be managed more effectively and evenly throughout the year. Such plans should mitigate against a year end peak in procurement	A procurement plan has been created in 2006, monitoring most the Court's major accounts. This valuable experience brought to extend the scope of this procurement plan to a global Court financial forecast, including staffing costs. The implementation of this new structure is in process.	We welcome the progress that has been made and we have reviewed the procurement plan and welcome its usage.

Annex B

Scope and audit approach

Audit Scope and objectives

Our audit examined the financial statements of the International Criminal Court for the financial period ended 31 December 2006 in accordance with the Financial Regulations. The main purpose of the audit was to enable us to form an opinion on whether the financial statements fairly presented the Fund's financial position, its surplus, funds and cash flows for the year ended 31 December 2006; and whether they had been properly prepared in accordance with the Financial Regulations.

Audit Standards

Our audit was conducted in accordance with International Standards on Auditing as issued by the International Auditing and Assurance Standards Board. These standards required us to plan and carry out the audit so as to obtain reasonable assurance that the financial statements are free from material misstatement. Management were responsible for preparing these financial statements and the External Auditor is responsible for expressing an opinion on them, based on evidence obtained during the audit.

Audit Approach

Our audit included a general review of the accounting systems and such tests of the accounting records and internal control procedures as we considered necessary in the circumstances. The audit procedures are designed primarily for the purpose of forming an opinion on the Court's financial statements. Consequently our work did not involve detailed review of all aspects of financial and budgetary systems from a management perspective, and the results should not be regarded as a comprehensive statement of all weaknesses that exist or all improvements that might be made.

Our audit also included focused work in which all material areas of the financial statements were subject to direct substantive testing. A final examination was carried out to ensure that the financial statements accurately reflected the Court's accounting records; that the transactions conformed to the relevant financial regulations and governing body directives; and that the audited accounts were fairly presented.

International Criminal Court
Statement of income and expenditure and changes in fund balances for the period ending 31 December 2006
(in thousands of euros)

	General Fund & Working Capital Fund		Notes ref.	Trust Funds		Notes ref.	Total	
	2006	2005 (restated)		2006	2005 (restated)		2006	2005 (restated)
<i>Income</i>								
Assessed contributions	80,417	66,891	4.1	-	-		80,417	66,891
Voluntary contributions	-	-		1,641	1,436	5.1	1,641	1,436
Interest income	1,662	1,074	4.2	41	22	5.2	1,703	1,096
Other/miscellaneous income	104	41	4.3	-	-		104	41
Total income	82,183	68,006		1,682	1,458		83,865	69,464
<i>Expenditure</i>								
Disbursed expenditures	52,831	42,597	4.4	1,615	1,304	5.7	54,446	43,901
Unliquidated obligations	11,721	13,232	4.4	138	223	5.7	11,859	13,455
Provision for pension liabilities	-	6,291	4.5	-	-		-	6,291
Provision for ILO cases	126	-	4.6	-	-		126	-
Total expenditure	64,678	62,120		1,753	1,527		66,431	63,647
Excess/(shortfall) of income over expenditure	17,505	5,886		(71)	(69)		17,434	5,817
Savings on, or cancellation of, prior periods' obligations	1,867	1,469	4.7	20	15		1,887	1,484
Credits to States Parties	(10,024)	-	4.8	-	-		(10,024)	-
Refund to donors	-	-		(125)	(1)	5.3	(125)	(1)
Net increase in Working Capital Fund	1,127	1,149	4.9	-	-		1,127	1,149
Reserve for pension of judges	(2,038)	2,038	4.5	-	-		(2,038)	2,038
Fund balances at beginning of financial period	36,341	25,799		629	685		36,970	26,484
Fund balances as at 31 December 2006	44,778	36,341		453	630		45,231	36,971

Signed (Marian Kashou')
Chief Finance Officer

International Criminal Court
Statement of assets, liabilities, reserves and fund balances as at 31 December 2006
(in thousands of euros)

	General Fund & Working Capital Fund		Notes ref.	Trust Funds		Notes ref.	Total	
	2006	2005 (restated)		2006	2005 (restated)		2006	2005 (restated)
<i>Assets</i>								
Cash and term deposits	56,265	40,865		708	1,851		56,973	42,716
Assessed contributions receivable from States Parties	11,969	15,146	4.10	-	-		11,969	15,146
Voluntary contributions receivable	-	-		156	4		156	4
Other contributions receivable	95	298	4.11	-	-		95	298
Interfund balances receivable	91	188	4.12	-	-		91	188
Other accounts receivable	4,051	2,356	4.13	7	7	5.4	4,058	2,363
Deferred charges – education grants	270	169	4.14	-	-		270	169
Total assets	72,741	59,022		871	1,862		73,612	60,884
<i>Liabilities</i>								
Contributions/payments received in advance	7,744	3,571	4.15	191	824	5.5	7,935	4,395
Unliquidated obligations	11,721	13,232		138	223		11,859	13,455
Interfund balances payable	-	-		88	185	5.6	88	185
Provision for accrued pension of judges	6,291	4,253	4.5	-	-		6,291	4,253
Provision for ILO cases	126	-	4.6	-	-		126	-
Other accounts payable	2,081	1,625	4.16	-	-		2,081	1,625
Total liabilities	27,963	22,681		417	1,232		28,380	23,913
<i>Reserves and fund balances</i>								
Working Capital Fund	6,701	5,574	4.9	-	-		6,701	5,574
Contingency Fund	9,169	9,169	4.17	-	-		9,169	9,169
Reserve for pension of judges	-	2,038	4.5	-	-		-	2,038
Reserve for unpaid contributions	5,078	3,651	4.18	-	-		5,078	3,651
Cumulative surplus	23,830	15,909	5.4	454	630		24,284	16,539
Total reserves and fund balances	44,778	36,341		454	630		45,232	36,971
Total liabilities, reserves and fund balances	72,741	59,022		871	1,862		73,612	60,884

Signed (Marian Kashou')
Chief Finance Officer

International Criminal Court
Statement of cash flow as at 31 December 2006
(in thousands of euros)

	General Fund & Working Capital Fund		Trust Funds		Total	
	2006	2005 (restated)	2006	2005 (restated)	2006	2005 (restated)
<i>Cash flows from operating activities</i>						
Net excess/(shortfall) of income over expenditure (Statement I)	17,505	5,886	(71)	(69)	17,434	5,817
Contributions receivable (increase)/decrease	3,380	(4,968)	(152)	6	3,228	(4,962)
Interfund balances receivable (increase)/decrease	97	(183)	-	-	97	(183)
Other accounts receivable (increase)/decrease	(1,695)	(834)	-	(2)	(1,695)	(836)
Deferred charges (increase)/decrease	(101)	(63)	-	-	(101)	(63)
Contributions received in advance increase/(decrease)	4,173	(309)	(633)	659	3,540	350
Unliquidated obligations increase/(decrease)	(1,511)	1,436	(85)	175	(1,596)	1,611
Interfund balances payable increase/(decrease)	-	-	(97)	164	(97)	164
Provision for accrued pension of judges increase/(decrease)	2,038	4,253	-	-	2,038	4,253
Provision for ILO cases increase/(decrease)	126	-	-	-	126	-
Accounts payable increase/(decrease)	456	1,318	-	-	456	1,318
Less: interest income	(1,662)	(1,074)	(41)	(22)	(1,703)	(1,096)
Net cash from operating activities	22,806	5,462	(1,079)	911	21,727	6,373
<i>Cash flows from investing and financing activities</i>						
Plus: interest income	1,662	1,074	41	22	1,703	1,096
Net cash from investing and financing activities	1,662	1,074	41	22	1,703	1,096
<i>Cash flows from other sources</i>						
Net increase/(decrease) in Working Capital Fund	1,127	1,149	-	-	1,127	1,149
Savings on, or cancellation of, prior periods' obligations	1,867	1,469	20	15	1,887	1,484
Reserve for pension of judges	(2,038)	2,038	-	-	(2,038)	2,038
Credits to States Parties	(10,024)	-	-	-	(10,024)	-
Refund to donors	-	-	(125)	(1)	(125)	(1)
Net cash from other resources	(9,068)	4,656	(105)	14	(9,173)	4,670
Net increase/(decrease) in cash and term deposits	15,400	11,192	(1,143)	947	14,257	12,139
Cash and term deposits at beginning of financial period	40,865	29,673	1,851	904	42,716	30,577
Cash and term deposits at 31 December 2006 (Statement II)	56,265	40,865	708	1,851	56,973	42,716

International Criminal Court
Statement of appropriations for the period 1 January to 31 December 2006
(in thousands of euros)

Major Programme	Appropriation approved	Disbursements	Unliquidated obligations	Provisions	Total expenditures	Unencumbered balance
Judiciary	7,751	5,575	275	75	5,925	1,826
Office of the Prosecutor	20,876	14,750	1,550	-	16,300	4,576
Registry	46,608	30,082	8,419	51	38,552	8,056
Secretariat of the Assembly of States Parties	4,076	2,314	781	-	3,095	981
Investment in the Court's Premises	1,106	110	696	-	806	300
Total	80,417	52,831	11,721	126	64,678	15,739

International Criminal Court
Status of contributions as at 31 December 2006
(in euros)

States Parties	Outstanding as at 1 January 2006	Collections a/	Outstanding	Assessed	Credits from 2005	Collections b/	Outstanding	Total outstanding	Credit on 2006 receipts	Receipts relating to 2007
	Prior years			2006						
Afghanistan	-	-	-	3,198	2	378	2,818	2,818	-	-
Albania	6,914	6,914	-	7,996	-	7,996	-	-	-	-
Andorra	-	-	-	7,996	3	7,993	-	-	1,040	-
Antigua and Barbuda	8,677	8,677	-	4,798	-	4,798	-	-	792	-
Argentina	2,371,177	1,247,591	1,123,586	1,528,865	-	-	1,528,865	2,652,451	-	-
Australia	-	-	-	2,545,976	1,147	2,544,829	-	-	331,240	-
Austria	-	-	-	1,373,739	577	1,373,162	-	-	178,686	-
Barbados	-	-	-	15,992	8	15,984	-	-	2,081	-
Belgium	-	-	-	1,709,578	771	1,708,807	-	-	222,423	-
Belize <i>c/</i>	-	-	-	1,599	1,599	-	-	-	2,014	-
Benin	-	-	-	3,198	2	378	2,818	2,818	-	-
Bolivia	24,217	1,895	22,322	14,393	-	-	14,393	36,715	-	-
Bosnia and Herzegovina	-	-	-	4,798	2	4,796	-	-	2,274	-
Botswana	-	-	-	19,191	27	19,164	-	-	2,515	-
Brazil	3,789,533	336,557	3,452,976	2,435,629	-	-	2,435,629	5,888,605	-	-
Bulgaria	-	-	-	27,187	12	27,175	-	-	3,536	-
Burkina Faso	3,863	189	3,674	3,198	-	-	3,198	6,872	-	-
Burundi	1,383	-	1,383	1,599	-	-	1,599	2,982	-	-
Cambodia	598	598	-	3,198	-	3,014	184	184	-	-
Canada	-	-	-	4,498,638	2,032	4,496,606	-	-	105	-
Central African Republic	3,098	1,715	1,383	1,599	-	-	1,599	2,982	-	-
Colombia	-	-	-	247,881	10,219	237,662	-	-	36,427	100,391
Comoros	-	-	-	267	-	-	267	267	-	-
Congo	1,840	-	1,840	1,599	-	-	1,599	3,439	-	-
Costa Rica	72,853	43,578	29,275	47,977	-	1	47,976	77,251	-	-
Croatia	-	-	-	59,172	26	59,146	-	-	-	-
Cyprus	-	-	-	62,370	29	62,341	-	-	1	-
Democratic Republic of the Congo	7,887	498	7,389	4,798	-	-	4,798	12,187	-	-
Denmark	-	-	-	1,148,248	45,818	1,102,430	-	-	194,692	-
Djibouti	-	-	-	1,599	-	189	1,410	1,410	-	-
Dominica	3,098	3,098	-	1,599	-	75	1,524	1,524	-	-
Dominican Republic	20,165	-	20,165	55,973	-	-	55,973	76,138	-	-
Ecuador	28,319	28,319	-	30,385	-	25,816	4,569	4,569	-	-
Estonia	-	-	-	19,191	8	19,183	-	-	2,496	-

States Parties	Outstanding as at 1 January 2006	Collections a/	Outstanding	Assessed	Credits from 2005	Collections b/	Outstanding	Total outstanding	Credit on 2006 receipts	Receipts relating to 2007
	Prior years			2006						
Fiji	17	17	-	6,397	-	740	5,657	5,657	-	-
Finland	-	-	-	852,390	387	852,003	-	-	110,902	-
France	-	-	-	9,643,363	4,352	9,639,011	-	-	1,254,641	-
Gabon	5,625	1,866	3,759	14,393	-	-	14,393	18,152	-	-
Gambia	-	-	-	1,599	-	189	1,410	1,410	-	-
Georgia	7,632	7,632	-	4,798	-	510	4,288	4,288	-	-
Germany	-	-	-	13,852,540	5,824	13,846,716	-	-	322	-
Ghana	-	-	-	6,397	5,445	952	-	-	16,469	-
Greece	546,907	546,907	-	847,592	-	847,592	-	-	110,251	-
Guinea	8,589	509	8,080	4,798	-	-	4,798	12,878	-	-
Guyana	-	-	-	1,599	139	-	1,460	1,460	-	-
Honduras	14,522	8,891	5,631	7,996	-	-	7,996	13,627	-	-
Hungary	-	-	-	201,503	89	201,414	-	-	26,215	-
Iceland	-	-	-	54,374	26	54,348	-	-	7,076	-
Ireland	-	-	-	559,731	253	559,478	-	-	72,825	-
Italy	7,360,060	7,360,060	-	7,812,245	-	5,680,329	2,131,916	2,131,916	-	-
Jordan	-	-	-	17,592	7	17,585	-	-	-	-
Kenya	-	-	-	14,393	-	14,393	-	-	-	-
Latvia	-	-	-	23,988	11	23,977	-	-	3,120	-
Lesotho	-	-	-	1,599	-	1,599	-	-	1,716	-
Liberia	1,474	-	1,474	1,599	-	-	1,599	3,073	-	-
Liechtenstein	-	-	-	7,996	2	7,994	-	-	1,039	-
Lithuania	12,900	12,900	-	38,382	-	38,382	-	-	-	-
Luxembourg	-	-	-	123,141	55	123,086	-	-	3	-
Malawi	3,479	132	3,347	1,599	-	-	1,599	4,946	-	-
Mali	-	-	-	3,198	2	378	2,818	2,818	-	-
Malta	9,855	9,855	-	22,389	-	22,389	-	-	9	-
Marshall Islands	1,684	207	1,477	1,599	-	-	1,599	3,076	-	-
Mauritius	-	-	-	17,592	7	17,585	-	-	-	-
Mexico	-	-	-	3,011,352	-	3,011,352	-	-	70	-
Mongolia	-	-	-	1,599	-	1,599	-	-	-	-
Montenegro	-	-	-	933	-	933	-	-	-	-
Namibia	-	-	-	9,595	5	9,590	-	-	-	-
Nauru	2,480	1,281	1,199	1,599	-	-	1,599	2,798	-	-
Netherlands	-	-	-	2,702,700	1,221	2,701,479	-	-	351,634	1,954,481
New Zealand	-	-	-	353,430	161	353,269	-	-	45,984	-
Niger	3,098	169	2,929	1,599	-	-	1,599	4,528	-	-
Nigeria	57,898	8,707	49,191	67,168	-	-	67,168	116,359	-	-
Norway	-	-	-	1,085,878	491	1,085,387	-	-	27	-
Panama	17,778	17,778	-	30,385	-	23,645	6,740	6,740	-	-

States Parties	Outstanding as at 1 January 2006	Collections a/	Outstanding	Assessed	Credits from 2005	Collections b/	Outstanding	Total outstanding	Credit on 2006 receipts	Receipts relating to 2007
	Prior years			2006						
Paraguay	39,649	39,649	-	19,191	-	19,191	-	-	3,297	-
Peru	228,188	165,308	62,880	147,129	-	-	147,129	210,009	-	-
Poland	-	-	-	737,246	332	736,914	-	-	95,918	-
Portugal	-	-	-	751,639	340	751,299	-	-	97,792	-
Republic of Korea	-	-	-	2,872,219	1,207	2,871,012	-	-	373,598	-
Romania	-	-	-	95,954	40	95,914	-	-	12,480	-
Saint Kitts and Nevis	-	-	-	267	-	-	267	267	-	-
Saint Vincent and the Grenadines	1,683	207	1,476	1,599	-	-	1,599	3,075	-	-
Samoa	-	-	-	1,599	747	852	-	-	944	-
San Marino	-	-	-	4,798	2	4,796	-	-	-	-
Senegal	1,598	1,598	-	7,996	-	7,435	561	561	-	-
Serbia	26,272	26,272	-	30,385	-	30,385	-	-	12	-
Sierra Leone	2,480	1,513	967	1,599	-	-	1,599	2,566	-	-
Slovakia	-	-	-	81,561	34	81,527	-	-	10,608	-
Slovenia	-	-	-	131,137	60	131,078	-	-	3	-
South Africa	-	-	-	466,975	196	466,779	-	-	60,742	-
Spain	-	-	-	4,030,063	1,817	4,028,246	-	-	524,326	-
Sweden	-	-	-	1,596,033	721	1,595,312	-	-	207,651	-
Switzerland	-	-	-	1,914,280	803	1,913,477	-	-	43	-
Tajikistan	2,505	1,765	740	1,599	-	-	1,599	2,339	-	-
The Former Yugoslav Republic of Macedonia	6,238	6,238	-	9,595	-	1,139	8,456	8,456	-	-
Timor-Leste	2,482	2,482	-	1,599	-	189	1,410	1,410	-	-
Trinidad and Tobago	13,213	13,213	-	35,183	-	35,183	-	-	4,561	-
Uganda	14,270	1,244	13,026	9,595	-	-	9,595	22,621	-	-
United Kingdom	-	-	-	9,798,490	4,426	9,794,064	-	-	1,274,827	-
United Republic of Tanzania	14,882	14,882	-	9,595	-	9,521	74	74	-	-
Uruguay	158,863	101,308	57,555	76,763	-	-	76,763	134,318	-	-
Venezuela	232,558	35,450	197,108	273,469	-	-	273,469	470,577	-	-
Zambia	3,182	415	2,767	3,198	-	-	3,198	5,965	-	-
Total (103 States Parties)	15,145,683	10,068,084	5,077,599	80,417,200	91,484	73,434,139	6,891,577	11,969,176	5,649,427	2,054,872

a/ Collections for prior years include cash surplus credited to States Parties on 1 January 2006 in the total amount of €1,637,209.

b/ Collections for the year 2006 include cash surplus credited to States Parties on 1 January 2006 in the total amount of €7,398,846.

c/ In 2005, credit on 2005 receipts for Belize were €1,807. Only €1,599 is reported in 2006 as collections against 2006 assessed contributions. The remaining amount of €208 is included in the amount for credit on 2006 receipts to be applied against future years' contributions.

Schedule 2

International Criminal Court
Status of Working Capital Fund as at 31 December 2006
(in euros)

	2006	2005
Balance at beginning of financial period	5,276,783	4,207,170
<i>Receipts/(refunds)</i>		
Receipts from States Parties	1,329,393	1,069,613
<i>Withdrawals</i>		
	-	-
Balance as at 31 December	6,606,176	5,276,783
Established level	6,701,400	5,574,300
Less: due from States Parties (Schedule 3)	95,224	297,517
Balance as at 31 December	6,606,176	5,276,783

International Criminal Court
Status of advances to the Working Capital Fund as at 31 December 2006
(in euros)

States Parties	Working Capital Fund	Cumulative payments	Outstanding	Receipts relating to 2007
Afghanistan	267	267	-	-
Albania	666	666	-	-
Andorra	666	666	-	-
Antigua and Barbuda	400	400	-	-
Argentina	127,400	110,102	17,298	-
Australia	212,156	212,156	-	-
Austria	114,475	114,475	-	-
Barbados	1,332	1,332	-	-
Belgium	142,459	142,459	-	-
Belize	133	133	-	-
Benin	267	267	-	-
Bolivia	1,199	311	888	-
Bosnia & Herzegovina	399	399	-	-
Botswana	1,600	1,600	-	-
Brazil	202,960	139,364	63,596	-
Bulgaria	2,265	2,265	-	-
Burkina Faso	267	183	84	-
Burundi	133	109	24	-
Cambodia	267	267	-	-
Canada	374,870	374,870	-	-
Central African Republic	133	110	23	-
Colombia	20,655	20,655	-	-
Comoros	133	-	133	-
Congo	133	86	47	-
Costa Rica	3,998	3,455	543	-
Croatia	4,930	4,930	-	-
Cyprus	5,197	5,197	-	-
Democratic Republic of the Congo	399	274	125	-
Denmark	95,684	95,684	-	-
Djibouti	133	133	-	-
Dominica	133	133	-	-
Dominican Republic	4,664	-	4,664	-
Ecuador	2,531	2,531	-	-
Estonia	1,600	1,600	-	-
Fiji	533	533	-	-
Finland	71,031	71,031	-	-
France	803,577	803,577	-	-
Gabon	1,199	1,036	163	-
Gambia	133	133	-	-
Georgia	399	399	-	-
Germany	1,154,325	1,154,325	-	-
Ghana	533	533	-	-
Greece	70,629	70,629	-	-
Guinea	399	113	286	-
Guyana	133	133	-	-
Honduras	665	575	90	-
Hungary	16,791	16,791	-	-
Iceland	4,532	4,532	-	-
Ireland	46,642	46,642	-	-
Italy	650,991	650,991	-	-
Jordan	1,465	1,465	-	-

States Parties	Working Capital Fund	Cumulative payments	Outstanding	Receipts relating to 2007
Kenya	1,199	1,199	-	-
Latvia	1,999	1,999	-	-
Lesotho	133	133	-	-
Liberia	133	17	116	-
Liechtenstein	666	666	-	-
Lithuania	3,198	3,198	-	-
Luxembourg	10,262	10,262	-	-
Malawi	133	75	58	-
Mali	267	267	-	-
Malta	1,866	1,866	-	-
Marshall Islands	132	91	41	-
Mauritius	1,466	1,466	-	-
Mexico	250,934	250,934	-	-
Mongolia	133	133	-	-
Montenegro	133	133	-	-
Namibia	800	800	-	-
Nauru	132	114	18	-
Netherlands	225,216	225,216	-	39,547
New Zealand	29,451	29,451	-	-
Niger	133	38	95	-
Nigeria	5,598	4,838	760	-
Norway	90,487	90,487	-	-
Panama	2,532	2,532	-	-
Paraguay	1,599	1,599	-	-
Peru	12,260	10,595	1,665	-
Poland	61,434	61,434	-	-
Portugal	62,634	62,634	-	-
Republic of Korea	239,342	239,342	-	-
Romania	7,996	7,996	-	-
Saint Kitts and Nevis	133	-	133	-
Saint Vincent and the Grenadines	132	91	41	-
Samoa	133	133	-	-
San Marino	400	400	-	-
Senegal	666	666	-	-
Serbia	2,531	2,531	-	-
Sierra Leone	132	114	18	-
Slovakia	6,796	6,796	-	-
Slovenia	10,927	10,927	-	-
South Africa	38,913	38,913	-	-
Spain	335,824	335,824	-	-
Sweden	132,998	132,998	-	-
Switzerland	159,517	159,517	-	-
Tajikistan	132	114	18	-
The Former Yugoslav Republic of Macedonia	800	800	-	-
Timor-Leste	133	133	-	-
Trinidad and Tobago	2,932	2,932	-	-
Uganda	798	548	250	-
United Kingdom	816,503	816,503	-	-
United Republic of Tanzania	800	800	-	-
Uruguay	6,397	5,528	869	-
Venezuela	22,787	19,693	3,094	-
Zambia	267	183	84	-
Total (103 States Parties)	6,701,400	6,606,176	95,224	39,547

International Criminal Court
Status of cash surplus as at 31 December 2006
(in euros)

	2006	2005 (restated)
Current year		
<i>Credits</i>		
Receipts of assessed contributions	73,525,623	55,396,404
Miscellaneous income	1,766,020	1,114,839
	75,291,643	56,511,243
<i>Charges</i>		
Disbursed expenditures	52,831,394	42,597,280
Unliquidated obligations	11,721,338	13,232,406
Provision for pension liabilities	-	6,291,289
Provision for ILO cases	126,078	-
	64,678,810	62,120,975
Provisional cash surplus/(deficit)	10,612,833	(5,609,732)
Contributions receivable	6,891,577	11,494,796
Excess/(shortfall) of income over expenditure (Statement I)	17,504,410	5,885,064
Disposition of prior year's provisional surplus/(deficit)		
Prior year's provisional surplus/(deficit)	(5,609,732)	1,946,940
Plus: Receipt of prior periods' assessed contributions	10,068,084	6,607,454
Savings on, or cancellation of, prior periods' obligations	1,867,180	1,469,481
Prior year's cash surplus/(deficit)	6,325,532	10,023,875
Total cash surplus (Statement II)	23,829,942	15,908,939

Schedule 5

International Criminal Court
Shares of States Parties in the 2005 cash surplus
(in euros)

States Parties	2005 Scale of assessment	Surplus
Afghanistan	0.00413	261
Albania	0.01034	654
Andorra	0.01034	654
Antigua and Barbuda	0.00620	392
Argentina	1.97615	125,002
Australia	3.29083	208,162
Austria	1.77564	112,319
Barbados	0.02067	1,307
Belgium	2.20974	139,777
Belize	0.00207	131
Benin	0.00413	261
Bolivia	0.01860	1,177
Bosnia & Herzegovina	0.00620	392
Botswana	0.02481	1,569
Brazil	3.14820	199,140
Bulgaria	0.03514	2,223
Burkina Faso	0.00413	262
Burundi	0.00207	131
Cambodia	0.00413	262
Canada	5.81477	367,815
Central African Republic	0.00207	131
Colombia	0.32040	20,267
Congo	0.00207	131
Costa Rica	0.06201	3,923
Croatia	0.07648	4,838
Cyprus	0.08062	5,099
Democratic Republic of the Congo	0.00620	392
Denmark	1.48418	93,882
Djibouti	0.00207	131
Dominica	0.00207	131
Dominican Republic	0.03015	1,907
Ecuador	0.03927	2,484
Estonia	0.02481	1,569
Fiji	0.00827	523
Finland	1.10177	69,693
France	12.46464	788,455
Gabon	0.01860	1,177
Gambia	0.00207	131
Georgia	0.00620	392
Germany	17.90526	1,132,603
Ghana	0.00827	523
Greece	1.09557	69,300
Guinea	0.00620	392
Guyana	0.00207	131
Honduras	0.01034	654
Hungary	0.26046	16,475
Iceland	0.07028	4,446
Ireland	0.72349	45,763
Italy	10.09781	638,740

States Parties	2005 Scale of assessment	Surplus
Jordan	0.02274	1,438
Kenya	0.01085	686
Latvia	0.03101	1,961
Lesotho	0.00207	131
Liberia	0.00207	131
Liechtenstein	0.01034	654
Lithuania	0.04961	3,138
Luxembourg	0.15917	10,068
Malawi	0.00207	131
Mali	0.00413	261
Malta	0.02894	1,831
Marshall Islands	0.00207	131
Mauritius	0.02274	1,438
Mongolia	0.00207	131
Namibia	0.01240	785
Nauru	0.00207	131
Netherlands	3.49341	220,977
New Zealand	0.45683	28,897
Niger	0.00207	131
Nigeria	0.08682	5,492
Norway	1.40356	88,783
Panama	0.03927	2,484
Paraguay	0.02481	1,569
Peru	0.19017	12,029
Poland	0.95294	60,278
Portugal	0.97154	61,455
Republic of Korea	3.71252	234,837
Romania	0.12403	7,845
Saint Vincent and the Grenadines	0.00207	131
Samoa	0.00207	131
San Marino	0.00620	392
Senegal	0.01034	654
Serbia and Montenegro	0.03927	2,484
Sierra Leone	0.00207	131
Slovakia	0.10542	6,669
Slovenia	0.16950	10,722
South Africa	0.60359	38,181
Spain	5.20910	329,504
Sweden	2.06297	130,494
Switzerland	2.47432	156,514
Tajikistan	0.00207	131
The former Yugoslav Republic of Macedonia	0.01240	785
Timor-Leste	0.00207	131
Trinidad and Tobago	0.04548	2,877
Uganda	0.01240	785
United Kingdom	12.66515	801,138
United Republic of Tanzania	0.01240	785
Uruguay	0.09922	6,276
Venezuela	0.35347	22,358
Zambia	0.00413	262
Total (99 States Parties)	100.00000	6,325,532

Schedule 6

International Criminal Court
Status of voluntary contributions as at 31 December 2006
(in euros)

Project	Contributor	Pledges	Received	Outstanding	Receipts for future periods	Refund to donors
Internship and Visiting Professionals Programme	European Commission	769,701	615,177	154,524	123,208	-
	Norway	116,125	116,125	-	24,984	-
	Finland	19,955	19,955	-	-	(10,319)
	Switzerland	21,000	21,000	-	7,000	-
	The Netherlands	20,000	19,000	1,000	28,500	-
		946,781	791,257	155,524	183,692	(10,319)
Least Developed Countries	Norway	-	25,748	-	-	-
	United Kingdom	-	22,058	-	-	-
		-	47,806	-	-	-
Assistance for ICC Analysis and Investigation in Darfur, Sudan	Canada	162,822	162,822	-	-	25,378
Support to the Investigation in Darfur, Sudan	Denmark	267,739	267,739	-	-	-
Judicial Capacity Strengthening Programme (General Trust Fund)	The Netherlands	-	-	-	-	(204)
	MacArthur Foundation	62,240	62,240	-	-	-
		62,240	62,240	-	-	(204)
ICC Legal Tools Project (Case Matrix)	Finland	86,827	86,827	-	-	-
Educational Outreach Programme for First Prosecutions of ICC	MacArthur Foundation	59,304	59,304	-	-	(9,108)
Joint Appellate Training Programme	Foundation Open Society Institute	7,566	7,566	-	7,566	-
ICC Victims Awareness	European Commission	-	-	-	-	(59,170)
	Finland	-	-	-	-	(19,231)
		-	-	-	-	(78,401)
Victims & Witnesses Library	MacArthur Foundation	-	-	-	-	(1,413)
Total voluntary contributions		1,593,279	1,485,561	155,524	191,258	(124,823)

International Criminal Court
Status of trust funds as at 31 December 2006
(in euros)

Trust Fund	Balances brought forward as at 1 January <i>a/</i>	Receipts	Disbursements	Unliquidated obligations	Total expenditures	Interest Earned	Savings on, or cancellation of, prior periods' obligations	Refunds to donors	Unencumbered balances
General Trust Fund	30,609	-	30,814	-	30,814	205	-	-	-
Judicial Capacity Strengthening Programme	204	62,240	35,551	-	35,551	1,667	-	(204)	28,356
Internship and Visiting Professionals Programme	220,370	791,257	816,508	57,297	873,805	20,426	6,185	(10,319)	154,114
ICC Institutional Video	36,077	-	-	-	-	1,524	-	-	37,601
Victims and Witnesses Library	1,412	-	-	-	-	1	-	(1,413)	-
Victims Mandate Awareness Campaign	72,795	-	800	-	800	584	5,822	(78,401)	-
Least Developed Countries	134,094	47,806	74,743	72,011	146,754	4,906	1,121	-	41,173
Assistance for ICC Analysis and Investigation in Darfur, Sudan	(15,830)	162,822	123,781	-	123,781	358	1,809	(25,378)	-
Support to the Investigation in Darfur, Sudan	127,793	267,739	409,670	-	409,670	9,191	4,947	-	-
ICC Legal Tools Project (Case Matrix)	7,609	86,827	72,679	8,921	81,600	2,140	-	-	14,976
Educational Outreach Programme for First Prosecutions of ICC	-	59,304	50,196	-	50,196	-	-	(9,108)	-
Joint Appellate Training Programme	-	7,566	-	-	-	176	-	-	7,742
Total	615,133	1,485,561	1,614,742	138,229	1,752,971	41,178	19,884	(124,823)	283,962

a/ Balances brought forward have been adjusted to reflect the revised amount of voluntary contributions received in 2005 for the Internship and Visiting Professionals Programme and the ICC Legal Tools Project.

Notes to the financial statements

1. The International Criminal Court and its objectives

1.1 The International Criminal Court (ICC) is a permanent institution with the power to exercise jurisdiction over perpetrators of the most serious crimes of international concern (genocide, crimes against humanity, war crimes and crimes of aggression once formally defined). The Court has four organs: the Presidency, Chambers (consisting of an Appeals Division, a Trial Division and a Pre-Trial Division), the Office of the Prosecutor and the Registry. In its resolution ICC-ASP/2/Res.3, adopted in September 2003, the Assembly of States Parties established the Secretariat of the Assembly of States Parties (the Secretariat), to begin its operations on 1 January 2004. In undertaking their tasks the organs of the Court are guided by the framework set out in the Rome Statute, the Rules of Procedure and Evidence, and other relevant instruments.

The objectives pursued by each organ of the Court are as follows:

(a) Presidency

- (i) To ensure the proper administration of the Court through means of managerial oversight, coordination and cooperation;
- (ii) To oversee and support the fair, open and effective conduct of proceedings and to fulfil all exclusive judicial functions assigned to the Presidency;
- (iii) To broaden global understanding of and support for the work of the Court by representing it in the international arena.

(b) Chambers

- (i) To ensure the conduct of fair, effective and open proceedings, safeguarding the rights of all parties.

(c) Office of the Prosecutor

- (i) To promote national efforts and international cooperation to prevent and punish genocide, crimes against humanity and war crimes;
- (ii) To investigate and prosecute genocide, crimes against humanity and war crimes;
- (iii) To build universal consensus on the principles and purposes of the Rome Statute.

(d) Registry

- (i) To provide efficient, effective and high-quality judicial and administrative support services to the Presidency and Chambers, the Office of the Prosecutor, the defence, and victims and witnesses.

(e) **Secretariat of the Assembly of States Parties**

- (i) To organise conferences of the Assembly and meetings of the subsidiary bodies of the Assembly including the Bureau and the Committee on Budget and Finance;
- (ii) To assist the Assembly, including its Bureau and subsidiary bodies in all matters relating to their work, with particular emphasis on the effective scheduling and procedurally correct conduct of meetings as well as consultations;
- (iii) To enable the Assembly and its subsidiary bodies to carry out their mandate more effectively by providing them with high quality substantive secretariat servicing and support, including technical secretariat services.

2. Summary of significant accounting and financial reporting policies

2.1 The accounts of the International Criminal Court are maintained in accordance with the Financial Regulations and Rules of the Court, as adopted by the Assembly of States Parties at its first session, in September 2002, and amendments thereto. The accounts of the ICC are currently in conformity with the United Nations system accounting standards. These notes form an integral part of the ICC's financial statements.

2.2 **Fund accounting:** the organisation's accounts are maintained on a fund accounting basis. Separate funds for general or special purposes may be established by the Assembly of States Parties. Trust funds and special accounts funded wholly by voluntary contributions may be established and closed by the Registrar.

2.3 **Financial period:** the financial period of the organisation is one calendar year, unless otherwise decided by the Assembly of States Parties.

2.4 **Accrual basis:** with the exception of voluntary contributions, as defined in subparagraph 2.14 (b) below, income, expenditure, assets and liabilities are recognised on the modified accrual basis of accounting.

2.5 **Historical cost basis:** the accounts are prepared on the historical cost basis of accounting and are not adjusted to reflect the effects of changing prices for goods and services.

2.6 **Currency of accounts and treatment of exchange rate movements:** the accounts of the organisation are presented in euros. Accounting records kept in other currencies are converted into euros at the United Nations operational rate of exchange in effect at the date of the financial statement. Transactions in other currencies are converted into euros at the United Nations operational rate of exchange in effect at the date of transaction.

Exchange rate gains and losses are treated as follows:

- (a) Realised gains and losses resulting from the purchase of other currencies are recorded as miscellaneous income;
- (b) Realised losses on transactions are reflected in the expenditures of the main programme;

- (c) Unrealised gains and losses resulting from the revaluation of cash and other assets and liabilities are recorded as a provision in the balance sheet. At year-end, a cumulative net gain is left as a provision in the balance sheet, whereas a net loss is specifically provided for and recorded as expenditure;
- (d) Unrealised gains and losses relating to the revaluation of unliquidated obligations are recorded as expenditure and adjusted in the corresponding programme budgets.

2.7 **The General Fund** was established for the purpose of accounting for the expenditures of the Court. The General Fund includes assessed contributions, funds provided by the United Nations, voluntary contributions, miscellaneous income, and advances made from the Working Capital Fund to finance expenditures.

2.8 **The Working Capital Fund** is the fund established to ensure capital for the Court to meet short-term liquidity problems pending receipt of assessed contributions. The amount of the Working Capital Fund is determined by the Assembly of States Parties for each financial period and is assessed in accordance with the scale of assessments used for the appropriations of the Court, in accordance with financial regulation 6.2.

2.9 **Trust Funds and special accounts** are established and closed by the Registrar, and are reported to the Presidency and, through the Committee on Budget and Finance, to the Assembly of States Parties. They are funded wholly by voluntary contributions in accordance with specific terms and agreements with the donors.

Reserve accounts and special accounts funded wholly or in part by assessed contributions may be established by the Assembly of States Parties.

2.10 **The Contingency Fund** in the maximum amount of €10,000,000 was established by the Assembly of States Parties in September 2004 to be effective 1 January 2005, to ensure that the Court can meet:

- (a) Costs associated with an unforeseen situation following a decision by the Prosecutor to open an investigation; or
- (b) Unavoidable expenses for developments in existing situations that could not be foreseen or could not be accurately estimated at the time of adoption of the budget; or
- (c) Costs associated with an unforeseen meeting of the Assembly of States Parties.

The level of the Contingency Fund is determined by the Assembly of States Parties and is financed by assessed contributions or by applying cash surpluses, as determined by the Assembly of States Parties.

2.11 **Assessed contributions:**

- (a) In accordance with financial regulation 5.2, the appropriations are assessed to States Parties in accordance with the scale of assessments adopted by the United Nations for its regular budget, adjusted to reflect differences in membership between the United Nations and the Court;
- (b) In accordance with financial regulation 5.8, payments made by a State Party are credited first to the Working Capital Fund and then to the contributions due to the General Fund, and then to the Contingency Fund, in the order in which the State Party was assessed;

- (c) Contributions paid in other currencies are converted into euros at the rate of exchange in effect at the date of payment;
- (d) New States Parties to the Rome Statute are assessed for the year in which they became States Parties for the Working Capital Fund and the regular budget, in accordance with financial regulation 5.10.

2.12 **Surpluses due to States Parties** for a given financial period are funds arising from:

- (a) Unencumbered balances of appropriations;
- (b) Savings on, or cancellation of prior periods' obligations;
- (c) Contributions resulting from the assessment of new States Parties;
- (d) Revisions to the scale of assessments taking effect during the financial year; and
- (e) Miscellaneous income as defined in subparagraph 2.15(d) below.

Unless otherwise determined by the Assembly of States Parties, surpluses at the end of the financial period, after deducting there from any assessed contributions for that financial period which remain unpaid, are apportioned to the States Parties based on the scale of assessments applicable for the financial period to which the surplus relates. As of 1 January following the year in which the audit of the accounts of the financial period is completed, the amount of surplus apportioned to a State Party is surrendered if its contribution for that financial period has been paid in full. In such cases, the credit is used to offset, in whole or in part, contributions due to the Working Capital Fund and assessed contributions due for the calendar year following the financial period to which the surplus relates.

2.13 **Reserve for unpaid assessed contributions:** a reserve in the amount of assessed contributions remaining unpaid for prior financial periods is shown on the balance sheet as a deduction from the cumulative surplus.

2.14 **Contributions received in advance:** contributions received in advance are shown on the balance sheet as a liability. Contributions received in advance are applied in the following financial period, first against any advances due to the Working Capital Fund and, second, to the assessed contributions.

2.15 **Income:** the organisation's income consists of:

- (a) Assessed contributions: for the purposes of the financial statements, income is recognised when the assessments to the States Parties of the adopted programme budget have been approved by the Assembly of States Parties;
- (b) Voluntary contributions are recorded as income on the basis of a written commitment to pay monetary contributions during the current financial year, except where contributions are not preceded by a pledge. For these funds, income is recorded at the time that the actual contributions are received from the donors;
- (c) Funds provided by the United Nations in accordance with article 115, subparagraph (b), of the Rome Statute;

- (d) Miscellaneous income includes:
- (i) Refunds of actual expenditures incurred in prior financial periods;
 - (ii) Interest income: includes all interest earned on deposits in interest-bearing bank accounts and time deposits;
 - (iii) Income derived from investments of the General Fund, the Working Capital Fund and the Contingency Fund;
 - (iv) At the end of the financial period, a net positive balance of the account for loss or gain on exchange resulting from currency exchange, or revaluation and devaluation of currency is credited to miscellaneous income. A net negative balance is charged to the relevant expenditure account;
 - (v) Proceeds from the sale of property;
 - (vi) Voluntary contributions for which no purpose is specified.

2.16 Expenditure:

- (a) Expenditures are incurred against authorised allotments in accordance with financial rule 104.1. Total expenditures reported include disbursement expenditures and unliquidated obligations;
- (b) Expenditures incurred for non-expendable property are charged to the budget of the period when acquired and are not capitalised. Inventory of such non-expendable property is maintained at the historical cost;
- (c) Obligations pertaining to future financial periods are recorded against a deferred charge account, in accordance with financial rule 111.7.

2.17 Unliquidated obligations are commitments entered into that have not been disbursed during the financial period. Obligations are based on a formal contract, agreement, purchase order or other form of undertaking, or on a liability recognised by the Court. Current period obligations remain valid for 12 months after the end of the financial year to which they relate.

2.18 Provision for pension liabilities for judges: a provision for the accrued amount of liabilities for the pension scheme of judges is recognised in the accounts and is shown in the income statement as expenditure.

2.19 Cash and term deposits comprise funds held in interest-bearing bank accounts, time deposits and call accounts.

2.20 Deferred charges comprise:

- (a) Obligations established prior to the financial period to which they pertain, which are recorded as deferred charges to be charged against the relevant appropriations and funds when they become available;
- (b) Expenditure items that are not properly chargeable in the current financial period and that will be charged as expenditure in a subsequent financial period;
- (c) That portion of the education grant advance which is assumed to pertain to the scholastic year completed at the date of the financial statement, and which is reported as deferred charges for the purposes of the balance sheet statement only.

The full amount of the advance is maintained in the accounts receivable of staff members and officials of the Court until the required evidence of entitlement is produced, at which time the budgetary account is charged and the advance settled.

2.21 **Deferred income** includes pledged contributions for future financial periods and other income received but not yet earned.

2.22 **Commitments** of the Court relating to prior and current financial periods are shown as unliquidated obligations. Current period obligations remain valid for 12 months following the end of the financial period to which they relate. Commitments against future financial periods are recorded as deferred charges.

2.23 **Contingent liabilities**, if any, are disclosed in the notes to the financial statements.

2.24 **United Nations Joint Staff Pension Fund (UNJSPF)**: in accordance with decision ICC-ASP/1/Decision 3 of the Assembly of States Parties and United Nations General Assembly resolution 58/262 adopted on 23 December 2003, the ICC became a member organisation of the UNJSPF with effect from 1 January 2004. The UNJSPF provides retirement, death, disability and related benefits to ICC staff.

The Pension Fund is a funded defined benefit plan. The financial obligation of the organisation to the Fund consists of its mandated contribution at the rate established by the United Nations General Assembly of 15.8 per cent of pensionable remuneration, together with any share of any actuarial deficiency payments under Article 26 of the Regulations of the Fund. Such deficiency payments are only payable if and when the United Nations General Assembly has invoked the provision of article 26, following determination that there is a requirement for deficiency payments based on an assessment of the actuarial sufficiency of the Fund as of the valuation date.

At the time of this report, the United Nations General Assembly has not invoked this provision.

3. The International Criminal Court (statements I-IV)

3.1 The International Criminal Court was established by the Rome Statute of the International Criminal Court on 17 July 1998, when 120 States participating in the "United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court" adopted the Statute. The Court is an independent permanent judicial institution composed of the following organs:

- (a) The Presidency, comprising the President and the First and Second Vice-Presidents.
- (b) The Chambers, comprising an Appeals Division, a Trial Division and a Pre-Trial Division. The Appeals Division is composed of the President and four other judges; the Trial Division is composed of not less than six judges, as is the Pre-Trial Division.
- (c) The Office of the Prosecutor, which acts independently as a separate organ of the Court, is responsible for the investigation and prosecution of crimes within the jurisdiction of the Court.
- (d) The Registry, which is responsible for:

- (i) Non-judicial support and administrative services for the Court;
 - (ii) The provision of judicial support for court services;
 - (iii) Management of the internal security of the Court;
 - (iv) The implementation of mechanisms to assist and safeguard the rights of victims, witnesses and defence.
- (e) The Secretariat, which provides the Assembly and its Bureau, the Credentials Committee, the Committee on Budget and Finance, the Special Group on the Crime of Aggression, as well as, upon explicit decision by the Assembly, any subsidiary body that may be established by the Assembly, with independent substantive servicing as well as administrative and technical assistance.

The seat of the Court has been established at The Hague in the Netherlands in accordance with article 3 of the Rome Statute. The Court has also established four field offices to enable it to conduct its field operations. These field offices are operational in Uganda, Democratic Republic of the Congo and Chad.

For the purposes of the 2006 financial period, the appropriations were divided into five Major Programmes: the Judiciary (Presidency and Chambers), the Office of the Prosecutor, the Registry, the Secretariat of the Assembly of States Parties, and Investment in the Court's Premises.

3.2 The financial period of the organisation is one calendar year unless otherwise decided by the Assembly of States Parties.

3.3 **Statement I** reports the income and expenditure and changes in reserve and fund balances during the financial period. It includes the calculation of the excess of income over expenditure for the current period and prior-period adjustments of income or expenditure.

3.4 **Statement II** shows the assets, liabilities, reserves and fund balances as at 31 December 2006. The value of non-expendable property is excluded from the assets (see note 2.16(b)).

3.5 **Statement III** is the cash flow summary statement prepared using the indirect method of International Accounting Standard 7.

3.6 **Statement IV** reports on expenditures against the appropriation approved for the financial period.

4. General Fund, Working Capital Fund and Contingency Fund

4.1 **Assessed contributions:** the Assembly of States Parties, in its resolution ICC-ASP/4/Res.8, approved the funding of the appropriations of the Court for the financial period 1 January to 31 December 2006 in the total amount of €80,417,200. As at 31 December 2006, there were 103 States Parties to the Rome Statute.

4.2 **Interest income:** interest in the amount of €1,662,013 represents interest earned on the Court's bank accounts for the General Fund, the Working Capital Fund and the Contingency Fund.

4.3 **Miscellaneous income:** the total miscellaneous income of €104,008 represents the following:

Table 1: Details of miscellaneous income

Miscellaneous income	Amount (euros)
Refund of expenditures incurred in prior financial periods	102,626
Miscellaneous income	1,382
Total	104,008

4.4 **Expenditures:** the total amount of expenditures, €64,631,210, comprises total disbursements of €52,831,394, outstanding obligations of €11,709,738, and provisions for liabilities of €90,078. The expenditures are detailed in table 2 below.

Table 2: Details of expenditures (in euros)

Category of expenditure	Appropriation amount	Disbursed expenditures	Unliquidated obligations	Provisions	Total expenditures
Salaries & other staff costs	54,786,100	41,912,702	1,472,023 ^{a)}	126,078 ^{b)}	43,510,803
Travel & hospitality	4,071,800	2,037,899	794,771	-	2,832,670
Contractual services	8,353,700	3,137,188	4,521,436	-	7,658,624
Operating expenses	10,058,300	3,980,952	2,052,822	-	6,033,774
Acquisitions	3,147,300	1,762,653	2,880,286	-	4,642,939
Total	80,417,200	52,831,394	11,721,338	126,078	64,678,810

- (a) The amount of €1,472,023 for unliquidated obligations under salaries and other staff costs contains the following two amounts:
- (i) €329,600 for the retroactive participation of the Prosecutor and Deputy Prosecutors to the United Nations Joint Staff Pension Fund (UNJSPF).

In its resolution ICC-ASP/5/Res.3, the Assembly of States Parties decided that the conditions of service and compensation of the Prosecutor and Deputy Prosecutors should be the same as those of Under-Secretary-General and Assistant Secretary-General in the United Nations common system, respectively, and thus in accordance with the contributory nature of the UNJSPF. The ASP further decided to invite the current Prosecutor and Deputy Prosecutors to consider joining the UNJSPF, and requested the Court to approach the UNJSPF for its agreement as to the retroactive participation of the current Prosecutor and Deputy Prosecutors. It also decided, should that be the case, to allow the Court to apply unspent funds from the 2006 budget, up to a total amount of €404,520, to meet the costs in full for the retroactive participation from the date of their entry on duty until 31 December 2006.

The Prosecutor and Deputy Prosecutors accepted to join the UNJSPF and began their contributory participation to the UNJSPF on 1 January 2007. Furthermore, upon the Court's request, the UNJSPF approved the retroactive participation of the Prosecutor and Deputy Prosecutors from their date of entry on duty. The total

amount of pension contributions plus interest payable to the UNJSPF on behalf of the three officials is €329,600 (€87,916 for 2006 and €241,684 for prior years). This amount is included in the accounts to be paid to the Fund in May 2007.

- (ii) €17,818 representing costs related to the decision of the International Labour Organization Administrative Tribunal (ILOAT) regarding the case brought forward by a former ICC staff against the ICC. The ILOAT decided in 2006 that the ICC should pay the complainant material damages equivalent to six months' net base salary less any income earned in the six months following the complainant's separation from the ICC, plus moral damages and costs in the total amount of €2,500. The total amount payable to the complainant is €6,218. The remaining amount of €11,600 is the ICC's share of administrative costs of the Tribunal itself for holding the session in which this case had been considered. The total amount is recorded in the accounts to be paid to the complainant and the Tribunal respectively, in 2007.
- (b) The amount of €126,078 is recorded in the accounts as a provision for ILO cases as stated in note 4.6 below.

4.5 Provision for pension liabilities: in its resolution ICC-ASP/4/Res.9, the Assembly of States Parties decided that the pension scheme of the judges should be accounted for and funded on an accrual basis. In 2005, the ICC recorded in its accounts the actuarial estimated costs of the accrual for the period from 11 March 2003 to 31 December 2006 in the amount of €8,000,000, funded by applying the provisional savings of the 2005 budget as approved by the Assembly of States Parties. During 2006, in accordance with the Assembly of States Parties' request, the ICC conducted a procurement tender to identify a suitable provider for insuring and administering the judges' pension scheme. Only one tender met the ICC's requirements. The Assembly of States Parties decided to accept the proposal from Allianz Nederland BV to insure and administer the judges' pension scheme. The ICC is expected to enter into contract with the Allianz Nederland BV mid 2007.

In their proposal, Allianz Nederland BV included their estimate for the actuarial costs for the accrual of the judges' pension. The total amount estimated for the period 11 March 2003 to 31 December 2006 is €6,291,289. Since this amount represents a material difference from the amount reflected in the accounts and financial statements for the period ending 31 December 2005, the amount for the pension liability is restated in these financial statements to reflect the revised estimate.

The restating of the 2005 liability for judges' pension has resulted in a revision in the provisional cash deficit for the period ending 31 December 2005 from €7,318,444 to €5,609,732 (Schedule 4).

Since the contract with Allianz will only be finalised in mid-2007, payment of the accrued amount as well as the premium for 2007 will be delayed until such time as the contract is signed by both parties. The ICC will pay the total amount of premiums plus interest at 3 per cent per year for payment later than 1 January 2007.

Reserve for pension of judges: under the comparative column for the year 2005, the amount of €4,252,814 (restated from €5,600,000) representing the amount accrued for the pension liability up to 31 December 2005 is shown in the balance sheet as a liability. Whereas the remaining amount of €2,038,475 (restated from €2,400,000) representing the actuarial amount estimated to be accrued in 2006 is shown as a reserve deducted from the cumulative surplus. In 2006, the total amount for the pension liability for €6,291,289 is reflected as a provision in the balance sheet as it reflects the actuarial estimated costs accrued till 31 December 2006.

4.6 **Provision for ILO cases:** during 2006, three complaints against the ICC have been presented to the ILOAT by (former) staff members. The decisions are expected in 2007. Considering the jurisprudence of the Tribunal and its favourable disposition to staff complaints, it is probable that the Tribunal would rule in favour of the complainants, in which case the Tribunal would award damages and costs to staff if their claims are successful. In addition, the ICC also has to contribute to the administrative costs for the holding of the sessions of the Tribunal during which ICC cases are considered. Based on previous awards in similar cases, the amount estimated for damages and costs is €90,078 and the amount estimated for ICC's share of administrative costs to the Tribunal is €36,000 for the three cases, resulting in a total provision of €126,078.

4.7 **Savings on, or cancellation of, prior periods' obligations:** actual disbursements of prior periods' obligations of €13,232,406 amounted to €11,365,226 due to savings on or cancellation of obligations in the amount of €1,867,180.

4.8 **Credits to States Parties:** cash surplus credited to eligible States Parties amounted to €10,023,875. This comprises cash surpluses from 2004 and had been apportioned to States Parties in accordance with their respective assessments for that financial period. €987,820 of this cash surplus had been returned to States Parties and the remaining amount of €9,036,055 was credited towards assessed contributions due and is included in the total amount of collections during 2006 (Schedule 1).

4.9 **Working Capital Fund:** the Assembly of States Parties, in its resolution ICC-ASP/4/Res.8, established the Working Capital Fund for the financial period 1 January to 31 December 2006 in the amount of €6,701,400 resulting in a net increase of €1,127,100 from the previous financial period.

4.10 **Assessed contributions receivable:** the outstanding balance of contributions of €11,969,176 comprises €5,077,599 due for prior financial periods and €6,891,577 due for 2006 (Schedule 1). Contributions received from States Parties in excess of contributions due in the amount of €5,649,427 are reported as contributions received in advance (see note 4.14(c) below).

4.11 **Other contributions receivable** refer to the outstanding balance due to the Working Capital Fund. The outstanding balance as at 31 December 2006 was €95,224 (Schedules 2 and 3).

4.12 **Interfund balances receivable** to the General Fund as at 31 December 2006 amount to €90,850, comprising €87,851 from the trust funds, and €2,999 from the Trust Fund for Victims for which there are separate accounts.

4.13 **Other accounts receivable** are detailed in table 3 below.

Table 3: Details of other accounts receivable

Accounts receivable	Amount (euros)
Governments (value added tax) ^{a)}	1,410,277
Staff	404,679
Vendors	151,563
Interest accrued	886,838
Travel advances (other than cash advances) ^{b)}	433,732
Advances to vendors for travel related expenses ^{c)}	637,944
Others	125,702
Total	4,050,735

- (a) **Value added tax:** the amount of €1,410,277 recorded in the accounts as receivable from government for value added tax (VAT) paid on goods and services is an amount of €54,685 representing VAT for purchases in Uganda during 2005 and 2006. This amount is a receivable from the Ugandan government pending the completion of the agreement between the ICC and the Ugandan government on VAT refund. It is not certain whether the amount of €54,685 will be recoverable, as it may be that the agreement will only be effective from the date it is signed by both parties.
- (b) **Travel advances (other than cash advances):** represents the amount of travel advances for which the travellers had not submitted travel expense claims to be recorded in the accounts as expenditure in 2006. This is the amount of travel advances with the exception of those paid in the form of cash. Cash advances are recorded as receivables from the travellers and are included in the total amounts for “Staff”, “Vendors”, or “Others” receivables.
- (c) **Advances to vendors for travel related expenses:** represents the amounts paid to vendors for travel related expenses such as tickets and shipments for which the travel claims had not been submitted by the travellers to be recorded as expenditure in the accounts as at 31 December 2006.

4.14 **Education grant advances:** deferred charges contain the amount of €270,095 which is the portion of the education grant advance that is assumed to pertain to the scholastic years completed as at 31 December 2006.

4.15 **Contributions or payments received in advance:** a total of €7,743,846 was received from States Parties to be applied to the next financial period. This comprises:

- (a) €2,054,872 received from States Parties in advance for 2007 assessed contributions (Schedule 1);
- (b) €39,547 received from States Parties in advance to be applied to the Working Capital Fund (Schedule 3);

- (c) €5,649,427 representing contributions received in excess of assessed contributions for 2006 resulting from assessment of new States Parties, overpayments or the distribution of 2004 cash surplus (Schedule 1).

4.16 **Other accounts payable** are detailed in table 4 below.

Table 4: Details of other accounts payable

Accounts payable	Amount (euros)
Staff	238,079
Vendors	78,471
Deferred payment from Special Court for Sierra Leone ^{a)}	476,729
Accrued repatriation grants ^{b)}	1,207,032
Others	81,027
Total	2,081,338

- (a) **Deferred payment from the Special Court of Sierra Leone:** on 29 March 2006, the ICC received a request from the President of the Special Court of Sierra Leone (Special Court) to provide temporary assistance with regard to the provision of courtroom and detention services and facilities and support for the conduct of the trial of Charles Taylor. After consultations with the Bureau of the Assembly of States Parties, the ICC agreed to provide the services and facilities on condition that full payment in advance would be made before services are rendered. Based on this decision, the ICC and the Special Court signed a Memorandum of Understanding (MOU) on 13 April 2006 regarding the administrative arrangements between the two Courts.

Following this agreement, the Special Court made two advance payments to the ICC in the total amount of €577,648. The amount of €476,729 is the balance of the advance payments received from the Special Court less the expenditures incurred by the Special Court as at 31 December 2006.

- (b) **Accrued repatriation grants:** internationally recruited staff members who separate from the Court are entitled to repatriation grants upon their relocation based on the number of years of service. The amount of €1,207,032 is the liability of the organisation for repatriation grants accrued as at 31 December 2006.

4.17 **Contingency Fund:** the amount of €9,168,567 representing the cash surplus for 2002-2003 financial period has been credited to establish the Contingency Fund in accordance with ICC-ASP/ICC/Res.4 (b). The fund had not been used in 2006.

4.18 **Reserve for unpaid assessed contributions:** an amount of €5,077,599, being the amount of outstanding assessed contributions for prior financial periods (Schedule 1), is deducted from the cumulative surplus to derive the cash surplus for 2005 for distribution to States Parties (Schedule 4).

5. Trust Funds

5.1 **Voluntary contributions:** contributions in the amount of €1,641,083 have been pledged and/or received for 2006 projects.

In the financial statements for the period ending 31 December 2005, the ICC erroneously reported €2,259,883 as voluntary contributions pledged and/or received for 2005 projects. €824,022 of those voluntary contributions had been received by the ICC in advance for projects in future years. This error has been adjusted in the accounts and the amount is being restated in these financial statements to €1,435,861 being the correct amount of voluntary contributions for 2005 projects.

5.2 **Interest income:** interest in the amount of €41,178 represents interest earned on the Court's bank account for the Trust Funds.

5.3 **Refund to donors:** the amount of €124,823 was refunded to donors, being the amount in excess of the requirements of the specific projects completed (Schedules 6 and 7).

5.4 **Other accounts receivable:** the amount of €7,059 is the interest earned but not received with regard to the bank account of the Trust Funds.

5.5 **Contributions or payments received in advance:** as stated in 5.1 above, the amount of €824,022 is the restated amount for voluntary contributions received in advance for future periods as at 31 December 2005. As at 31 December 2006, the ICC had received voluntary contributions in the total amount of €191,258 for projects starting after 31 December 2006 (Schedule 6).

5.6 **Interfund balances payable:** as at 31 December 2006, interfund balances between the Trust Fund and the General Fund was a payable of €87,851.

6. Non-expendable property

6.1 A summary of non-expendable property, at historical cost, as at 31 December 2006 is provided in table 5 below. In accordance with the current ICC accounting policies, non-expendable property is not included in the fixed assets of the organisation, but is directly charged to the budget upon acquisition.

Table 5: Summary of non-expendable property (in euros)

Asset management category	Opening balance as at 1 Jan 2006	Acquisitions/ adjustments	Written-off items ^(a)	Closing balance as at 31 Dec 2006
Information, Technology and Communications equipment	4,099,167	788,418	(2,467)	4,885,118
Security and Safety equipment	625,875	110,819	-	736,694
General Services equipment	739,334	107,270	(8,708)	837,896
Vehicles and transportation equipment	806,761	(29,349)	-	777,412
Office of the Prosecutor equipment	359,183	886,524	-	1,245,707
Other equipment	92,182	67,488	(1,583)	158,087
Total	6,722,502	1,931,170	(12,758)	8,640,914

In addition to the above, the ICC's records include the following non-expendable property acquired from voluntary contributions:

Table 6: Summary of non-expendable property funded by other sources (in euros)

Asset management category	Opening balance as at 1 Jan 2006	Acquisitions/ adjustments	Closing balance as at 31 Dec 2006
Advance team budget	17,284	992	18,276
Host State contributions	148,960	-	148,960
Other donations	248	270,349	270,597
Total	166,492	271,341	437,833

(a) During 2006, items valued at a total amount of €12,758 had been written off.

7. Write off losses of cash, receivables and property

7.1 In addition to the items written off during 2006 as stated in 6.1(a) above, a total amount of €1,200 had been written off as loss of cash.

8. Ex-gratia payments

8.1 No *ex-gratia* payments were made by the Court during the financial period.

9. Gratis personnel

9.1 No services of gratis personnel were received during the financial period.

10. Contingent liabilities

10.1 Liabilities for end-of-service payments to staff as at 31 December 2006 in the total amount of €2,113,205 are the estimated costs of compensation for accrued annual leave for ICC staff members and elected officials.

10.2 In 2005, the ICC reported an estimated amount of €167,560 for damages and costs regarding a case against the ICC presented by a former staff member of the ICC to the International Labour Organisation Administrative Tribunal (ILOAT). In 2006, the ILOAT decided upon the case and an amount of €17,818 has been obligated in the accounts to be paid in 2007, as stated in note 4.4 above.

10.3 In 2006, a dispute arose between the ICC and the landlord of the ICC premises in the Kampala field office, in which the landlord is claiming from the ICC approximately €500,000 for alleged breach of contract and interest on delayed payments of invoices. In accordance with the ICC Terms of Contract the parties have decided to refer the matter to arbitration. Although the claim from the landlord is highly inflated and unreasonable, the ICC believes that the arbitration will determine some amounts to be due and payable. Pending the outcome of the arbitration, at this

stage it is very difficult to provide a reliable estimate of the amount which may be due. ICC will also have to bear its own costs of the arbitration.

11. Service-incurred injury

11.1 The ICC entered into agreement with an insurance company to offer coverage for service-incurred injuries for ICC staff, judges, consultants and temporary assistants. The insurance premium, calculated as a percentage of the pensionable remuneration for the staff members and a comparable percentage for judges, consultants and temporary assistants, is charged to the organisation's budget and is reflected in the accounts under expenditures. The total premium paid during 2006 for this insurance was €515,874.

12. Contributions in kind (unaudited)

12.1 The following are the significant (higher than €25,000) contributions in kind received by the Court during the financial period:

- (a) As reported in the financial statements for the prior financial periods, the Court continues to receive the following contributions from the host State:
 - (i) Premises to the Court free of rent for a period of 10 years, starting 1 July 2002;
 - (ii) Costs associated with the interim premises of the Court to a maximum of €33 million, including the costs of building a courtroom.

13. Contributions to the Trust Fund for Victims

13.1 In its resolution ICC-ASP/1/Res.6, the Assembly of States Parties established the Trust Fund for Victims for the benefit of victims of crimes within the jurisdiction of the ICC, and the families of such victims.

In the annex to that resolution, the Assembly of States Parties established a Board of Directors, which is responsible for the management of the Trust Fund, and decided that the Registrar of the Court should be responsible for providing such assistance as is necessary for the proper functioning of the Board in carrying out its tasks and should participate in the meetings of the Board in an advisory capacity.

The total staff costs incurred by the Court for administrative support to the Board and its meetings, and the administration of the Trust Fund for Victims during the financial period are estimated at €114,514.

2. Trust Fund for Victims financial statements for the period 1 January to 31 December 2006*

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* Previously issued as ICC-ASP/6/6.

Letter of transmittal

29 March 2007

In accordance with Financial Regulation 11.1, I have the honour to submit the financial statements of the Trust Fund for Victims for the financial period 1 January to 31 December 2006.

(Signed) Bruno Cathala
Registrar

Sir John Bourn
Comptroller and Auditor General
National Audit Office
157-197 Buckingham Palace Road
Victoria
London SW1W 9SP
United Kingdom

Financial Statements of the Trust Fund for Victims for the year ended 31 December 2006

Audit Opinion

To the Board of Directors of the Trust Fund for Victims and the Assembly of States Parties

I have audited the accompanying financial statements, comprising Statements I to III and the supporting Notes of the Trust Fund for Victims of the International Criminal Court for the financial period ended 31 December 2006.

Respective responsibilities

These financial statements are the responsibility of the Registrar of the International Criminal Court as set out in Resolution 6, reference ICC-ASP/1/Res.6, Annex, para.5, and have been prepared in accordance with the United Nations System Accounting Standards. My responsibility is to express an opinion on these financial statements based on my audit.

Basis of opinion

I conducted my audit in accordance with the Common Auditing Standards of the Panel of External Auditors of the United Nations, the Specialized Agencies and the International Atomic Energy Agency and conforming to International Standards on Auditing. Those standards require that I plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, and as considered by the auditor to be necessary in the circumstances, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by the Registrar, as well as evaluating the overall financial statement presentation. I believe that my audit provides a reasonable basis for the audit opinion.

Opinion

In my opinion, these financial statements present fairly, in all material respects, the financial position as at 31 December 2006 and the results of operations for the period then ended in accordance with the Trust Fund for Victims' stated accounting policies set out in Note 2 to the financial statements; and

Further, in my opinion, the transactions of the Trust Fund for Victims, which I have tested as part of my audit, have in all significant respects been in accordance with the Financial Regulations and legislative authority which govern them.

In accordance with the Financial Regulations, I have also issued a long-form report on my audit.

(Signed) Sir John Bourn
Comptroller and Auditor General
United Kingdom
External Auditor

London, 5 July 2007

External Auditor's Report 2006

The audit of the financial statements of the Trust Fund for Victims for 2006

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Executive Summary

This section of the report summarises:

- The overall results of the audit – an unqualified audit opinion.
- Financial results.
- Planning for the operation of the Fund.
- Progress on prior year recommendations

Overall results of the Audit

1. We have audited the Financial Statements of the Trust Fund for Victims in accordance with the Financial Regulations and in conformity with the Common Auditing Standards of the Panel of External Auditors of the United Nations, the Specialized Agencies and the International Atomic Energy Agency and with International Auditing Standards.
2. The audit examination revealed no weaknesses or errors which we considered material to the accuracy, completeness and validity of the Financial Statements as a whole and I have placed an unqualified audit opinion on the Fund's Financial Statements for the year ended 31 December 2006.
3. Observations and recommendations arising from the audit are set out in summary below and in the section of this report entitled Detailed Report Findings.

Main findings and recommendations

Financial Results

4. The Fund received voluntary contributions of €1,135,667 in 2006 and, as a result of the significantly higher cash balances held, interest income increased to €37,201. As the Fund has yet to undertake any activities in relation to victims, expenditure remained very low at €5,821.

Planning for the future operation of the Fund

5. As the International Criminal Court is expected to hold its first trial in 2007, it is possible that the Trust Fund for Victims may begin to discharge its responsibilities in relation to victims at that time. On that basis consideration will need to be given to managing the additional administrative burden of the Fund moving into full operation; these include the financial management of the Fund in the SAP accounting system, the additional tasks involved with administration of the Fund's activities and potential foreign exchange risks related to the conversion of currency to make payments to victims. We encourage the Fund to ensure that suitable arrangements are in place to manage the increased activities following the first trial.

Progress on Previous Audit Recommendations

6. In our 2005 report we recommended that the Fund's cash investments be kept under regular review and that investment risks are actively managed. We are pleased to note that the Fund's Secretariat are actively monitoring investments to safeguard the Fund balances and to achieve the best level of return possible.

Detailed report findings

This section of the report summarises:

- Financial results.
- Planning for future operations.
- Progress on prior year recommendations.

Financial results

7. The incoming resources of the Fund increased substantially during 2006, with voluntary contributions totalling €1,135,667, compared with €1,024,367 in the previous year. Interest income also increased to €37,201. Total expenditure for the year was €5,821, compared with €6,086 in 2005, and comprised bank charges and audit fees for 2006.

8. The overall Fund balance increased from €1,283,661 in 2005 to 2,450,708. This increase was directly attributable to the increase in voluntary contributions.

Planning for the operation of the Fund

9. As the International Criminal Court is expected to hold its first trial in 2007, it is possible that the Trust Fund for Victims may begin to discharge its responsibilities in relation to victims at that time.

10. Before the Fund moves into full operation, the Fund Secretariat need to consider the practical implications of the fund becoming active and making payments, including the security of data relating to victims, the method of payment and the additional administrative burden involved.

11. The Fund will be administered in SAP and going forward the Secretariat need to ensure that there is appropriate reporting functionality in SAP to produce meaningful data on the Fund's activities. Currently, Trust expenditure and income are posted to the main FI module and separated out using a single fund code - 'VTF'. For more transparent reporting and segregation of financial data, the Fund should consider the need for more descriptive fund codes (which include reference to the financial year), as well as separate ledger codes for different aspects of expenditure, such as administrative costs and payments to victims.

12. The Fund needs to ensure the security of data relating to victims. To do so, such payments should be separately recorded in the accounting system and access to these transactions should be restricted to the members of the Secretariat of the Fund and members of Court staff who are integral to the administration of the Fund.

13. As the activity of the Fund increases, an extra burden will be placed on the finance staff who are currently involved in the administration of the Fund. Consideration will need to be given to the adequacy of resources and capacity in finance.

14. Lastly, the Fund will need to consider how payments to victims are to be made. In particular the Fund will need to manage the conversion to the relevant currencies required for payments, and minimise the risk of financial loss due to fluctuations in exchange rates that may arise from paying out sums of money in a variety of different currencies to victims. There are several ways in which exchange rate risk might be mitigated, including maintaining bank accounts in the currency in which payments are expected to be made; the forward purchase of currency at agreed rates in the future; and currency options which allow the Fund to either use a forward or current rate.

Recommendation 1:

We recommend that the Fund consider improving the coding structure for its activities in the SAP accounting system, to ensure better financial reporting and the security of the Fund's data related to victims.

Recommendation 2:

We further recommend that the Fund review the administrative support requirement to discharge its functions and ensure that an appropriate level of support is available.

Recommendation 3:

We also recommend that the Fund consider the issues presented by working with several different foreign currencies to make payments to victims; and the way in which exposure to exchange rate fluctuations will be managed.

Follow up to Previous Audit Recommendations

15. In our 2005 report we recommended that the Fund's cash investments be kept under regular review and that investment risks are actively managed. We are pleased to note that the Fund's Secretariat are actively monitoring investments to safeguard the Fund balances and to achieve the best level of return possible. As Fund balances increase, we continue to encourage the Directors of the Fund to review the investment arrangements used to secure the most effective return. Regular monitoring and evaluation of the return on Fund assets will ensure that best value is achieved, and ensure that investment risks are properly managed.

Acknowledgement

16. We are grateful for the assistance and co-operation received from the International Criminal Court's Trust Fund for Victims and, in particular, from the Registrar and his staff during the course of our audit.

(Signed) Sir John Bourn
Comptroller and Auditor General, United Kingdom
External Auditor

Annex A

Scope and Audit Approach

Audit Scope and objectives

Our audit examined the financial statements of the International Criminal Court for the financial period ended 31 December 2006 in accordance with the Financial Regulations. The main purpose of the audit was to enable us to form an opinion on whether the financial statements fairly presented the Fund's financial position, its surplus, funds and cash flows for the year ended 31 December 2006; and whether they had been properly prepared in accordance with the Financial Regulations.

Audit Standards

Our audit was conducted in accordance with International Standards on Auditing as issued by the International Auditing and Assurance Standards Board. These standards required us to plan and carry out the audit so as to obtain reasonable assurance that the financial statements are free from material misstatement. Management were responsible for preparing these financial statements and the External Auditor is responsible for expressing an opinion on them, based on evidence obtained during the audit.

Audit Approach

Our audit included a general review of the accounting systems and such tests of the accounting records and internal control procedures as we considered necessary in the circumstances. The audit procedures are designed primarily for the purpose of forming an opinion on the Court's financial statements. Consequently our work did not involve detailed review of all aspects of financial and budgetary systems from a management perspective, and the results should not be regarded as a comprehensive statement of all weaknesses that exist or all improvements that might be made

Our audit also included focused work in which all material areas of the financial statements were subject to direct substantive testing. A final examination was carried out to ensure that the financial statements accurately reflected the Court's accounting records; that the transactions conformed to the relevant financial regulations and governing body directives; and that the audited accounts were fairly presented.

Trust Fund for Victims
Statement of income and expenditure and changes in fund balances
for the period ending 31 December 2006
(in euros)

	2006	<i>Notes Ref.</i>	2005
<i>Income</i>			
Voluntary contributions	1,135,667	3.4	1,024,367
Interest income	37,201		14,654
Other/miscellaneous income	-		1,979
Total income	1,172,868		1,041,000
<i>Expenditure</i>			
Expenditures	1,821	3.5	3,086
Unliquidated obligations	4,000	3.5	3,000
Total expenditure	5,821		6,086
Excess/(shortfall) of income over expenditure	1,167,047		1,034,914
Fund balances at beginning of financial period	1,283,661		248,747
Fund balances as at 31 December	2,450,708		1,283,661

Signed (Marian Kashou')
Chief Finance Officer

.....

Statement II

Trust Fund for Victims
Statement of assets, liabilities, reserves and fund balances
as at 31 December 2006
(in euros)

	2006	Notes Ref.	2005
<i>Assets</i>			
Cash and term deposits	2,444,592		1,284,263
Other accounts receivable	13,115	3.6	5,398
Total assets	2,457,707		1,289,661
<i>Liabilities</i>			
Unliquidated obligations	4,000		3,000
Interfund balances payable	2,999	3.7	3,000
Total liabilities	6,999		6,000
<i>Reserves and fund balances</i>			
Cumulative surplus	2,450,708		1,283,661
Total reserves and fund balances	2,450,708		1,283,661
Total liabilities, reserves and fund balances	2,457,707		1,289,661

Signed (Marian Kashou')
Chief Finance Officer

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Trust Fund for Victims
Statement of cash flow as at 31 December 2006
(in euros)

	2006	2005
<i>Cash flows from operating activities</i>		
Net excess/(shortfall) of income over expenditure (Statement I)	1,167,047	1,034,914
Interfund balances receivable (increase)/decrease	-	16,406
Other accounts receivable (increase)/decrease	(7,717)	(4,871)
Unliquidated obligations increase/(decrease)	1,000	3,000
Interfund balances payable increase/(decrease)	(1)	3,000
Less: interest income	(37,201)	(14,654)
Net cash from operating activities	1,123,128	1,037,795
<i>Cash flows from investing and financing activities</i>		
Plus: interest income	37,201	14,654
Net cash from investing and financing activities	37,201	14,654
<i>Cash flows from other sources</i>		
Net increase/(decrease)	-	-
Net cash from other sources	-	-
Net increase/(decrease) in cash and term deposits	1,160,329	1,052,449
Cash and term deposits at beginning of period	1,284,263	231,814
Cash and term deposits at 31 December 2006 (Statement II)	2,444,592	1,284,263

Notes to the financial statements of the Trust Fund for Victims

1. The Trust Fund for Victims and its objectives

1.1 The Trust Fund for Victims was established by the Assembly of States Parties (ASP), in its resolution ICC-ASP/1/Res.6, for the benefit of victims of crimes within the jurisdiction of the International Criminal Court (ICC), and the families of such victims.

In the annex to that resolution, the Assembly of States Parties established a Board of Directors, which is responsible for the management of the Trust Fund.

2. Summary of significant accounting and financial reporting policies

2.1 The accounts of the Trust Fund for Victims are maintained in accordance with the Financial Regulations and Rules of the ICC, as established by the Assembly of States Parties in the annex to resolution ICC-ASP/1/Res.6. Therefore, the accounts of the Trust Fund are currently in conformity with the United Nations system accounting standards. These notes form an integral part of the Trust Fund's financial statements.

2.2 **Fund accounting:** the Trust Fund's accounts are maintained on a fund accounting basis.

2.3 **Financial period:** the financial period of the Trust Fund is one calendar year, unless otherwise decided by the Assembly of States Parties.

2.4 **Historical cost basis:** the accounts are prepared on the historical cost basis of accounting and are not adjusted to reflect the effects of changing prices for goods and services.

2.5 **Currency of accounts:** the accounts of the Trust Fund are presented in euros. Accounting records kept in other currencies are converted into euros at the United Nations operational rate of exchange in effect at the date of the financial statement. Transactions in other currencies are converted into euros at the United Nations operational rate of exchange in effect at the date of transaction.

2.6 **Funding:** the Trust Fund for Victims is funded by:

- (a) Voluntary contributions from governments, international organisations, individuals, corporations and other entities, in accordance with relevant criteria adopted by the Assembly of States Parties;
- (b) Money and other property collected through fines or forfeiture transferred to the Trust Fund if ordered by the ICC pursuant to article 79, paragraph 2, of the Statute;
- (c) Resources collected through awards for reparations, if ordered by the ICC pursuant to rule 98 of the Rules of Procedure and Evidence;
- (d) Resources as the Assembly of States Parties may decide to allocate.

2.7 **Income:** voluntary contributions are recorded as income on the basis of a written commitment to pay monetary contributions during the current financial year, except where contributions are not preceded by a pledge. For these funds, income is recorded at the time that the actual contributions are received from the donors.

2.8 **Cash and term deposits** comprise funds held in interest-bearing bank accounts, time deposits, and call accounts.

3. The Trust Fund for Victims (statements I-III)

3.1 **Statement I** reports the income and expenditure and changes in reserve and fund balances during the financial period. It includes the calculation of the excess of income over expenditure for the current period and prior-period adjustments of income or expenditure.

3.2 **Statement II** shows the assets, liabilities, reserves and fund balances as at 31 December 2006.

3.3 **Statement III** is the cash flow summary statement prepared using the indirect method of International Accounting Standard 7.

3.4 **Voluntary contributions** in the total amount of €1,135,667 were received from governments, individuals, organisations and other entities.

3.5 **Expenditures:** the total amount of expenditures of €5,821 comprises disbursed expenditures of €1,821 and outstanding obligations of €4,000.

3.6 **Other accounts receivable** in the amount of €13,115 represent interest earned but not yet received as at 31 December.

3.7 **Interfund balances payable** represents a payable to the ICC General Fund.

3.8 **Contributions from the ICC:** in annex 6 of resolution ICC-ASP/1/Res.6, the Assembly of States Parties decided that the Registrar of the Court should be responsible for providing such assistance as is necessary for the proper functioning of the Board of Directors of the Trust Fund in carrying out its tasks, and should participate in the meetings of the Board in an advisory capacity. The total staff costs incurred by the ICC for administrative support to the Board and its meetings as well as the administration of the Trust Fund during the financial period are estimated at € 114,514.

In its resolution ICC-ASP/4/Res.8, the Assembly of States Parties approved an appropriation for the Secretariat of the Trust Fund of Victims for the amount of €569,500 as part of the regular budget of the ICC. Total expenditures relating to the Secretariat during 2006 amount to €75,554 (disbursed expenditures of €64,501 and unliquidated obligations of €11,053).