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THE ROME STATUTE OF THE  
INTERNATIONAL CRIMINAL COURT**

**TWELFTH SESSION  
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## Part A

# Proposed Programme Budget for 2014 of the International Criminal Court

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*List of abbreviations and acronyms*

Arc	Headquarters building at Maanweg, The Hague, Netherlands
ASG	Assistant Secretary-General
ASP	Assembly of States Parties
AU	African Union
AULO	African Union Liaison Office
AV	Audio-visual
CAR	Central African Republic
CASD	Common Administrative Services Division
CBF	Committee on Budget and Finance
CIV	Côte d’Ivoire
CMS	Court Management Section
CoCo	Coordination Council
D	Director
DCS	Division of Court Services
DRC	Democratic Republic of the Congo
DSA	Daily subsistence allowance
DSS	Defence Support Section (integrated in Counsel Support Section - 2010)
DVC	Division of Victims and Counsel (abolished 2010 - sections moved to Office of the Registrar)
ECOS	e-Court operating system
FMU	Facilities Management Unit
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
IBA	International Bar Association
ICC	International Criminal Court
ICCPP	International Criminal Court Protection Programme
ICT	Information and communication technologies
ICTS	Information and Communication Technologies Section
ICTY	International Criminal Tribunal for the former Yugoslavia
IGO	Intergovernmental organization
ILOAT	International Labour Organization Administrative Tribunal
INTERPOL	International Criminal Police Organization

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IOM	Independent Oversight Mechanism
IPSAS	International Public Sector Accounting Standards
IRS	Initial Response Services
IT	Information technologies
JCCD	Jurisdiction, Complementarity and Cooperation Division
LAS	Legal Advisory Section (in OTP)
LASS	Legal Advisory Services Section (in Registry)
LSU	Language Services Unit
LTU	Logistics and Transport Unit
MIS	Management information system
MORSS	Minimum Operating Residential Security Standards
MOSS	Minimum Operating Security Standards
NGO	Non-governmental organization
NYLO	New York Liaison Office
OIA	Office of Internal Audit
OPCD	Office of Public Counsel for the Defence
OPCV	Office of Public Counsel for Victims
OTP	Office of the Prosecutor
P	Professional
PIDS	Public Information and Documentation Section
PDO	Project Director's Office (permanent premises)
SAP	Systems, Applications and Products (data processing)
SG	Strategic goal
SO	Strategic objective
SSS	Security and Safety Section
STIC	Court Interpretation and Translation Section (French acronym)
TFV	Trust Fund for Victims
TRIM	Total records information management
UNDSS	United Nations Department of Safety and Security
UNDU	United Nations Detention Unit
UNON	United Nations Office at Nairobi
UNSMS	United Nations Security Management System
VPRS	Victims Participation and Reparations Section
VTC	Video teleconferencing
VWU	Victims and Witnesses Unit
WCF	Working Capital Fund
2gv	Non-integrated user equipment
3gv	Integrated user equipment

## I. Introduction

1. This proposed programme budget for 2014 is submitted on 25 July 2013 by the Registrar of the International Criminal Court (“the Court”) in accordance with financial regulation 3.1 and financial rule 103.2, for the consideration and approval of the Assembly of States Parties (“the Assembly”) at its twelfth session.
2. The budget proposal is for a total of €126.07 million. Of this total:
  - (a) €10.21 million (8.1 per cent) for the Judiciary;
  - (b) €35.74 million (28.35 per cent) for the Office of the Prosecutor;
  - (c) €68.11 million (54.03 per cent) for the Registry;
  - (d) €2.84 million (2.25 per cent) for the Secretariat of the Assembly of States Parties;
  - (e) €5.9 million (4.68 per cent) for the Interim Premises;
  - (f) €1.6 million (1.27 per cent) for the Secretariat of the Trust Fund for Victims;
  - (g) €1.29 million (1.02 per cent) for the Project Director’s Office (permanent premises);
  - (h) €0.17 million (0.13 per cent) for the Permanent Premises Project – Interest; and
  - (i) €0.21 million (0.17 per cent) for the Independent Oversight Mechanism.
3. This reflects an increase of €10.95 million, or 9.5 per cent, over the 2013 approved budget. This is mainly due to an increase in the number of situations, the volume of prosecutorial and judicial activities and the corresponding services and implementation of the new OTP strategy, as well as forward commitments and common system costs.

### A. The Court today

4. The Court anticipates that in 2014 it will be dealing with eighteen cases in eight situations. In nine of the cases judicial activities will be ongoing at the Court at the Pre-Trial, Trial and Appeals stages of the proceedings with the accused either in custody or available upon summons to appear. In addition to its investigations and judicial proceedings in Uganda, the Democratic Republic of the Congo, the Central African Republic, Darfur (Sudan), Kenya, Libya, Côte d’Ivoire, and more recently Mali, the Office of the Prosecutor continues to monitor other situations in preliminary examination, including in Afghanistan, Colombia, Georgia, Guinea, Honduras, the Republic of Korea, Nigeria and the Union of the Comoros.
5. In the context of its active situations, the Court has issued twenty-three warrants of arrest against persons suspected of having committed crimes falling within the jurisdiction of the Court, five of whom are currently in custody, while for twelve suspects the warrants have yet to be executed. In addition, nine summons to appear have been issued by the Court, on which basis all nine suspects appeared voluntarily before the Court and are not currently in custody. Out of the cases before the Court, two trial verdicts have been delivered and appeals are pending in these, five (concerning seven persons) are at the trial preparation or trial stage, and in two cases confirmation of charges proceedings are expected to come to a close by the end of the first half of 2014. Seven cases concerning twelve suspects remain in abeyance, owing to failure to execute the relevant warrants of arrest.
6. Starting with the Court’s eighth and most recent situation in Mali, following the Prosecutor’s decision of 16 January of this year to open an investigation in this situation, her activities in this regard are now ongoing and will require substantial resources for her Office in the coming months as well as in 2014.<sup>1</sup>

<sup>1</sup> The referral by the Government of Mali of 18 July 2012, which is the fourth referral by a State Party, follows the 30 May 2012 decision by the Malian Cabinet to refer the situation to the Court.

7. In the Pre-Trial Division, in the most recent development Mr. Bosco Ntaganda appeared voluntarily before Pre-Trial Chamber II in March 2013. Mr. Ntaganda was sought by the Court for the enforcement of two warrants of arrest, delivered respectively in 2006 and 2012, in the situation in the Democratic Republic of Congo for crimes allegedly committed in Ituri District since 1 July 2002. The confirmation of charges hearing in the case of *The Prosecutor v. Bosco Ntaganda* is scheduled to commence before Pre-Trial Chamber II on 10 February 2014. An arrest warrant for Mr. Sylvestre Mudacumura, issued on 13 July 2012 by the same Chamber in a separate case, remains outstanding.

8. Also at the Pre-Trial stage, the case of *The Prosecutor v. Laurent Gbagbo* in the situation in Côte d'Ivoire is proceeding. The confirmation of charges hearing took place from 19 to 28 February of this year. On 3 June, Pre-Trial Chamber I decided to adjourn the hearing pursuant to article 61(7)(c)(i) of the Rome Statute, requesting the Prosecutor to consider providing further evidence or conducting further investigations with respect to the charges.<sup>2</sup> According to the Pre-Trial Chamber's new timetable issued in that Decision of 3 June, a decision on the confirmation of charges is expected to be rendered in April 2014.<sup>3</sup> On 11 June 2013, Pre-Trial Chamber I rejected an admissibility challenge submitted by Mr. Gbagbo. Meanwhile investigations by the Prosecutor in the Côte d'Ivoire situation are continuing, and may lead to the arrest of further suspects in due course. In particular, the warrant of arrest against Mr. Gbagbo's wife, Madame Simone Gbagbo, was unsealed on 22 November of last year.

9. In the Libya situation, Pre-Trial Chamber I's warrants of arrest for Mr. Saif Al-Islam Gaddafi and Mr. Abdullah Al-Senussi remain outstanding. Both suspects are currently detained in Libya. The Libyan authorities have indicated their intention to prosecute them at national level. On 31 May 2013 Pre-Trial Chamber I rejected an admissibility challenge submitted by the Libyan authorities pursuant to Article 17 of the Rome Statute with regard to Mr. Saif Al-Islam Gaddafi and reminded Libya of its obligation to surrender him to the Court.<sup>4</sup> With regard to Mr. Al-Senussi, on 2 April 2013 the Libyan authorities likewise challenged the admissibility of the case.<sup>5</sup> The Pre-Trial Chamber's decision on this matter is still outstanding.

10. In the Situation in Uganda, where the investigation was opened in 2004, five warrants of arrest have been issued against top members of the Lord's Resistance Army. Following the confirmation of the death of Mr. Lukwiya, the proceedings against him have been terminated. The four remaining suspects are still at large. The case of *The Prosecutor v. Joseph Kony, Vincent Otti, Okot Odhiambo and Dominic Ongwen* remains pending before Pre-Trial Chamber II.

11. Finally, in the Darfur (Sudan) situation arrest warrants issued against Messrs. Ahmad Muhammad Harun, Ali Muhammad Abd-Al-Rahman, Omar Hassan Ahmad Al Bashir and Abdel Raheem Muhammad Hussein remain unexecuted.

12. Turning to activities in the Trial Division, on 21 November of last year Trial Chamber II decided in the case of *The Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui* to sever the charges against Mr. Germain Katanga and Mr. Mathieu Ngudjolo Chui. On 18 December 2012, the Chamber acquitted Mr. Ngudjolo Chui of all charges. The Prosecutor has appealed the acquittal and appeals proceedings are on-going. Meanwhile, trial proceedings against Mr. Katanga continue and a judgment is expected by the end of this year.

13. In the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*, the presentation of evidence by the defence is on-going and will continue into the autumn of this year. It will be followed by the parties' closing submissions, deliberations by the Chamber and ultimately a judgment pursuant to article 74 of the Statute in 2014.

<sup>2</sup> Decision adjourning the hearing on the confirmation of charges pursuant to article 61(7)(c)(i) of the Rome Statute, Case No.: ICC-02/11-01/11, 3 June 2013 ("Decision of 3 June").

<sup>3</sup> Decision of 3 June, Disposition, p. 24.

<sup>4</sup> Public redacted Decision on the admissibility of the case against Saif Al-Islam Gaddafi, Case No. ICC 01/11-01/11-344-Red, 31 May 2013. The decision has been appealed by the Libyan authorities. Appeal proceedings are currently ongoing.

<sup>5</sup> Application on behalf of the Government of Libya relating to Abdullah Al-Senussi pursuant to Article 19 of the ICC Statute, No. ICC-01/11-01/11-307-Red2, 2 April 2013.

14. In the third current trial, Trial Chamber IV hearing *The Prosecutor v. Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus* (hereinafter “Banda/Jerbo”) in the Darfur (Sudan) situation has set the date for the commencement of trial for 5 May 2014. Currently, the case is being prepared for trial. Messrs. Banda and Jerbo are not in the custody of the Court. Following reports of Mr. Jerbo’s death earlier this year, final confirmation is still outstanding.

15. Trial proceedings in both cases in the Kenya Situation are scheduled to commence later this year. In the case of *The Prosecutor v. William Samoei Ruto and Joshua Arap Sang* the trial is set to start on 10 September 2013. In the case of *The Prosecutor v. Uhuru Muigai Kenyatta* the opening of trial hearings is currently planned for 12 November 2013.<sup>6</sup> In the latter case, on 11 March the Prosecutor notified the Chamber of her withdrawal of the charges against Mr. Francis Muthaura, who had been Mr. Kenyatta’s co-accused. The accused in both Kenya cases are appearing voluntarily on the basis of summons to appear.

16. At the appeals level, after the delivery of the Court’s first judgments in the cases of Mr. Thomas Lubanga Dyilo and Mr. Mathieu Ngudjolo Chui last year, the Appeals Chamber is now for the first time considering appeals on the merits, including – in the *Lubanga* case – on sentencing and reparations for victims. In addition, it is expected that the final decisions of the Trial Chambers in the *Bemba* and *Katanga* cases will be appealed in 2014, including any decisions on sentencing and reparations.

## 1. Assumptions 2014

17. In accordance with the Court’s practice, the 2014 budget assumptions have been developed and agreed upon by the Organs of the Court based on judicial and prosecutorial work plans for the following year, insofar as these can be accurately estimated as at the end of June 2013.

18. The unpredictable nature of the Court’s judicial work makes it difficult to produce fully reliable assumptions well in advance of the financial period for which the Court is budgeting. It is the Court’s policy to budget only for events which are reasonably certain to occur in the following year.

19. As recognized by the Assembly, the Court, through continuous dialogue with States Parties and with the Committee on Budget and Finance (“the Committee”), has made efforts to ascertain its financial accuracy with a view to improving the transparency, predictability and efficient conduct of the budget process.<sup>7</sup>

20. The Court’s strategic approach towards an improved budgetary process includes a further refinement of the budget assumptions linking the provisions included in the budget proposal to a concrete situation, case and timeframe in the following year. Additionally, as in the past, budget scenarios have been developed, although not included in the budget, providing for activities which are not yet reasonably certain to occur, but for which a certain level of predictability can be assumed. This internal exercise to establish budget scenarios allows the Court to react quickly to possible new developments.

21. Furthermore, the Court has also developed operational parameters, particularly for the Registry, which are commensurate with the expected service levels that may be required to support the implementation of the judicial calendar and the prosecutorial work plan. Budget assumptions, scenarios and parameters are largely interdependent. A selection of the 2014 budget parameters is provided in annex III.

22. The enhanced budget assumptions on judicial and prosecutorial activities developed by the Court, and which underpin the proposed programme budget for 2014, provide for the following: pre-trial activities in two cases (Ntaganda and Gbagbo, six months each); trial preparation in one case (Banda/Jerbo, four months); trial hearings in four cases (Kenyatta, 12 months; Ruto/Sang, 12 months; Bemba, four months; Banda/Jerbo, eight months); appeals in four cases (Lubanga, three months; Katanga, 12 months; Ngudjolo, four months;

<sup>6</sup> See *Public redacted version of 'Decision on commencement date of trial', ICC-01/09-02/11-763-Red*, issued by Trial Chamber V(b) on 20 June 2013.

<sup>7</sup> *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Eleventh session, The Hague, 14-22 November 2012* (ICC-ASP/11/20), vol. I, Part III, ICC-ASP/11/Res.1, section I.

Bemba, eight months). The assumptions have been developed based on consecutive hearings.

23. The Office of the Prosecutor envisages that in 2014 it will conduct investigations in eight situations,<sup>8</sup> namely five full investigations<sup>9</sup> and ten limited investigations (residual).<sup>10</sup> Preliminary situations are also foreseen in eight situations.

24. The Registry will continue to support the non-judicial aspects of the administration and servicing of the Court. Eight defence teams and eleven victims' representative teams are expected to be financed by the legal aid scheme during 2014.

## 2. Strategic Planning and the 2014 Budget

25. The Court has finalized the review of its Strategic Plan for 2013-2017, with a focus on further refining the plan as a management tool and strengthening its operational and strategic framework. A draft of the revised Strategic Plan was submitted to States and other stakeholders in 2012, pointing out that the Plan was a living document which the Court would continue to monitor in the light of experience. The Court had indicated that 2013 would be a transitional year between the prior and the revised Strategic Plans and that 2014 would be the first year for which the new Strategic Plan and the priority objectives would be reflected in the proposed budget. The new plan has been designed specifically to enable the Court to further improve its working methods by more closely linking the strategic planning, risk management and budget cycles. The plan contains a statement of the Court's mission, its strategic goals for 2013-2017 and its priority objectives for 2013 and 2014. The priority objectives also include expected results, which will enable the Court to engage annually in a review of the link between the plan and the budget, through planned performance measurement.

26. The list of strategic goals of the Court (2013-2017) is included in annex IV.

## B. Macroanalysis

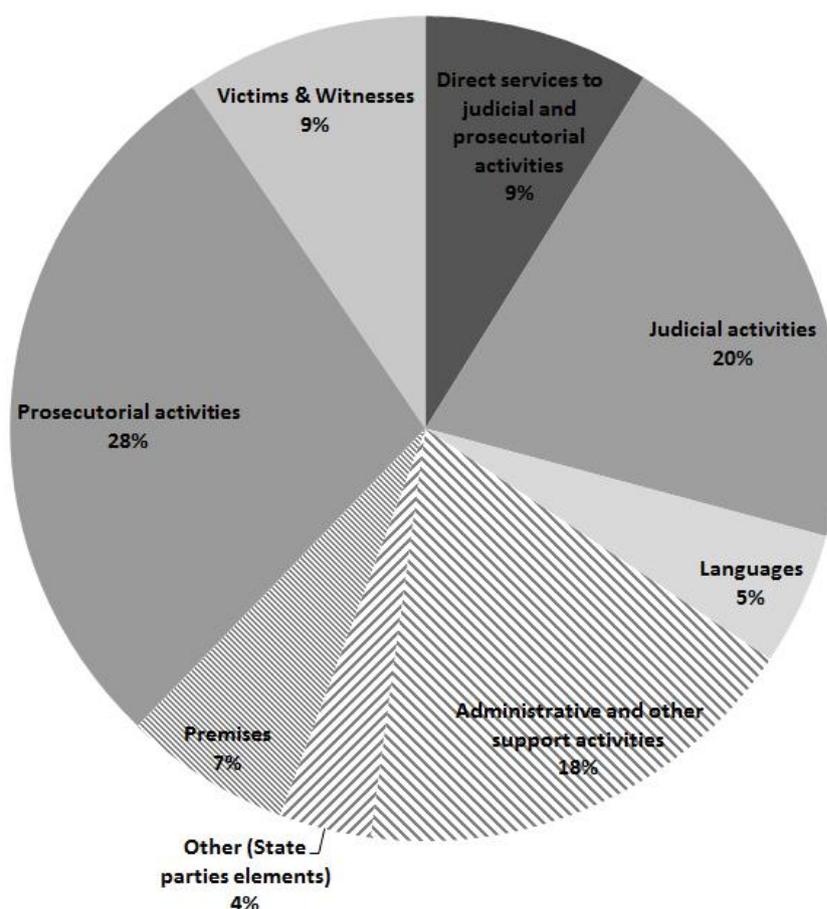
27. The following chart presents the Court's 2014 proposed budget by activity. Provisions for resources directly linked to judicial and prosecutorial activities, including support to victims and witnesses and language services, represent almost 70 per cent of the total budget proposal. Administrative and support functions to the Court and infrastructure amount to 17.7 per cent. Provision for the rent and maintenance of the interim premises represents 6.5 per cent of the budget. This excludes the requirements for the Permanent Premises Project. The Secretariat of the Assembly, the Permanent Premises Project and the Independent Oversight Mechanism, independently grouped under 'Other (States Parties elements)', based on their independent governance structure, represent an additional 4 per cent. The level of judicial activity is the main driver of the Court's budget, thus reflecting its linkage to the core mandate of the institution.

<sup>8</sup> CIV, CAR, Libya, Uganda, DRC, Darfur, Kenya, Mali.

<sup>9</sup> CIV [1 & 2], Mali [1 & 2] and DRC 6.

<sup>10</sup> Libya [1 & 2], CAR, Uganda, DRC [2 & 3], Darfur [1 & 3] and Kenya [1 & 2].

Chart 1: Macroanalysis



28. The table below illustrates the dynamic evolution of judicial activities at the Court from 2009 to 2014 (proposed), and shows how resources have been allocated to the different situations over time. Accordingly, the provisions for operational support show a steady limited growth over the years, reflecting increases that are consequential on the growth in judicial activities.

**Table 1: Strategic dynamic evolution of judicial activities in the Court**

<i>Budget in thousands euros and (#cases)</i>	<i>Operational Support</i>	<i>Uganda</i>	<i>DRC</i>	<i>Darfur</i>	<i>CAR</i>	<i>Kenya</i>	<i>Libya</i>	<i>Côte d'Ivoire</i>	<i>Mali</i>
2009 approved	16,198.90 (9 cases)	3,233.40 (1 case)	17,475.40 (4 cases)	7,575.60 (3 cases)	7,390.50 (1 case)	N/A	N/A	N/A	N/A
2010 approved	18,158.30 (11 cases)	3,057.80 (1 case)	17,506.10 (5-6 cases)	6,719.10 (3 cases)	7,485.90 (1-2 cases)	N/A	N/A	N/A	N/A
2011 approved	21,927.00 (13 cases + 2)	2,269.70 (1 case)	13,499.60 (5 cases)	4,728.90 (4 cases)	5,653.30 (1 case)	7740.8 <sup>1</sup> (2 cases)	4,072.6 <sup>2</sup> (2 cases)	N/A	N/A
2012 approved <sup>3</sup>	19,940.08 (17 cases)	1,496.87 (1 case)	9,728.31 (6 cases)	3,175.03 (4 cases)	2,985.81 (1 case)	7,412.13 (2 cases)	2,322.57 (2 cases)	3,165.92 (1 case)	N/A
2013 approved <sup>4</sup>	26,215.10 (18 cases)	813.70 (1 case)	7,526.70 (6 cases)	1,659.50 (4 cases)	3,300.70 (1 case)	6,913.20 (2 cases)	1,659.50 (2 cases)	4,410.60 (2 cases)	N/A
2014 proposed	27,103.20 (18 cases)	1,021.80 (1 case)	8,461.10 (6 cases)	1,292.40 (4 cases)	1,252.50 (1 case)	4,748.10 (2 cases)	618.00 (2 cases)	7,749.10 (2 cases)	5,856.10 (2 cases)

<sup>1</sup> Includes 2,616 Contingency Fund notification for possible use of extra resource for Kenya situation for period June to December 2011.

<sup>2</sup> Contingency Fund notification for possible use of extra resource for Libya situation for period May to December 2011.

<sup>3</sup> Includes Supplementary Budget for Côte d'Ivoire for period August to December 2012. Excludes Contingency Fund notifications for 2012.

<sup>4</sup> Excludes year-to-date Contingency Fund notifications for 2013.

29. In long-outstanding situations where resources were required for conducting investigations, presenting and opening cases and establishing the required support structures, the level of expenditure has decreased, since judicial activities are not moving forward due to lack of arrests. In such cases, the Court has been able to redeploy resources to cover arising needs in other situations and cases, while retaining a minimum infrastructure.

30. In those situations where judicial activity is ongoing, the required resources reflect the changing needs directly connected to the proceedings, which in some instances may result in increases due to additional cases or cases at different stages in the proceedings, as is the case with the DRC. In more recently opened situations, such as CIV and Mali, more resources are required, as a result of increased prosecutorial and investigative activities. It is important to note that the different stages of the judicial proceedings also require different levels of support from the Registry on a number of the essential services that it provides to all parties, participants and actors in the proceedings. Overall, it is the level of judicial activity that is the main driver of the Court's budget, thus reflecting its linkage to the core mandate of the institution.

31. The situation-related budget components are subdivided into operations and activities related to the field and court-in-session activities, as summarized in the table below.

**Table 2: Budget for court-in-session and field activities situations (in €million)**

<i>Item</i>	<i>Proposed budget 2014</i>
<b>Court-in-session</b>	
Operational support	14.26
Trial 1 (Lubanga)	0.99
Trial 2 (Katanga/Ngudjolo)	1.39
Trial 3 (Bemba)	1.27
Trials (Ken 1 & 2)	3.36
Trial 5 (Banda/Jerbo)	2.85
<i>Subtotal court-in-session</i>	<i>24.12</i>
<b>Field operations and activities</b>	
Operational support	12.84
Situation 1 – Uganda	1.02
Situation 2 – DRC	8.46
Situation 3 – Darfur	1.29
Situation 4 – CAR	1.25
Situation 5 – Kenya	4.75
Situation 6 – Libya	0.62
Situation 7 - Côte d'Ivoire	7.75
Situation 8 - Mali	5.86
<i>Subtotal field operations</i>	<i>43.84</i>
<b>Total</b>	<b>67.96</b>

#### 1. Growth analysis: main cost drivers for 2014

32. In its 2014 proposed programme budget, the Court requests additional funds of €10.95 million, an increase of 9.5 per cent. This increase has five major components: activities in the Mali situation, overall strengthening of investigative capacity, *Banda/Jerbo* trial-related costs, witness protection and relocation and common system costs.

**Table 3: Budget 2014 increase – main cost drivers**

<i>Item</i>	<i>Increase in € million</i>
Common system costs	1.36
Mali situation	5.55
Strengthening investigative capacity (GTA)	2.20
Witness protection and relocation	1.55
<i>Banda/Jerbo</i> trial-related costs	2.01
Reductions	-1.72
<b>Total</b>	<b>10.95</b>

*The above items are not mutually exclusive. The order in which they are presented represents the order in which their impact was considered.*

**Table 4: Budget 2014 resource growth by major programme**

Comparative resource growth Total ICC	Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013	
	Situation- related		Total	Situation- related		Total	Amount	%
	Basic			Basic				
MP I: Judiciary	9,036.8	1,661.1	10,697.9	8,269.5	1,945.4	10,214.9	-483.0	-4.5
MP II: Office of the Prosecutor	5,161.9	23,103.8	28,265.7	5,709.4	30,035.1	35,744.5	7,478.8	26.5
MP III: Registry	33,471.7	31,049.2	64,520.9	33,046.9	35,064.7	68,111.6	3,590.7	5.6
MP IV: Secretariat of the Assembly of States Parties	2,951.7	0	2,951.7	2,836.3	0	2,836.3	-115.4	-3.9
MP V: Rent and maintenance (Interim premises)	5,901.5	0	5,901.5	5,900.7	0	5,900.7	-0.8	
MP VI: Secretariat of the Trust Fund for Victims	712.0	868.0	1,580.0	677.5	917.7	1,595.2	15.2	1.0
MP VII-1: Project Director's Office (Permanent Premises)	996.7	0	996.7	1,289.1	0	1,289.1	292.4	2.9
MP VII-2: Permanent Premises Project Interest	0	0	0	170.3	0	170.3	170.3	
MP VII-5: Independent Oversight Mechanism	205.9	0	205.9	209.1	0	209.1	3.2	1.5
<b>Total</b>	<b>58,438.2</b>	<b>56,682.1</b>	<b>115,120.3</b>	<b>58,108.8</b>	<b>67,962.9</b>	<b>126,071.7</b>	<b>10,951.4</b>	<b>9.5</b>

## 2. Growth analysis: multi-year cost drivers, 2015 - 2017

33. Following a recommendation of the Committee that the Court identify known or knowable significant multi-year cost drivers including capital replacement, premises and staff costs, and present them clearly to the Assembly to ensure that there are no surprises when a clearly identifiable expense comes due,<sup>11</sup> the table below provides a mid-term plan for the knowable significant multi-year costs drivers of the Court for the years 2015-2017.

<sup>11</sup> *Official Records ... Tenth session ... 2011* (ICC-ASP/10/20), vol. II, part B.2, para. 22.

**Table 5: Analysis of cost drivers**

	2015	2016	2017
<b>Staff costs</b>			
<i>Total staff costs</i> <sup>12</sup>	70,595,600	72,008,000	73,448,000
<b>Capital investment replacements</b> <sup>13</sup>			
Vehicles	915,000	865,000	225,000
Equipment	548,359	833,575	219,000
<i>Total capital investment replacements</i>	1,463,359	1,698,575	444,000
<b>Premises</b>			
Rent and maintenance of interim premises <sup>14</sup>	3,182,080	1,875,405	0
2 gv (non-integrated user equipment) <sup>15</sup>	0	0	0
TCO (Operation & Maintenance) Permanent Premises <sup>16</sup>	734,500	2,224,000	2,979,000
Operation & Maintenance cost of Interim Premises <sup>17</sup>	2,470,184	0	0
ICC Staff Budget for Permanent Premises and Transition	600,000	300,000	0
Estimated interest payment on host State loan <sup>18</sup>	2,075,015	3,589,626	916,562
Estimated capital & interest payment on host State loan <sup>19</sup>	0	0	5,008,948
TCO (capital replacement) permanent premises <sup>20</sup>	0	3,200,000	3,200,000
<i>Total premises</i>	9,061,779	11,189,031	12,104,510
<b>Special programmes/projects</b>			
African Union Liaison Office (AULO) <sup>21</sup>	447,600	453,900	460,300
IPSAS implementation <sup>22</sup>	173,600	0	0
<i>Total special programmes/projects</i>	621,200	453,900	460,300
<b>Grand total</b>	<b>81,741,938</b>	<b>85,349,506</b>	<b>86,456,810</b>

<sup>12</sup> A two per cent increase has been applied to staffing costs as a steady growth on a compounded basis. In addition, provision has been made for the potential increase in the number of GTA staff in the OTP (resources requested for six months in 2014 have been calculated for 12 months from 2015 onwards).

<sup>13</sup> Figures have been updated based on CBF/16/5. Additional replacements resulting from the lease negotiation of the Arc building are still unknown and have not been included.

<sup>14</sup> Assume the Court vacates Interim Premises after Q1 2016, based on the current lease agreements. Host state contributes 50 per cent of rent until end 2015 based on current agreements.

<sup>15</sup> Following the joint decision of the Court and the Oversight Committee on 5 July 2013, transition costs (commonly referred to as 2gv) have been moved into the expanded multi-annual construction budget (expanded to €95 million) and removed from the annual budget.

<sup>16</sup> Based on premises handover from contractor end July 2015, therefore start of insurances, etc. Followed by 12 months maintenance by general contractor of all items required to ensure full warranties during period, finishing end July 2016 in line with end of defects period.

<sup>17</sup> General operating expenses in the regular budget includes operations, utilities and user maintenance at the interim premises for the entire year of 2015. No costs are envisaged for 2016.

<sup>18</sup> Based on finalization of the loan at this point. Not applicable to all States Parties; different scales of assessment will have to be applied to States Parties depending on whether or not they utilized the one-time payment option.

<sup>19</sup> Based on finalization of the loan at this point. Not applicable to all States Parties; different scales of assessment will have to be applied to States Parties depending on whether or not they utilized the one-time payment option.

<sup>20</sup> Based on Life-Time Approach (LTA) with Medium Risk. Total Cost of Ownership comprises capital replacement costs, but excludes operation and maintenance costs (e.g. utilities and cleaning). The additional amount requested cannot be fully evaluated at this stage of the project and is subject to the work of the TCO (Capital Replacement) working group.

<sup>21</sup> Indicative costs based on the calculations provided in annex IX of the Proposed Programme Budget for 2014 and dependent on agreement of the African Union and of the government of Ethiopia, and assuming the AULO is set up in 2015.

<sup>22</sup> ICC-ASP/10/3. IPSAS projections are based on the plan as approved by the Committee on the premise that the IPSAS project will be live in 2014 and will be completed by June 2015 upon audit of first IPSAS-compliance statement.

**(a) Common System Costs**

34. Common system staff costs encompass salaries, allowances and benefits. They are described in the booklet entitled “United Nations Common System of Salaries, Allowances and Benefits”, which is available on the website of the International Civil Service Commission (ICSC). Within the common system, salary scales, as well as certain allowances and benefits, are different for Professional and General Service staff. There are close to 50 organizations that follow the United Nations common system, including the Court.

35. The salary calculation methodology used to determine the staff cost budget provision is consistent with past practice and is based on United Nations salary scales. The increase in salary costs is due essentially to the application of the United Nations Common System of Salaries, Allowances and Benefits rules.

36. It should be noted that the UN has so far adopted and published only a new salary scale (2013) for General Service staff, and retained the same 2012 salary scale for Professional Staff. No changes are expected to be announced by the UN before the end of this year.

37. There are also other common system costs which are shared by the Court on a pro-rata basis as established by the UN. Such costs include items such as UN/ICC Global shared security operating costs (the membership fee for the United Nations security management system), UN Local shared security operating costs and UN System Electronic Information Acquisitions Consortium (UNSEIAC) costs for sharing the UN databases.

**(b) Vacancy rate**

38. In light of the past vacancy rate and current trends, the following vacancy rates have been applied to this proposed budget: five per cent for Major Programme I, eight per cent for Major Programme II and 10 per cent for the Registry and all other major programmes of the Court. The trend in vacancy rates over the past three years is shown in the table below.

**Table 6: Trend in vacancy rates over past three years**

<i>MP</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>
I	8.0%	2.1%	6.3%
II	6.5%	7.9%	7.9%
III	9.4%	8.2%	9.0%
IV	33.3%	33.3%	22.2%
VI	28.6%	14.3%	0.0%
VII-1	0.0%	0.0%	0.0%
*VII-5	100.0%	100.0%	100.0%

\*Post temporarily held by UN staff member on reimbursable loan.

**(c) Rent on interim premises**

39. The Court will continue to be responsible for paying for the rent and maintenance for its interim premises until 2016. The Court is entitled to terminate the lease on the Haagse Veste building with effect from 30 June 2016, subject to a 15-month notice period (i.e., notice of termination to be given on or before 31 March 2015), and has the option of extending it for six-monthly periods. The termination date envisaged for the lease on the Arc and other properties is 31 March 2016, with a notice period of 13 months (on or before 28 February 2015), and again the possibility of six-monthly extensions. The host State has agreed to pay for half of these costs up to the end of 2015, to a maximum of three million euro. The entire costs for 2014, including the host State's share are proposed under Major Programme V.

**(d) Capital investments**

40. The Court has been continually refining its requirements for capital investment acquisitions and replacements in light of the move to its permanent premises, scheduled for 2016. Following past practice, the requirements for capital investment replacements in the Court's proposed programme budget have been prioritized and reduced to the bare minimum.

41. Table 5 above provides an estimate of capital investment replacements (vehicles and equipment), excluding the requirements for the permanent premises project, foreseen by the Court for the years 2015-2017.

**(e) Risk management**

42. As reported in the 2013 budget narratives, last year's budgetary situation did not allow the Court to proceed with the risk management strategy internally approved by the Heads of Organs of the Court at the end of 2011. As a consequence, the ongoing risk management exercise at the Court is restricted to the development of a minimalist risk register, based on the 2011 assurance mapping exercise of the United Nations Office of Internal Oversight Services ("OIOS") and focusing on major strategic risks. This temporary approach was chosen to ensure that at least the major strategic risks are being managed to the extent possible, bridging the gap to a more comprehensive risk management system in the future, when funds are made available. While the minimalist version of the risk register continues to be developed, with further details on the probability and impact of each risk, the Court's risk appetite, planned responses and mitigation measures are also being considered. All activities are designed to ensure high-level control while creating a sound basis for a future exercise.

**(f) Efficiency measures**

43. With regard to the Court's internal efforts to achieve greater efficiency, the Court continues to follow its coordinated strategy developed in 2012. The major focus areas remain the management of efficiency and fairness of judicial activities, as well as other activities, including streamlining coordination mechanisms and assessing the impact of the current relationships between the Court and its external stakeholders. Although it is becoming increasingly difficult to develop additional efficiency measures, most of the activities reported in the eight previous reports on efficiency measures communicated to the Committee continue to be implemented and pushed forward as far as possible. In parallel, the Court's monitoring and reporting on efficiency activities has been further developed. In particular, the categories of efficiencies have been formalized, in an effort to ensure consistency on the measurement of improvements, which will allow all Court stakeholders to monitor the Court's efforts in that matter more efficiently.

**(g) Transition Project (including 2gv)**

44. According to the current construction schedule, the permanent premises of the Court are due to be ready for handover by 1 September 2015. The transition to the permanent premises consists of the physical move and also includes ICT and security migration, contractual changes with suppliers such as catering, utility services, etc. and the vacation of the interim premises. The Court is using the move to its new premises as an opportunity to improve efficiency by introducing changes in organization and working methods to be followed in the permanent premises.

45. Following the joint decision of the Court and the Oversight Committee of 5 July 2013 on revised governance, a unified project now includes both the construction and the transition activities under the leadership of the Project Director, who becomes the lead manager of the unified project, with reporting lines to the Oversight Committee and the Registrar.

46. The Project Director's Office has subsequently been expanded to incorporate the staff of the former Registry Permanent Premises Office (RPPO formerly PoPP), which has been removed from the Registry budget (MPIII-3770, formerly 3160). This simplifies both

the management structure and reporting lines of the project, increases the transparency of the overall cost of the permanent premises as well as the financial impact to States Parties, and further provides efficiency savings by removing any possible duplication of resources and costs.

47. Following the Project Director's Stage 1 cost review of the unified project, and subject to the agreement of the Assembly at its forthcoming session in late 2013, the existing multi-annual construction project budget totalling €90 million will be expanded by a further €5 million to €95 million to incorporate the Transition Project, thus enabling any savings made on the construction project to partially offset the costs of transition activities. The combined construction and transition budget is reported on separately in the Court's Financial Statements.

## **II. Proposed programme budget for 2014**

### **A. Major Programme I: Judiciary**

#### **Introduction**

48. In 2014, there will be extensive activity in all divisions of the Judiciary. Confirmation of charges activities will continue in at least two cases in the Pre-Trial Division. At least four further cases will be at the trial or trial preparation stage. The Appeals Chamber will be hearing up to four final appeals, while judicial activities are expected to continue at both trial and appeals levels. The combined workload of the Pre-Trial Chambers, Trial Chambers and the Appeals Chamber is therefore expected to exceed the level of judicial activity in 2013.

49. The budget for Major Programme I is based on the judicial activities which could be foreseen and accurately costed under the budget assumptions for 2014 as agreed in June 2013 between the Presidency, the Office of the Prosecutor and the Registry. It is divided into the Presidency, Chambers and the Liaison Offices. The Presidency and Chambers are organs of the Court pursuant to article 34 of the Rome Statute. The New York Liaison Office (“NYLO”), while administratively supported by the Presidency, is a common representative of all the organs of the Court, as well as providing logistical support for the Bureau of the Assembly of States Parties and its New York Working Group. The Strategic Planning Coordinator is an inter-organ resource that serves the Presidency and Judiciary as well as the Office of the Prosecutor and the Registry, but is included for administrative purposes within the Presidency’s budget.

50. Given the operational reality of continual evolution and unpredictable step changes in the pattern of casework and the resulting judicial workloads, the Judiciary will exercise its functions in a manner that makes the most efficient use of the resources allocated to it. The permanent and temporary staffing levels recommended in this budget are designed to meet currently known case requirements. If these requirements change the Judiciary will endeavour wherever possible to address these through flexible deployment of existing staff resources. As in previous years, however, the need for temporary additional resources to cover specific case-related unforeseen developments during 2014 cannot be excluded.

**Table 7: Major Programme I: Proposed budget for 2014**

Programme I Judiciary	Expenditure Budget 2012 (thousands of euro)					Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013	
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Judges	4,879.4		4,879.4	398.6	5,278.0	4,689.4		4,689.4	3,835.6		3,835.6	-853.8	-18.2
Professional staff						3,086.8	509.2	3,596.0	3,119.1	516.0	3,635.1	39.1	1.1
General Service staff						901.5	200.2	1,101.7	898.5	204.2	1,102.7	1.0	0.1
<i>Subtotal staff</i>	<i>3,385.2</i>	<i>561.3</i>	<i>3,946.5</i>		<i>3,946.5</i>	<i>3,988.3</i>	<i>709.4</i>	<i>4,697.7</i>	<i>4,017.6</i>	<i>720.2</i>	<i>4,737.8</i>	<i>40.1</i>	<i>0.9</i>
General temporary assistance	388.7	529.3	918.0	218.7	1,136.7	114.7	920.5	1,035.2	115.4	1,225.2	1,340.6	305.4	29.5
Temporary assistance for meetings													
Overtime													
Consultants						14.4		14.4	15.0		15.0	0.6	4.2
<i>Subtotal other staff</i>	<i>388.7</i>	<i>529.3</i>	<i>918.0</i>	<i>218.7</i>	<i>1,136.7</i>	<i>129.1</i>	<i>920.5</i>	<i>1,049.6</i>	<i>130.4</i>	<i>1,225.2</i>	<i>1,355.6</i>	<i>306.0</i>	<i>29.2</i>
Travel	60.7	24.2	84.9		84.9	120.7	31.2	151.9	167.5		167.5	15.6	10.3
Hospitality	6.2	0.1	6.3		6.3	12.0		12.0	17.0		17.0	5.0	41.7
Contractual services						5.0		5.0	5.0		5.0		
Training						24.0		24.0	24.0		24.0		
General operating expenses	35.3		35.3		35.3	63.3		63.3	67.4		67.4	4.1	6.5
Supplies and materials	1.2		1.2		1.2	5.0		5.0	5.0		5.0		
Furniture and equipment													
<i>Subtotal non-staff</i>	<i>103.4</i>	<i>24.3</i>	<i>127.7</i>		<i>127.7</i>	<i>230.0</i>	<i>31.2</i>	<i>261.2</i>	<i>285.9</i>		<i>285.9</i>	<i>24.7</i>	<i>9.5</i>
<b>Total</b>	<b>8,756.7</b>	<b>1,114.9</b>	<b>9,871.6</b>	<b>617.3</b>	<b>10,488.9</b>	<b>9,036.8</b>	<b>1,661.1</b>	<b>10,697.9</b>	<b>8,269.5</b>	<b>1,945.4</b>	<b>10,214.9</b>	<b>-483.0</b>	<b>-4.5</b>
Distributed maintenance	124.0	28.0	152.0		152.0	116.8	27.0	143.8	188.3	7.8	196.1	-8.2	-5.4

**Table 8: Major Programme I: Proposed staffing for 2014**

Judiciary	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				2	1	21	4		28	1	12	13	41
	Situation-related				1	2		1		4		3	3	7
	<i>Subtotal</i>				3	3	21	5		32	1	15	16	48
New	Basic													
	Situation-related													
	<i>Subtotal</i>													
Redeployed/ Returned	Basic													
	Situation-related													
	<i>Subtotal</i>													
<b>Total</b>					<b>3</b>	<b>3</b>	<b>21</b>	<b>5</b>		<b>32</b>	<b>1</b>	<b>15</b>	<b>16</b>	<b>48</b>

## 1. Programme 1100: The Presidency

### Introduction

51. The Presidency has three general strategic priorities, which reflect its primary areas of responsibility:

(a) Legal: to carry out its legal and judicial functions under the Statute, including the support of the Judiciary, as efficiently and expeditiously as possible while maintaining the highest legal standards (Strategic Goal 1.1);<sup>23</sup>

(b) Administrative: to provide efficient and transparent administrative and management support to the Judiciary; to optimize the Court's internal and external governance structure; and to strengthen the Presidency's strategic leadership within that framework (Strategic Goal 2.1); and

(c) External Relations: to maintain and increase international support for and cooperation with the Court; to encourage full implementation and global ratification of the Rome Statute; and to enhance the coordination of external relations activities within the Court (Strategic Goals 3.2, 3.4, 3.5).

52. The legal work of the Presidency ranges from appellate functions and facilitating the judicial operations of the Court to the conclusion of Court-wide cooperation agreements with States and international organizations. In 2014, the Presidency, through its Legal and Enforcement Unit, will continue to support Chambers in their conduct of fair, effective, and expeditious proceedings (Strategic Goal 1.1). With the support of this unit the Presidency assigns judges to divisions, constitutes Chambers, assigns situations and cases to them, addresses requests by judges for excusal from judicial functions, and provides legal support to the judges' plenary sessions. The unit also assists the Presidency in conducting judicial review of certain decisions of the Registrar, for example concerning matters related to detention, legal assistance, and inclusion on the list of counsel and experts. Additionally, the unit assists the Presidency in dealing with any complaints of misconduct by counsel and elected officials. Anticipating the issuance of one final judgment in late 2013 as well as up to two further final judgments in 2014 and the possibility of prison sentences being imposed, the legal team will continue to prepare the Presidency so as to enable it fully to exercise its functions under Part X of the Rome Statute and Chapter 12 of the Rules of Procedure and Evidence, namely the enforcement of sentences, forfeitures and other orders.

53. In his administrative function pursuant to articles 38 and 43 of the Rome Statute, the President exercises strategic oversight of the Registrar, fully supporting the Registry's aim of providing an efficient, well-planned and cost-effective administration to support the Court's judicial functions (Strategic Goal 2.1), while the Presidency is responsible for the proper administration of the Court, with the exception of the Office of the Prosecutor. The administrative team assists the President and Presidency in the successful implementation of the Court's internal and external governance, as well as coordinating with the Office of the Prosecutor on all matters of mutual concern. The administrative team is also responsible for Judiciary's internal administration and managing the Presidency's and Chambers' budgetary, financial and staff resources. It cooperates with the legal team in the area of policy development for the Court as a whole. The administrative team of the Presidency also facilitates the Judiciary's interaction with States Parties in the context of the Hague Working Group of the Assembly, in particular on budgetary issues (including the yearly budget facilitation).

54. The external relations team supports the Presidency in its external relations capacity. As the external face of the Court,<sup>24</sup> the President liaises with States, international organizations and civil society, ensuring that the Court is a well-recognized and supported institution (Strategic Goals 3.2, 3.5). The President raises awareness globally about the Court, drawing attention to the Court's mandate and the goals of the Rome Statute, urging States to respect their obligations toward the Court, and encouraging more States to join the Rome Statute. The external relations team further supports the Presidency in its task of

<sup>23</sup> The indicated Strategic Goals are those of the Court's Strategic Plan 2013-2017, available under <http://www.icc-cpi.int>.

<sup>24</sup> ICC-ASP/9/34, p. 12.

coordinating and consulting with the Prosecutor on external relations issues and providing strategic guidance to the Registry and overseeing its external relations and public information activities.

*Objectives*

1. Conduct and implement an in-depth “lessons-learned” review of judicial processes, focusing first on procedures in pre-trial and trial preparation and hearing stages, subsequently on conclusion of trials and appeals, consulting States Parties, parties/participants and other stakeholders as appropriate (SO 1.1.1);
2. Re-examine and adapt the structure, staffing and resources of the Court (SO 2.1.1);
3. Effective resource management and identification and implementation of possible further efficiency measures (SO 2.1.2);
4. Further enhancement of the Court’s systems to plan and budget strategically (SO 2.6.1);
5. Efficient management of risks and improved performance management (SO 2.6.3 and 2.6.4);
6. Further improve the dialogue between the Court and the Assembly and its sub-bodies through the setting up of a cost-effective information exchange (SO 3.1.1);
7. Promote confidence-building process with States, international and regional organizations, NGOs and other key partners and stakeholders in the Court through information-sharing during seminars, conferences, and at any other occasion; and use all opportunities such as bilateral meetings and public addresses to highlight benefits of joining to non-States Parties (SO 3.2.1 and 3.5.3); and
8. Further progress in the field of international cooperation and enforcement of sentences (SO 3.4.1).

**Table 9: Expected results, performance indicators and target for 2014**

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>
<b>Objective 1 (SO 1.1.1)</b>		
Implementation of conclusions of 2013 Assembly and identification and implementation of further changes according to roadmap.	Number of topical areas being covered in a comprehensive manner; and	Two.
	Number of proposed new Rule changes.	Two.
<b>Objective 2 (SO 2.1.1)</b>		
Intra-organ structural review of the main organs completed and structural changes effectuated where indicated; Cross-cutting review of implications for overall Court structure; and Consultation with States Parties, Committee, etc., with a view to any necessary Assembly decisions.	Revision of areas indicated in intra-organ structural review; and	One.
	Number of structural change needs identified.	One.
<b>Objective 3 (SO 2.1.2)</b>		
Efficient administrative and legal support to the President, the Presidency and the plenary of the judges/informal meetings; and Implementation of improved efficiency strategy.	Quality of preparation and support of Presidency and judges' meetings in plenary/informal judges' meetings;	Fully satisfactory.
	Level of efficiency in the management of all applications to the Presidency;	All decisions issued within agreed timeline.
	Timeliness and quality of advice to the President and Vice-Presidents on administrative/managerial issues;	Fully satisfactory.
	Level of flexibility and efficiency in the management of staffing of Judiciary within budgetary constraints; and Number of areas identified where further efficiencies can be achieved.	100%. One.
<b>Objective 4 (SO 2.6.1)</b>		
Enhanced transparency and predictability of the budgetary process; and Refined budget assumptions for 2015 budget, including scenarios outlining probable future expenses.	Comparison and analysis of past budgetary processes;	One.
	Number of technology improvements; and	One.
	Quality of assumptions and of scenarios where appropriate.	Fully satisfactory.
<b>Objective 5 (SO 2.6.3, 2.6.4)</b>		
Implementation of high-level risk-management system charting the most relevant strategic risks; Finalized review of the Court's crisis readiness; and Improved link between strategy – budget – performance indicators.	Number of Presidency- and Chambers-specific risks identified;	Three.
	Presidency crisis readiness assessed; and	Full review.
	Review of Objectives table in Budget document.	Full review.
<b>Objective 6 (SO 3.1.1)</b>		
Transparent and effective communication and information exchange between Judiciary and Working Groups of the Assembly; and Intense and transparent dialogue between the Presidency of the Court and the Assembly Presidency.	Number of HWG / SGG meetings with assistance of a Presidency representative;	Representation at every meeting.
	Number of informal judges' meetings with Assembly President/Vice-President; and	Two.
	Number of bilateral meetings.	Two.
<b>Objective 7 (SO 3.2.1, 3.5.3)</b>		
Maintain and increase support for the Court by States, international and regional organizations, NGOs and other key partners and stakeholders in the Court through information-sharing during seminars, conferences, and at any other occasion; and Use all opportunities such as bilateral meetings and public addresses to highlight benefits of joining to non-States Parties.	Number of high-level meetings with States, international organizations and civil society;	100 meetings.
	Number of speeches at major conferences;	Fifteen.
	Participation in diplomatic and NGO briefings; and	Two + one.
	Communication in interviews and press conferences.	Fifteen + two.
<b>Objective 8 (SO 3.4.1)</b>		
Negotiation of Agreements on the Enforcement of Sentences.	Number of concrete negotiations with States on cooperation or enforcement of sentence agreements.	Two.

## Staff resources

### *Presidency allowances*

55. The proposed programme budget for 2014 makes a provision of €28,000 for funds to cover special allowances for the President,<sup>25</sup> and for the First or Second Vice-President if acting as President.<sup>26</sup> The salaries of the three members of the Presidency have been included in Sub-programme 1200.

### *Current staffing*

56. The Chef de Cabinet (P-5) provides leadership and strategic direction for the activities of the Presidency staff, and is responsible for representing the Presidency and Chambers in inter-organ work at senior official level.

57. The Legal Adviser (P-4), Legal Officer (P-3 GTA) and Associate Legal Adviser (P-2) together constitute the Legal and Enforcement Unit. They are responsible for the coordination and substantive support of the Presidency in its legal and judicial functions, including the enforcement of sentences and other orders and the negotiation and conclusion of external agreements, as well as advising on the legal aspects of the Presidency's administrative functions.

58. The Presidency's external relations functions are supported by the External Relations Adviser (P-3) with the assistance of the Administrative Assistant for External Relations (GS-OL).

59. The Special Assistant to the President (P-3) provides support to the functions of the President and Presidency relating to the proper administration of the Court, including strategic oversight of the administrative functions of the Registrar, coordination with the Office of the Prosecutor and coordination of the preparation of the Judiciary budget under the supervision of the Chef de Cabinet. The Associate Administrative Officer (P-2) is responsible for the technical and accounting details of the budget preparation, monitors its implementation, provides financial reporting for Major Programme I and coordinates staffing resources within the Judiciary.

60. The President's Personal Administrative Assistant (GS-PL), the Judges' Focal Point Administrative Assistant (GS-OL) (who provides central support services for all judges and coordinates the allocation of administrative assistant resources in Chambers) and the Chef de Cabinet's Administrative Assistant (GS-OL) provide wide-ranging administrative and logistical support to the Presidency and Chambers.

### *General temporary assistance*

61. In light of the responsibilities of the Legal and Enforcement Unit outlined above and the expected further workload increase in the near future as the Presidency implements its functions of enforcement of sentences and other orders, it remains vital for the efficient and expeditious discharge of the Presidency's legal and judicial functions that the unit retains the continued support of the GTA P-3 Legal Officer. Mindful of the Committee's earlier recommendation that the number of permanent posts be frozen at the 2010 level pending a comprehensive review of the Court's structure including a re-justification of all posts,<sup>27</sup> the Presidency will not seek the conversion of the GTA position into a permanent post in the 2014 proposed budget, but will return to this at a future time.

### *Strategic Planning Coordinator*

62. The Strategic Planning Coordinator (P-3) became part of the Court's staff in 2010. Although provided for in the budget of the Presidency, this position fulfils Court-wide functions in assisting in the creation of a comprehensive risk register for the Court and driving the strategic planning and implementation process forward, and as such is regarded as formally distinct from the regular Presidency staff.

<sup>25</sup> *Official Records ... Second session ... 2003* (ICC-ASP/2/10), part III.A.I.B.

<sup>26</sup> *Ibid.*, part III.A.I.C.

<sup>27</sup> *Official Records ... Ninth session ... 2010* (ICC-ASP/9/20), vol. II, part B.2, para. 81, and *Report of the Committee on Budget and Finance on the work of its eighteenth session* (ICC-ASP/11/15), para. 25.

### *Consultants*

63. *Recurrent.* Given the Presidency's varied workload, the need for occasional expert advice on a range of specialist topics will remain unchanged. Expert advice may be required on specific items related to the Court's arrangements for the enforcement of sentences, in particular on the issues of divergent national practice as regards conditions and eligibility for early release and other conditions regarding the length of convicted prisoners' sentences; and on the review practices of prison conditions by international organizations such as the International Committee of the Red Cross. A provision of €5,000 has been included in the Presidency's budget for these purposes.

### **Non-staff resources**

#### *Travel*

64. *Recurrent.* A provision of €159,900 has been included in the Presidency's budget to cover all judges' travel.<sup>28</sup> Of this figure, an appropriate portion is assigned to the Presidency, reflecting the funds estimated for meeting the expenses associated with the President's external relations functions, including a provision to cover the cost of staff travelling with the President in the discharge of these functions and any travel of the Vice-Presidents associated with the President's external relations functions.

#### *Training*

65. *Recurrent.* Recognizing that training provided with a view to enhancing the specialist expertise of its staff will directly contribute to the achievement of its strategic goals, the Presidency provides funding for specialized training opportunities for its staff, amounting altogether to €6,000. In particular, the present budget includes provision for specific training for the Legal and Enforcement Unit on matters concerning international provisions and standards on the enforcement of prison sentences, including international treaty instruments on the conditions of detention and the monitoring of those conditions (such training will be needed during 2014 in advance of the potential first enforcement of a sentence in the *Lubanga* case, subject to the outcome of current appeals). Provision for sufficient training in this regard will have a direct impact on the efficiency and quality with which the Presidency can fulfill its tasks.

#### *Hospitality*

66. *Recurrent.* A provision of €15,000 has been included in the Presidency's budget to cover necessary hospitality costs associated with visits of Heads of State or Governments, ministers and other senior representatives of States to the President or the Vice-Presidents. In 2012 the President received a total of approximately one hundred such official visits. This number is likely to remain at a comparable level in 2013 and 2014. The hospitality budget is used to cater for any judiciary-related ceremony such as the swearing-in of new judges, as well as the Presidency/Judiciary's contribution to Court events jointly funded by all three organs.

<sup>28</sup> The figure reflects the Assembly's endorsement of the recommendation of the Committee that the allocation previously reserved for judges' travel in Sub-programme 1200 (Chambers) be included in the Presidency's budget. (*Official Records ... Ninth session ... 2010* (ICC-ASP/9/20), vol. I, part I.I.E. and vol. II, part B.2.D.1, para. 83) There is no provision for any site visit in 2014.

**Table 10: Programme 1100: Proposed budget for 2014**

1100 The Presidency	Expenditure Budget 2012 (thousands of euro)					Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013	
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Judges						28.0		28.0	28.0		28.0		
Professional staff						793.1		793.1	798.8		798.8	5.7	0.7
General Service staff						283.9		283.9	289.5		289.5	5.6	2.0
<i>Subtotal staff</i>	837.8		837.8		837.8	1,077.0		1,077.0	1,088.3		1,088.3	11.3	1.0
General temporary assistance	245.3		245.3		245.3	114.7		114.7	115.4		115.4	0.7	0.6
Temporary assistance for meetings													
Overtime													
Consultants						4.4		4.4	5.0		5.0	0.6	13.6
<i>Subtotal other staff</i>	245.3		245.3		245.3	119.1		119.1	120.4		120.4	1.3	1.1
Travel	57.1	24.2	81.3		81.3	111.9	31.2	143.1	159.9		159.9	16.8	11.7
Hospitality	6.2		6.2		6.2	10.0		10.0	15.0		15.0	5.0	50.0
Contractual services													
Training						6.0		6.0	6.0		6.0		
General operating expenses													
Supplies and materials													
Furniture and equipment													
<i>Subtotal non-staff</i>	63.3	24.2	87.5		87.5	127.9	31.2	159.1	180.9		180.9	21.8	13.7
<b>Total</b>	<b>1,146.4</b>	<b>24.2</b>	<b>1,170.6</b>		<b>1,170.6</b>	<b>1,352.0</b>	<b>31.2</b>	<b>1,383.2</b>	<b>1,417.6</b>		<b>1,417.6</b>	<b>34.4</b>	<b>2.5</b>
Distributed maintenance	33.3		33.3		33.3	33.4		33.4	50.5		50.5	0.1	0.3

**Table 11: Programme 1100: Proposed staffing for 2014**

The Presidency	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	3	2		7	1	3	4	11
	Situation-related													
	<i>Subtotal</i>				1	1	3	2		7	1	3	4	11
New	Basic													
	Situation-related													
	<i>Subtotal</i>													
Redeployed/ Returned	Basic													
	Situation-related													
	<i>Subtotal</i>													
<b>Total</b>					<b>1</b>	<b>1</b>	<b>3</b>	<b>2</b>		<b>7</b>	<b>1</b>	<b>3</b>	<b>4</b>	<b>11</b>

## 2. Programme 1200: Chambers

67. Pursuant to articles 34(b) and 36(1) of the Rome Statute, the Chambers consist of 18 judges, distributed among three Divisions: Pre-Trial, Trial and Appeals. The Presidency decides on the assignment of judges to all judicial divisions following consultations with the judges,<sup>29</sup> and assigns situations and cases to the Pre-Trial and Trial Divisions. The Appeals Division deals with interlocutory and final appeals against decisions taken in the other divisions.

### *Conduct of hearings and assignment of judges*

68. The significant fall in judges' costs compared to the Court's 2013 approved programme budget is due to reduced obligations resulting from the implementation of the revised pension system for judges. This reduction is the main reason for the overall decrease of 4.5 per cent in Major Programme I for 2014.

69. On the information currently available, the budget is based on the assumption that court hearings in all trials covered by the present budget could run consecutively until the end of 2014.<sup>30</sup> However, the need for parallel trial hearings could well arise in the course of the year as a result of case-specific circumstances and developments in the *Kenya, Banda/Jerbo* and other cases, as well as of other judicial developments impacting upon the Trial Division's workload that cannot presently be accurately determined. The terms of office of six judges of the Court expired on 10 March 2012. The terms of three judges have been extended in practice into 2013 in order to complete trials in which they have been sitting. The current assumptions for 2014 foresee the extension of only one of these judges for four months pursuant to articles 36(10) and 39(3) of the Rome Statute to complete the *Bemba* case.

70. In order to constitute the Chamber required for the *Banda/Jerbo* trial hearings, given that one of the judges currently in the Chamber is now sitting in two other trials, it is currently foreseen that a judge not yet called to full-time service by the Presidency will have to be called at the beginning of 2014 in order to become fully familiar with the case file and to participate actively in the final preparations for the commencement of the trial hearings on 4 May 2014. The proposed programme budget for 2014 therefore makes provision for the remuneration of 16 full-time judges, as well as their allowances such as pension contributions and education grants, as detailed in annex V(c). The annex also includes the separation costs (travel, shipment and insurance) of one extended judge's final departure.<sup>31</sup>

71. It is not possible at this stage to predict when the last two previously elected judges will need to be called to full-time service by the Presidency. Developments in judicial case-load, in particular depending on the outcome of the confirmation of charges proceedings in the *Ntaganda* and *Gbagbo* cases, may require additional judges to be called at some stage in 2014. However, likelihood and potential costs cannot be accurately estimated at this time, given the conservative nature of these assumptions. The Court will inform the Assembly in due course of any developments which could have a material impact on the current estimated budgetary requirements.

### *Flexible use of current staffing structure*

72. The Judiciary has continued to develop its efforts to maximize operational flexibility within its established staffing structure to address changing workloads and to maximize overall efficiency. Operational staff shortages are addressed wherever possible within available resources through flexible deployment and sharing of staff within and between divisions. Legal support staff are assigned on a needs basis, taking into account the workload of each Chamber, as well as the need to share specific areas of expertise with a view to avoiding duplication of effort, streamlining working methods, and thereby achieving overall efficiency gains. As recommended by the Committee, the Judiciary

<sup>29</sup> See Rule 4bis of the Rules of Procedure and Evidence.

<sup>30</sup> Possible judicial developments make it likely that in 2014 provision will have to be made for parallel trial hearings to avoid substantial delays in particular cases.

<sup>31</sup> The annex, however, makes no provision for the entitlements of one judge elected in March 2012, who has yet to be sworn in.

attempts wherever possible to meet its workload requirements through the redeployment of existing resources among divisions before issuing a notification for potential access to the Contingency Fund.<sup>32</sup>

#### *Strategic goals and objectives*

73. The divisions' common strategic goals and objectives are the following:
1. Ensure fair, transparent and expeditious judicial proceedings, while further refining legal standards through well-developed jurisprudence and encouraging the development of efficient standardized processes (SG 1.1);
  2. Guarantee the rights of the defence to a fair and impartial trial (SG 1.4); and
  3. Ensure adequate and meaningful participation and representation of victims, and meaningful reparations proceedings, including coherent principles for victim reparations (SG 1.5, 1.6).

#### **Pre-Trial Division**

74. Six judges are currently assigned to the Pre-Trial Division. Four of these are each assigned to one of the two Pre-Trial Chambers, of whom two are simultaneously assigned to sit in Trial Chambers. One judge is assigned to both Pre-Trial Chambers. The sixth judge has been temporarily assigned to the Trial Division to sit in one of the *Kenya* cases.<sup>33</sup> Since 2009 some judges of the Pre-Trial Division have been also temporarily assigned to the Appeals Division to hear interlocutory appeals. In addition, two judges of the Pre-Trial Division have been simultaneously assigned to hear the final appeals in the *Lubanga* and *Ngudjolo Chui* cases.

#### *Activity assumptions*

75. Following the decision by the Prosecutor of 16 January 2013 to open an investigation into the situation in Mali, the Pre-Trial Chambers are currently seized of eight situations, namely Central African Republic, Sudan (Darfur), Democratic Republic of the Congo, Kenya, Uganda, Libya, Côte d'Ivoire and Mali.

76. Significant pre-trial activity is expected to continue in all situations, with particular intensity in the situations in Libya, the Democratic Republic of the Congo (DRC), Côte d'Ivoire and Mali. In the *Ntaganda* and *Gbagbo* cases, budgetary provision has been made for the first half of 2014 only, since the respective confirmation of charges phases before the Pre-Trial Chambers are expected to reach a conclusion in mid-2014. Since the outcomes of those proceedings cannot be predicted, no provision for the continuation of these cases has been made for the remainder of the year.

77. The nature of proceedings before the Pre-Trial Chambers is such that initial appearances, new applications and other requests cannot be foreseen in advance. The eight situations of which the Pre-Trial Chambers are seized in 2013 may result in further applications being presented to the Pre-Trial Chambers by parties and participants in the various proceedings in 2014. As a result, the Pre-Trial Division can only draw on the experience of previous years in order to arrive at its assumptions for 2014.

#### *Current staffing*

78. Division staff currently consists of twelve posts, namely one P-5 Senior Legal Adviser, six P-3 Legal Officers, one P-2 Associate Legal Officer, one GS-OL Research Assistant and three GS-OL Administrative Assistants. In line with the Judiciary's policy of flexible allocation of resources, one of the P-3 Legal Officers is currently supporting an extended judge completing a case in the Trial Division, while two others are working simultaneously on cases in both Pre-Trial and Trial, and two further Legal Officers are also providing assistance to judges assigned to hearing appeals.

<sup>32</sup> See *Report of the Committee on Budget and Finance on the work of its nineteenth session*, September 2012, ICC-ASP/11/20, para. 125.

<sup>33</sup> As one of the newly elected judges has not yet been sworn in, the Presidency has not yet been in a position to assign that judge to either the Pre-Trial or the Trial Division.

### *General temporary assistance*

79. *Recurrent.* Experience having shown the recurring need for additional resources during periods of peak activity, the division will continue to require the flexibility of GTA funds at Associate Legal Officer (P-2) level, so as to provide it with an adequate surge capacity to address efficiently periods of peak activity which do not yet warrant access to the Contingency Fund. The Pre-Trial Division is therefore requesting 24 months of GTA funding at Associate Legal Officer (P-2) level to cover immediate short-term needs across all situations before the Pre-Trial Division, such as handling urgent requests for arrest warrants, surrenders to the Court, voluntary appearances and proceedings under seal, for which immediate recruitment of additional staff would be impractical.

80. The Judiciary recognizes that this request for GTA funding represents an increase in basic capacity compared to 2013 and the immediately preceding years.<sup>34</sup> However, experience over those years has demonstrated that at the level of pre-trial activities comparable with current assumptions for 2014, the Judiciary has each year needed in practice to issue a notification for potential access to the Contingency Fund to cover at least twelve additional work-months of GTA resources at P-2 level, and it appears sensible to reflect this more realistic needs projection in the regular budget. This would correspondingly reduce the potential need to seek additional resources from the Contingency Fund, as well as improving divisional efficiency through greater continuity of professional expertise.

81. In addition, the continuing confirmation of charges proceedings in the *Ntaganda* case will create the need for an additional six work-months of funding at Associate Legal Officer (P-2) level in order to ensure continuity of the team preparing the pre-trial hearing and related tasks in the remainder of 2013, currently funded through resources from the Contingency Fund. Support for the confirmation of charges in the *Gbagbo* case would be met by flexible allocation of the GTA resources requested in the preceding paragraph.

82. Typical tasks of these GTA resources include, but are not limited to: the organization of disclosure of evidence for purposes of confirmation hearings; analyzing and summarizing evidence relating to requests for arrest warrants or summons to appear; analysis of victims' applications for purposes of participation in the proceedings; legal analysis and preparation of draft decisions on different issues before the Pre-Trial Chambers, including challenges to the jurisdiction of the Court or the admissibility of cases.

### **Trial Division**

83. The Trial Division is currently composed of six judges, one of whom has not yet been called to full-time service, while a replacement for another is due to be elected at the twelfth session of the Assembly of States Parties.<sup>35</sup> Three further judges normally assigned to the Pre-Trial Division have also been temporarily assigned to sit in Trial Chambers. In addition, the mandates of three further judges have been extended during 2013 to enable them to complete trials in respect of which hearings were still in progress when their original mandates expired.

### *Activity assumptions*

84. The Trial Division currently has two continuing trials, namely *Katanga* and *Bemba*. Trials in the two *Kenya* cases are due to commence in September and November of this year respectively. In addition the *Banda/Jerbo* case is currently under preparation for the trial hearing to commence on 5 May 2014.

85. In *Katanga and Ngudjolo Chui*, on 21 November 2012 the Trial Chamber decided to sever their cases pursuant to Regulation 55 of the Regulations of the Court. On 18 November 2012, the Chamber acquitted Mr. Ngudjolo Chui. This decision is currently under appeal. In *Katanga* a final judgment pursuant to article 74 of the Statute is currently expected to be rendered towards the end of the current year, with the possibility of

<sup>34</sup> Approved Programme Budget for 2013 of the International Criminal Court, 1 March 2013, para. 76.

<sup>35</sup> The judge elected in November 2013 will replace Judge Anthony Carmona, who resigned from the Court on being elected President of Trinidad and Tobago. One judge elected in 2012 has yet to be sworn in and assigned to a Division.

associated decisions on sentencing and reparations. No provision has therefore been made for the continuation of this case at trial level in 2014.

86. In *Bemba*, the Trial Chamber is expected to continue hearing the defence evidence until late 2013. At this stage, it is expected that the Chamber will issue an article 74 judgment at the beginning of the second quarter of 2014, with possible sentencing and reparations proceedings following thereafter. Provision has been made under judges' costs for an extension of the presiding judge's term by four months. Provision also needs to be made for limited GTA staff resources to support the completion of the proceedings.

87. Provision has been made for trial proceedings in 2014 in the case of *Ruto and Sang* following Trial Chamber V(a)'s decision of 3 June 2013 setting the trial commencement date of 10 September 2013. Likewise, provision has been made for the continuation of trial proceedings in the *Kenyatta* case following the planned opening of trial hearings on 12 November 2013.<sup>36</sup> Additional GTA resources have been required during 2013 to prepare the cases for trial. Provision needs to be made for similar additional resources throughout 2014 to assist the two *Kenya* trial chambers during the trial hearings.<sup>37</sup>

88. In *Banda/Jerbo*<sup>38</sup> provision has been made for a continued trial preparation phase followed by hearings commencing on 5 May 2014, following the Trial Chamber's decision of 6 March 2013 setting the trial date.

#### *Current staffing*

89. The regular staffing of the Trial Division comprises the posts of one P-4 Legal Adviser, seven P-3 Legal Officers assigned to assist the judges,<sup>39</sup> one P-2 Associate Legal Officer and one GS-OL Research Assistant, as well as three GS-OL Administrative Assistants.

90. While some staff resources should be released through the termination of the *Katanga* trial at the end of 2013, this is likely to be largely offset by the need to support the trial hearing phase of *Banda*, as well as the potential need to support a trial preparation phase of *Gbagbo* and/or *Ntaganda* in the second half of the year. It remains clear from experience in the recent past that, in order to avoid procedural delays in cases with multiple accused, large volumes of evidence or large numbers of victims' applications, there will be a recurring need for additional staff resources, and that given the increased overall workload the Trial Division will require the flexibility of GTA funding above the level of the additional resources approved for 2013.

#### *General temporary assistance*

91. *Recurrent.* As in previous years, twelve months of GTA resources at the P-3 level will continue to be necessary for flexible deployment in order to ensure the efficient and expeditious conduct and conclusion of cases before the Trial Chambers and to avoid backlogs of work, leading to the unnecessary prolongation of proceedings.

92. In addition, the Trial Division will face two trials of unprecedented complexity in the *Kenya* situation, which will be heard before separate Chambers.<sup>40</sup> Continuation of resources comparable to those already requested in the Court's 2013 proposed programme budget for the two *Kenya* cases will be essential, with some grading adjustments to accommodate the creation of separate Chambers for the two trials during 2013. Each of the

<sup>36</sup> See Public redacted version of 'Decision on commencement date of trial', ICC-01/09-02/11-763-Red, issued by Trial Chamber V(b) on 20 June 2013.

<sup>37</sup> See Presidency Decision constituting Trial Chamber V(a) and Trial Chamber V(b) and referring to them the cases of *The Prosecutor v. William Samoei Ruto and Joshua Arap Sang and The Prosecutor v. Uhuru Muigai Kenyatta*, ICC-01/09-01/11-745 of 21 May 2013.

<sup>38</sup> On 23 April 2013, the defence for Mr. Saleh Mohammed Jerbo Jamus, Mr. Banda's co-accused, filed the "Public Redacted Version of 'Defence Notification of the Death of Mr. Saleh Mohammed Jerbo Jamus' submitted on 21 April 2013".

<sup>39</sup> The post of the seventh P-3 legal officer would normally be assigned to the judge whose swearing-in and assignment to a division is still outstanding. In practice the staff member concerned is not currently available to the Division since she is serving for two years as full-time President of the Staff Union Council. The placement of this resource in the Trial Division reflects the current heavy workload of the division.

<sup>40</sup> Presidency Decision constituting Trial Chamber V(a) and Trial Chamber V(b) and referring to them the cases of *The Prosecutor v. William Samoei Ruto and Joshua Arap Sang and The Prosecutor v. Uhuru Muigai Kenyatta*, ICC-01/09-01/11-745 of 21 May 2013.

two Chambers will require 24 months of P-2 Associate Legal Officer resources for support purposes, and in order to ensure the efficient and expeditious conduct of proceedings during 2014. Accordingly, a total of 48 months of GTA resources at the P-2 Associate Legal Officer level will be required.<sup>41</sup>

93. Further, given that the staff supporting two of the three judges in the *Bemba* case are working simultaneously on other cases, additional support amounting to eight months of GTA resources at P-2 level (representing two GTA P-2 resources for the duration of four months each) will be required to avoid several months' delay in concluding the trial stage of the case.<sup>42</sup>

94. Lastly, regarding the forthcoming *Banda/Jerbo* trial, 12 months each of GTA resources at P-2 and P-3 level respectively will be necessary in order to ensure adequate final preparation of the trial, as well as efficient support during the ensuing hearing.

95. These GTA resources will be required *inter alia* for the following specific activities: analyzing and summarizing the relevant evidence submitted by the parties; preliminary analysis of victims' applications for purposes of participation in the proceedings; legal analysis and preparation of draft decisions on any issue emerging during the proceedings; extensive in-depth research on the law applicable to the crimes charged, as well as on procedural issues; attending trial hearings and preparing procedural minutes of the hearings; liaising with the Registry, parties and participants; drafting instructions for issue by the Chamber; and assisting the judges in drafting parts of the legal and factual sections of the final judgment.

96. It needs to be stressed that the resources requested represent the absolute minimum required to run the various trial proceedings efficiently and effectively, based on the current assumptions and estimated sequencing. Should the workload arising from current cases turn out to be significantly higher than can currently be reasonably expected, or should the necessity to hold trial hearings in parallel arise, the Trial Division may have to request additional resources from the Contingency Fund.

### Appeals Division

97. The Appeals Division is composed of five judges, one of whom is the President of the Court. The principal statutory function of the Appeals Chamber is to hear interlocutory appeals against decisions of the Pre-Trial and Trial Chambers made in the course of proceedings, and final appeals against decisions on acquittal or conviction and sentence, and potentially reparations at the end of a trial. Final appeals involve a substantially greater workload than interlocutory appeals, as the entirety of the trial proceedings may have to be reviewed, and additional evidence may have to be assessed.

#### *Activity assumptions*

98. In 2012, the Appeals Chamber decided eleven interlocutory appeals and similar proceedings arising from the cases of *Bemba*, *Mbarushimana*, *Ruto et al.*, *Muthaura et al.*, and *Gaddafi*, as well as the situation in Kenya; two interlocutory appeals arising from the cases of *Ngudjolo Chui* and *Banda/Jerbo* were discontinued. Between 1 January and 24 June 2013, four interlocutory appeals and similar proceedings were lodged before the Appeals Chamber. It is anticipated that in 2014 the overall number of interlocutory appeals will remain at approximately the same level as in recent years. It may rise if there are additional situations and cases before the Court.

99. Furthermore, in 2012 the first final appeals were filed before the Appeals Chamber in the *Lubanga* and *Ngudjolo Chui* cases. The length of these proceedings is difficult to predict, as these are the first appeals to be heard by the Appeals Chamber. However, it may be noted that, on average, it takes the Appeals Chambers of the ICTY and ICTR – which have a developed practice on final appeals, and where many legal issues have been settled

<sup>41</sup> For the particular tasks carried out by the requested staff resources, reference is made to the Court's Contingency Fund notification in the situation in the Republic of Kenya of 1 June 2012.

<sup>42</sup> Additional resources required as Special Service Agreement funds (one person for four months) will be taken from the general budgetary provision.

through jurisprudence – 79 weeks from the filing of the appeal brief (the equivalent of the document in support of the appeal at the Court) and the delivery of the judgment on appeal.

100. Accordingly, based on the experience at the ICTY and ICTR, and given also that these will be the first final appeals at the International Criminal Court, it is assumed that the Appeals Chamber will continue to hear the *Lubanga* and *Ngudjolo Chui* final appeals at least until the early months of 2014. In addition, it is expected that the final decisions of the Trial Chambers in the *Bemba* and *Katanga* cases will be appealed in 2014, including any decisions on sentencing and reparations.

101. The overall workload of the Appeals Chamber in 2014 will be at least as high as in 2013.

#### *Current staffing*

102. The staff of the Appeals Division comprises one P-4 Legal Adviser, five P-3 Legal Officers, one P-2 Associate Legal Officer, one GS-OL Research Assistant and two GS-OL Administrative Assistants.

#### *General Temporary Assistance*

103. *Recurrent.* The Appeals Chamber organizes its legal staff on a team basis. The teams are coordinated by the Legal Adviser. A team of at least three P-level staff members is assigned to each final appeal; in addition, separate teams for interlocutory appeals are composed, which should comprise at least two P-level staff members. In light of the anticipated timing of the decisions of the Trial Chambers in the *Katanga* and *Bemba* cases as well as on-going appeals work on the *Lubanga* and *Ngudjolo Chui* cases, it is expected that proceedings in the various final appeals will need to proceed in parallel. Given the assumptions for the workload in 2014, at least eight P-level staff are required to cover final and interlocutory appeals.

104. As a result, just as for the 2013 approved programme budget, the Appeals Division will require 24 months of GTA at the P-3 level to cover the workload arising from the proceedings conducted partly in parallel in the final appeals in the *Lubanga*, *Katanga*, *Ngudjolo Chui* and *Bemba* cases, over and above the workload generated by interlocutory appeals.

105. Typical tasks of these GTA resources are largely comparable to those in the Pre-Trial and Trial Chambers and include, but are not limited to: in-depth legal research on substantive and procedural issues raised on appeal; assessing and summarizing the parties' appeals submissions; assisting the judges in drafting parts of the appeals decisions; liaising as necessary with the Registry, parties and participants; participating in meetings of the judges; and preparing and rendering in-court support for appeals hearings.

106. It must be underlined that it is currently unclear how much work the final appeals arising from the *Katanga* and *Bemba* cases will ultimately generate. This depends, *inter alia*, on the outcome of those trials and on the number and complexity of the grounds of appeal raised by the eventual appellants. Should the workload arising from those appeals be significantly higher than expected, the Appeals Division may have to request additional resources from the Contingency Fund.

#### **Other Chambers staff resources**

##### *Consultants*

107. A provision of €10,000 is made for additional contractual resources in Chambers to provide assistance during peak periods of activity. These additional individual contractors' resources will allow Chambers to efficiently handle the increased workload during such periods by hiring contractors at short notice for relatively short periods in order to carry out urgent work during peak periods of activity in the divisions and chambers.

108. Contractors hired on this basis are usually used for periods of a few weeks or months for the following tasks:

- (a) assessment of victim participation requests;
- (b) classifying of evidence;
- (c) assessment of redactions; and
- (d) drafting of witness statement summaries.

109. In particular, the increasing workload generated through the Court's victim participation mandate, as well as the Trial Chambers' efforts to achieve time efficiencies in the proceedings, generate brief periods of substantially increased workload, which can be met most efficiently through contracted resources.

110. Should other unexpected needs arise every effort will be made to absorb related additional expenses within the 2014 budget before resorting to alternative funding.

### **Non-staff resources**

#### *Training*

111. *Recurrent.* Chambers provides funding for specialized training opportunities for its staff, mindful that training with a view to enhancing the specialist expertise of its staff will directly contribute to the achievement of the Judiciary's strategic goals.

112. As in previous years, the Judiciary envisages training programmes aimed at the strengthening of capacities and expertise in relation to specialized legal matters for Chambers staff, specifically in the areas of international humanitarian law, international criminal law and human rights law. This is to ensure that Chambers staff are fully aware of any relevant developments in these areas. This may include organizing or attending specialized courses on subjects such as command responsibility, humanitarian law, the jurisprudence of the international human rights mechanisms, judicial review techniques and new developments such as the handling of electronic or digital evidence. Training is tailored to the specific professional needs of Chambers staff, with a view to helping them to work as effectively and efficiently as possible. In addition to specialized legal training, Chambers staff may also attend training aimed at improving their overall efficiency, such as speed reading, legal drafting and language courses.

#### *Travel*

113. In accordance with the recommendations of the Committee, as endorsed by the Assembly, the budgetary provision for judges' travel has been included in the Presidency's budget.<sup>43</sup> The amount assigned to the travel of the judges not part of the Presidency reflects the funds estimated for meeting the expenses associated with judges' travel to conferences, workshops or any other essential events on Court-related topics.

114. There is no provision for any site visit in 2014.

#### *Hospitality*

115. *Recurrent.* A provision of €1,000 has been included in the Chambers budget to cover necessary hospitality costs associated with visits to judges by diplomatic and other important visitors, such as renowned legal scholars and personalities from the international legal community.

<sup>43</sup> *Official Records ... Ninth session ... 2010* (ICC-ASP/9/20), vol. I part ILE. and vol. II part B.2.D.1, para. 83.

**Table 12: Expected results, performance indicators and target for 2014**

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>
<p><b>Objective Pre-Trial Division:</b> Ensure fair, transparent and expeditious pre-trial proceedings, while further refining legal standards through well-developed jurisprudence and encouraging the development of standardized processes (SG 1.1).</p> <p>Guarantee the rights of the defence to a fair and impartial trial and ensure adequate and meaningful participation and representation of victims (SG 1.4 and 1.5).</p>	<ul style="list-style-type: none"> <li>&gt; Shorten time lines between the first appearance of a suspect and the confirmation of charges hearing through: <ul style="list-style-type: none"> <li>- close monitoring of the disclosure process and imposing strict deadlines especially on the Office of the Prosecutor;</li> <li>- ensuring that requests for redactions are presented in a timely and orderly manner by the Office of the Prosecutor to ensure expeditious treatment by the Chamber; and</li> <li>- streamlining the handling of victim applications for participation including through the implementation of an appropriate collective application process.</li> </ul> </li> <li>&gt; Prepare cases for trial in the most efficient way and, to this end; <ul style="list-style-type: none"> <li>- define precisely the scope of the cases to be sent to trial so that charges not supported by sufficient evidence are not confirmed;</li> <li>- ensure the case file is assembled in the best form to meet the needs of Trial Chambers; and</li> <li>- shorten timelines between confirmation of charges decision and transfer of case file to the Trial Chamber.</li> </ul> </li> <li>&gt; Enhance the sharing of information among Pre-Trial Chambers in order to develop more efficient practices and common standards;</li> <li>&gt; Positively affect proceedings at the trial stage by, where possible, resolving issues at the pre-trial stage;</li> <li>&gt; Ensure that cases not supported by sufficient evidence are not sent to trial in order to achieve judicial economy and preserve the accused's rights;</li> <li>&gt; Standardize, to the extent possible, Pre-Trial Chambers' approach on victim participation in pre-trial proceedings; and</li> <li>&gt; Support Court "lessons-learned" exercise based on pre-trial experience.</li> </ul>	Full implementation.
<p><b>Objective Trial Division:</b> Ensure fair, transparent and expeditious trial proceedings, while further refining legal standards through well-developed jurisprudence and encouraging the development of standardized processes (SG 1.1).</p> <p>Guarantee the rights of the defence to a fair and impartial trial and ensure adequate and meaningful participation and representation of victims (SG 1.4 and 1.5).</p>	<ul style="list-style-type: none"> <li>&gt; Related to the proceedings: <ul style="list-style-type: none"> <li>- Issue decisions within agreed time-frame;</li> <li>- Streamline handling of victim applications for participation in cooperation with the Registry; and</li> <li>- Support "lessons-learned" exercise based on trial experience (particularly those trials that have concluded) with a view to establishing what practices or procedures of the Trial Division may be amended in order to promote more efficient proceedings.</li> </ul> </li> <li>&gt; Related to the internal structure: <ul style="list-style-type: none"> <li>- Maintain, as far as possible, flexible work patterns through multiple assignment of legal officers and other legal staff to different cases;</li> <li>- In consultation with the Registry, ensure that the Trial Chambers have full access to the procedures, practices and decisions that are adopted in each of the individual cases;</li> <li>- Enhance sharing of practices among Trial Chambers; and</li> <li>- Ensure that the lines of communication with the relevant sections of the Registry are maintained;</li> </ul> </li> <li>&gt; Further enhance cooperation and communication with Pre-Trial Division in matters of mutual concern, in particular regarding the transfer of case files from the Pre-Trial Chambers.</li> </ul>	Full implementation.
<p><b>Objective Appeals Division:</b> Conduct fair, effective, and expeditious interlocutory and final appeals in accordance with the Rome Statute in accordance with high legal standards, ensuring full exercise of the rights of all participants. (SG 1.1, 1.4, 1.5)</p>	<ul style="list-style-type: none"> <li>&gt; Issue decisions and judgments on interlocutory appeals within agreed time frame;</li> <li>&gt; Progress on work on final appeals within agreed time frame;</li> <li>&gt; Adoption, and where necessary review, of working methods for the disposal of the first final appeals;</li> <li>&gt; Preparation and anticipation of procedural and administrative issues in order to guarantee time-efficiency while respecting the rights of the parties;</li> <li>&gt; Monitor working methods for interlocutory appeals and revise, if necessary, in particular in light of experience with hearing interlocutory appeals at the same time as final appeals;</li> <li>&gt; Use of internal standard operating guidelines to ensure (time-)efficient disposal of interlocutory and final appeals; and</li> <li>&gt; Use of internal data bases to establish coherent Appeals Chamber jurisprudence on recurrent issues.</li> </ul>	Decisions and judgments issued on time; Work progressed on time; and Working methods for appeals monitored throughout the year.

**Table 13: Programme 1200: Proposed budget for 2014**

1200 Chambers	Expenditure Budget 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013		
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Judges	4,879.4		4,879.4	398.6	5,278.0	4,661.4		4,661.4	3,807.6		3,807.6	-853.8	-18.3
Professional staff						2,139.3	509.2	2,648.5	2,150.4	516.0	2,666.4	17.9	0.7
General Service staff						533.9	200.2	734.1	544.4	204.2	748.6	14.5	2.0
<i>Subtotal staff</i>	<i>2,288.0</i>	<i>561.3</i>	<i>2,849.3</i>		<i>2,849.3</i>	<i>2,673.2</i>	<i>709.4</i>	<i>3,382.6</i>	<i>2,694.8</i>	<i>720.2</i>	<i>3,415.0</i>	<i>32.4</i>	<i>1.0</i>
General temporary assistance	143.4	529.3	672.7	218.7	891.4		920.5	920.5		1,225.2	1,225.2	304.7	33.1
Temporary assistance for meetings													
Overtime													
Consultants						10.0		10.0	10.0		10.0		
<i>Subtotal other staff</i>	<i>143.4</i>	<i>529.3</i>	<i>672.7</i>	<i>218.7</i>	<i>891.4</i>	<i>10.0</i>	<i>920.5</i>	<i>930.5</i>	<i>10.0</i>	<i>1,225.2</i>	<i>1,235.2</i>	<i>304.7</i>	<i>32.7</i>
Travel													
Hospitality		0.1	0.1		0.1	1.0		1.0	1.0		1.0		
Contractual services													
Training						18.0		18.0	18.0		18.0		
General operating expenses													
Supplies and materials													
Furniture and equipment													
<i>Subtotal non-staff</i>		<i>0.1</i>	<i>0.1</i>		<i>0.1</i>	<i>19.0</i>		<i>19.0</i>	<i>19.0</i>		<i>19.0</i>		
<b>Total</b>	<b>7,310.8</b>	<b>1,090.7</b>	<b>8,401.5</b>	<b>617.3</b>	<b>9,018.8</b>	<b>7,363.6</b>	<b>1,629.9</b>	<b>8,993.5</b>	<b>6,531.4</b>	<b>1,945.4</b>	<b>8,476.8</b>	<b>-516.7</b>	<b>-5.7</b>
Distributed maintenance	84.7	28.0	112.7		112.7	77.9	27.0	104.9	128.6	7.8	136.4	-7.8	-6.9

**Table 14: Programme 1200: Proposed staffing for 2014**

Chambers		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							18	2		20		8	8	28	
	Situation-related					1	2		1		4		3	3	7	
	<i>Subtotal</i>					<i>1</i>	<i>2</i>	<i>18</i>	<i>3</i>		<i>24</i>		<i>11</i>	<i>11</i>	<i>35</i>	
New	Basic															
	Situation-related															
	<i>Subtotal</i>															
Redeployed/ Returned	Basic															
	Situation-related															
	<i>Subtotal</i>															
<b>Total</b>					<b>1</b>	<b>2</b>	<b>18</b>	<b>3</b>		<b>24</b>		<b>11</b>	<b>11</b>	<b>35</b>		

### 3. Programme 1300: Liaison Offices

#### Introduction

116. In line with Resolution ICC-ASP/9/Res.4, IX, of the Assembly, no resources have been allocated to the African Union Liaison Office in the 2014 proposed programme budget (see further annex IX below).

117. The New York Liaison Office (NYLO) contributes to the objectives of the Court by enhancing interaction and facilitating cooperation between the Court and the United Nations. The office is constantly engaged with officials from the United Nations Secretariat and its agencies to resolve issues of operational cooperation and to explore ways of strengthening cooperation between the two organizations. NYLO also monitors and reports on developments of relevance to the Court, intervening where necessary.

118. As judicial, investigative and preliminary examination activities progress, the Court has gained increasing prominence on the United Nations agenda. On an almost daily basis, the work of the Court is discussed by the United Nations General Assembly, the Security Council and other bodies in diverse contexts, including under situation-specific and thematic agenda items. The NYLO, through constant interaction and engagement with key players in these decision-making organs, seeks to ensure that the mandate and work of the Court is respected. The NYLO is administratively supported by the Presidency, but serves and represents all Organs of the Court, providing them with logistical and other practical support for their various activities at the UN, in particular when (as in 2014) sessions of the Assembly are held in New York. It also provides logistical support to the meetings of the Assembly, its Bureau and the Bureau's New York Working Group. Furthermore, the NYLO disseminates information and updates reports from the Court to the United Nations community in New York, to keep them abreast of relevant developments within the Court.

119. More specifically, NYLO has direct responsibility for the exchange of information between the Court and the United Nations Secretariat; for organizing and facilitating visits and meetings between Court officials and United Nations officials and representatives from Permanent Missions in New York; for maintaining close contact with Permanent Missions and other civil society organs based in New York; for monitoring discussions at relevant UN meetings; for analyzing UN reports relevant to the work of the Court; for disseminating relevant information on the Court to the Organization and to Permanent Missions in New York; for building networks through sustained and continuous personal contacts with key officials; and for relaying requests from the Court to the Organization and vice-versa, and making the necessary follow-up to ensure implementation. It is the first contact point for enquiries by States (both Parties and non-Parties) represented in New York. Furthermore, the Head of Office attends meetings of the Bureau on behalf of the Court.

#### Objectives

1. Develop the Court's worldwide support by further strengthening the trust, cooperation and commitment of States, international and regional organizations, NGOs and other key partners and stakeholders (SG 3.2); and
2. With States Parties, encourage and support further accessions to the Rome Statute with the ultimate goal of universality (SG 3.5).

**Table 15: Expected results, performance indicators and target for 2014**

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>
<b>Objectives 1 and 2</b>	Pursue all requests of the Court for cooperation with relevant interlocutors at United Nations Headquarters until completion of requests;	100% implementation rate.
Encourage recognition and strengthened support of the Court.	Organize briefings or other relevant events for States in New York;	4 briefings/events.
	Provide support to visiting Court officials;	8-12 visits.
	Monitor and participate in relevant United Nations meetings, follow up on items bilaterally and provide regular reports to the Court;	Weekly/daily reports as necessary.
	Provide input for United Nations reports and resolutions on Court-related subjects;	Provide input for 5-10 resolutions/reports.
	Disseminate information about the Court to States, the UN and other organizations affiliated with the UN;	
	Participate and intervene in seminars and discussions on Court-related subjects;	5 seminars/ workshops.
	Provide logistical support to the Assembly, its Bureau and the New York Working Group; and	15-20 meetings.
Provide logistical and administrative support to the Organs of the Court during the thirteenth Assembly Session.	100%.	

### **Staff resources**

#### *Current staffing*

120. The NYLO is currently staffed by one Head of Office (P-5), handling all the substantive work of the Office, and one Administrative Assistant (GS-5), who provides support on all administrative and logistical matters. Because of the Office's limited staffing, the Head of Office focuses on the most essential tasks: pursuing the most urgent requests for cooperation with the United Nations, establishing and maintaining formal contacts and informal networks with the United Nations Secretariat and Permanent Missions, monitoring and reporting to the Court on United Nations activities of concern to the Court, arranging visits of Court officials to the Organization, and servicing meetings of the Assembly and its subsidiary bodies.

#### **Non-staff resources**

121. Recurrent. A provision of €86,000 is made for NYLO running costs, including the rental of the office space, basic office supplies and other expendable materials required for the Office. This amount also covers travel, general operating expenses, supplies, hospitality and contractual services.

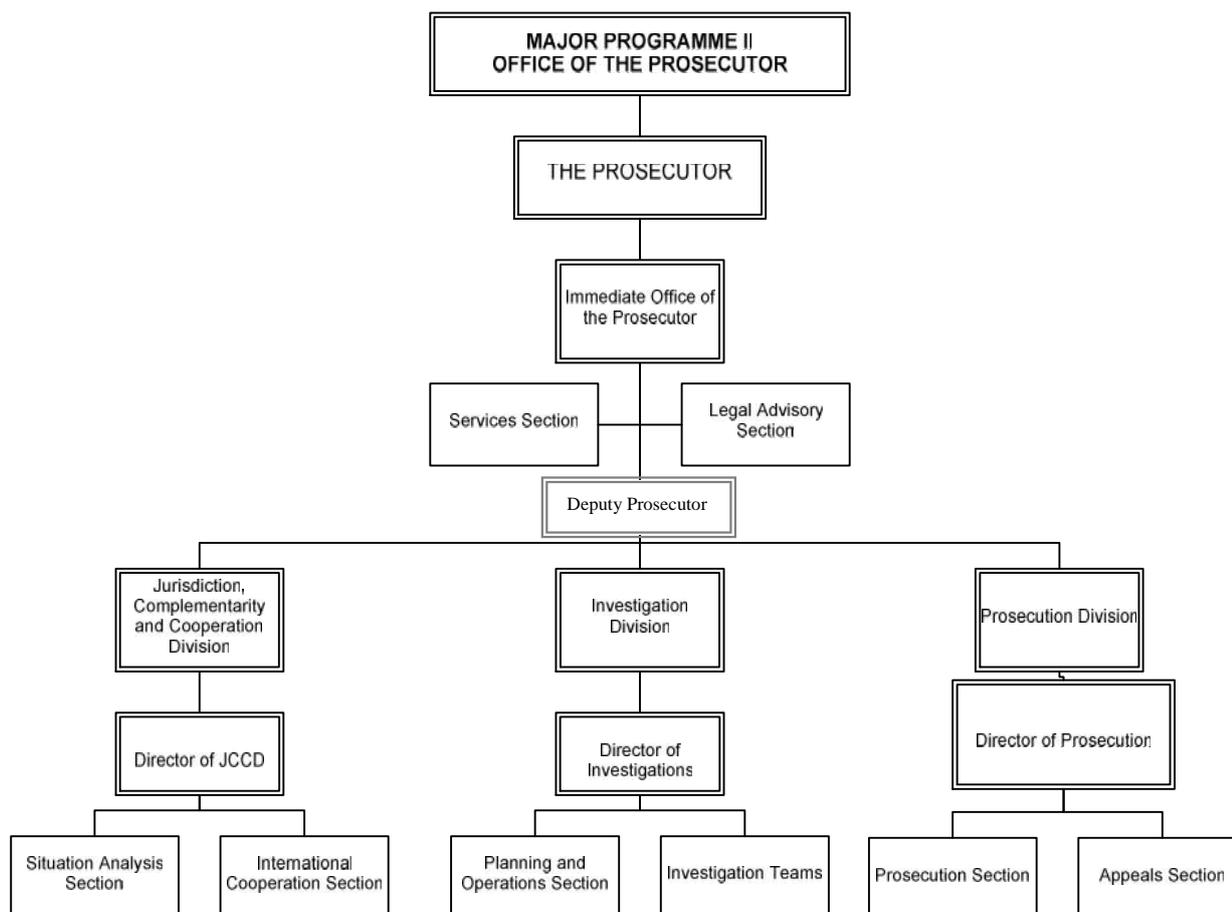
**Table 16: Programme 1300: Proposed budget for 2014**

1300 Liaison Offices	Expenditure Budget 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2013 vs 2014		
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Judges													
Professional staff						154.4		154.4	169.9		169.9	15.5	10.0
General Service staff						83.7		83.7	64.6		64.6	-19.1	-22.8
<i>Subtotal staff</i>	259.4		259.4		259.4	238.1		238.1	234.5		234.5	-3.6	-1.5
General temporary assistance													
Temporary assistance for meetings													
Overtime													
Consultants													
<i>Subtotal other staff</i>													
Travel	3.6		3.6		3.6	8.8		8.8	7.6		7.6	-1.2	-13.6
Hospitality						1.0		1.0	1.0		1.0		
Contractual services incl. training						5.0		5.0	5.0		5.0		
Training													
General operating expenses	35.3		35.3		35.3	63.3		63.3	67.4		67.4	4.1	6.5
Supplies and materials	1.2		1.2		1.2	5.0		5.0	5.0		5.0		
Furniture and equipment													
<i>Subtotal non-staff</i>	40.1		40.1		40.1	83.1		83.1	86.0		86.0	2.9	3.5
<b>Total</b>	<b>299.5</b>		<b>299.5</b>		<b>299.5</b>	<b>321.2</b>		<b>321.2</b>	<b>320.5</b>		<b>320.5</b>	<b>-0.7</b>	<b>-0.2</b>

**Table 17: Programme 1300: Proposed staffing for 2014**

Liaison Offices		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														
	<i>Subtotal</i>					1						1		1	2
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
Redeployed/ Returned	Basic														
	Situation-related														
	<i>Subtotal</i>														
<b>Total</b>						<b>1</b>						<b>1</b>		<b>1</b>	<b>2</b>

## B. Major Programme II: Office of the Prosecutor



### Introduction

122. In this budget proposal, the Office of the Prosecutor (“OTP”, or “the Office”) is seeking an increase in resources to enhance the quality and efficiency of its work. However, it is proposed that this increase be phased in over the next four years, and the proposed programme budget for 2014 has been moderated accordingly. Even with respect to 2014, the increase is phased in to take account of the time actually required to engage new staff.

123. This phased increase in resources is necessary to enable OTP to improve its capacity to conduct high-quality examinations, investigations, and prosecutions. Phasing in resources over a period of several years offers a sensible and more affordable way to enhance OTP capacities.

124. The examination of information on crimes within the jurisdiction of the Court and the conduct of investigations and prosecutions are the OTP’s core responsibilities. The Office has learned from past experiences and is adjusting its plans and methods to meet fresh challenges. To achieve success in future, however, there must be an investment of more resources now.

125. The two key concepts in the OTP Strategic Plan for 2013-15 are “quality” and “efficiency”, as these concepts relate to all of the operations of the Office.

126. Emphasis is put on the initial investment of sufficient resources to develop cases as fully as possible even before engaging the judicial process. The aim is to be as “trial-ready” as possible by the time the OTP comes to the hearing for confirmation of charges. This should allow the Office to move speedily to trial following confirmation, thus reducing delays and costs. Moreover, careful planning and investment of sufficient resources at the outset should ensure that a successful outcome in the eventual trial proceedings is obtained.

127. A phased-in increase of resources has become necessary for the following reasons:

(a) The rotational model on which the OTP has operated, by which limited resources are shifted around from case to case as they are most urgently needed, can no longer be sustained if successful prosecutions are to be achieved;

(b) In order to achieve positive outcomes in trial proceedings, greater resources must be invested at the outset of investigations, so that the Prosecution is as close as possible to being "trial-ready" by the time of confirmation of charges;

(c) The response of the Pre-Trial and Trial Chambers to the cases the Prosecution has presented suggests that they are demanding more of the OTP than it was possible to generate with smaller, more focused investigations employing limited resources;

(d) Even where an investigation is put into "hibernation", on account of the non-execution of an arrest warrant, for example, there is still a need for some level of investigative activity, to maintain contact with witnesses and follow up on leads; and

(e) Information management has become a major undertaking, since a great volume of material from a wide variety of sources must be collected, registered, analyzed, disseminated within the OTP, and disclosed to the defence.

128. Current staffing levels are insufficient to meet all these demands. The rotational model that has been the basis of the OTP's method of operation is overstretched. The OTP was initially set up to support two teams engaged in parallel investigations. Over time these two simultaneous investigations have increased to seven. However, this stepped-up activity was absorbed without any real increase in resources, by reducing the team size per case and by delaying needed investigative activities. Such strategic decisions were justified at the time by the need for the Court to secure results without delay, to respond to the need for the Court's intervention and to respond to the request from States Parties to avoid requests for budget increases in light of the economic constraints facing governments.

129. The OTP's approach still envisages a flexible ability to apply resources where they are most urgently needed, as a function of their best use. However, the OTP has surpassed the limit of its ability to operate on the basis of the rotational model, shifting resources around from one situation to another to meet demands. The efficacy of this operational model is exhausted.

130. The OTP will, of course, continue to seek cost savings and efficiencies in its operations including:

(a) through close cooperation with the Registry;

(b) by strengthening information management systems;

(c) by fulfilling disclosure obligations to the defence and the Chambers with greater efficiency, in order to avoid delays and help the Chambers ensure that pre-trial and trial proceedings are expeditious and fair;

(d) by implementing lessons learned from past experience;

(e) through cooperation with the Court's Office of Internal Audit to enhance compliance with rules governing key features of the OTP's operations; and

(f) by strengthening the capacity of the Joint Teams to become high-performance teams operating to a high level of skill and efficiency.

131. In making a request for increased resources, the OTP does so on the basis of transparency and accountability. Any increase in resources is justified on the basis of a reasonable, common sense assessment of the performance goals the OTP has set. This is in line with the concept of performance-based budgeting that places a premium on achieving results through the application of the governing concepts of quality and efficiency.

132. The capacity of the OTP to perform to a high standard may be enhanced in a number of complementary ways, namely:

(a) acquisition of sufficient resources;

(b) recruitment and development of skilled, committed staff;

(c) staff training to develop excellence and create a cohesive culture;

- (d) effective performance management; and
- (e) creation of a productive work environment.

133. Whilst resources form only one part of the equation, they are the most critical success factor at this stage for the improvement of the quality and efficiency of the work and they constitute therefore the focus of this budget proposal. The other elements impacting on quality and efficiency are addressed in the OTP strategic plan 2013 – 2016. Without increased resources, the OTP cannot achieve the success that it hopes for, and that victims, affected communities, and the international community expect.

134. The proposed budget of the Office of the Prosecutor for 2014 of €35.74 million represents a 26.5 per cent increase over 2013. The requested increase is consistent with what has been pointed out by several independent observers,<sup>44</sup> namely that the Office needs to devote greater time and resources to its investigations from the outset. The capability of the Office to deliver results requires not only an expansion in the number of investigators on a given team, but also investments in specialized units and in expertise and technologies that may contribute to evidentiary collection and preparation of cases for prosecution.

135. The main structural change adopted by the Office - the appointment of the new Deputy Prosecutor - took effect in March 2013. The three Divisions of the OTP, namely Investigation (ID), Jurisdiction Complementarity and Cooperation (JCCD), and Prosecution (PD) now report to the Deputy Prosecutor. This enhances the strategic coordination of the Office. In order to ensure parity of roles and responsibilities, a new D-1 position is foreseen for the Prosecution Division in the 2014 budget. The Director will have strategic and operational responsibilities similar to those of his/her equivalent in ID and JCCD. Policies and strategies will only be refined to the extent necessary to increase efficiencies in working practices as in previous years.

136. Year on year, the Office has increased its level of activities, peaking at 18 cases in eight different situations in 2013. The Office achieved this without any increase in the number of staff. While this approach had its benefits in terms of overall cost, the drawbacks to limiting staff numbers have recently appeared to be substantial in terms of the difficulty in reaching the necessary evidentiary depth in all the concurrent cases managed by the OTP.

137. The Office has therefore decided to focus more intensively on fewer cases. Thus, the number of active investigations foreseen in the assumptions for the 2014 proposed programme budget is reduced from seven to five. More resources<sup>45</sup> are now to be allocated to the specific teams for these five investigations.

138. The Office will deploy resources for the preparation and execution of trials, including the required investigative activities. It will retain limited capacity for completed cases, to cover appeals and/or implementation of an adequate exit strategy for the witnesses concerned. And finally it also deploys resources to cover an increasing need for Art. 70 investigations.

139. The other investigations will be put or left in hibernation, with limited resource capability being assigned to perform the necessary activities to preserve evidence and leads and to contact and protect witnesses. The goal is to ensure that the cases in question are always kept updated, so that they can be swiftly resumed if necessary, and dedicated teams can restart operations effectively.

<sup>44</sup> In addition to the recommendations included in the inter-organ review performed by Pricewaterhouse Coopers, the Office has received similar comments and advices from other independent sources/parties with which it has engaged discussion regarding staffing needs for effective operations (e.g.: Meeting organized by the Open Society Foundation in Amsterdam in June, 2013).

<sup>45</sup> A detailed capacity planning exercise has been performed in the OTP. Based on the activities that must be performed to achieve the expected investigative results, a dedicated joint team has been estimated to require 16 investigators and analysts, 7.5 lawyers and one international cooperation adviser (all figures in FTE). This level of resources is still lower than that implemented by similar institutions (e.g.: ICTY deployed between 20 and 30 investigators – excluding lawyers and other supporting functions - per case; in many national judicial systems, more than 35 investigators can be allocated to a single criminal case). In terms of resource-intensity, the investigative phase is the one that absorb the highest number of resources, with the greatest contribution coming from ID, as one would expect. Once the case enters the trial phase, PD allocates more resources, while ID significantly reduces its involvement. In total, however, the trial phase requires fewer resources than the investigative one. Finally, hibernation is the least demanding status in terms of OTP resources.

140. The number of preliminary examinations foreseen in the proposed budget assumptions is eight. Preliminary examinations are an extremely useful way the Court and the OTP in particular has to prevent the commission of crimes or the continuation of such crimes through direct interaction with local affected States. Preliminary examinations are critical for deciding on and laying the ground for new investigations. In addition, they have a preventive impact and can serve to foster domestic complementarity efforts.

141. The Jurisdiction Complementarity and Cooperation Division (JCCD) has kept its staff substantially at the very same level it had when the Court was established. The number of examinations performed in any given year, however, has increased from three to eight. This has caused the Office to adopt a sub-optimal “stop-go” approach. Since it is impossible to conduct all the examinations simultaneously, situations have been analyzed by one analyst for a period and then put in a dormant state - where only the absolutely necessary tasks are performed - to allow the same staff to work on another situation.

142. This approach risks limiting the preventive impact that preliminary examinations can have in ongoing conflicts or crisis situations. Effective complementarity in large part depends on the capability of the Office to devote continuous attention for domestic investigation and prosecution. JCCD’s activities in this respect are also a cost effective way of dealing with (and avoiding) potential future investigations that imply much higher costs. Strengthening this area can thus be seen as an investment with tangible pay-off.

143. The number of established posts in the Office remains unchanged in 2014, with the exception of the new post of Director of Prosecution. All the additional capacity to fulfill the needs of the Office will have to be provided by GTA. This GTA capacity will give the Office the operational strength and flexibility it requires to undertake the foreseen investigations and support trial preparations and activities for the cases in Kenya, Darfur and Côte d’Ivoire, as well as the ongoing litigation and appeals in the DRC and Central African Republic cases. In addition, the Office continues to preserve the evidence and galvanize efforts for arrest in residual cases where arrest warrants have not been executed.

144. The Office bases its activities and strategy on five essential principles:

- (a) High-quality investigations and prosecutions;
- (b) A positive approach to complementarity;
- (c) Taking into account the interests of victims;
- (d) Maximizing the preventive impact, in particular through successful prosecution; and
- (e) Predictability and transparency through its policies and standards.

145. In this respect, the annual budget is maintained at a cost-effective level resulting from a policy of effective investigations and prosecutions under the Statute that seek to maximize the Court’s preventive impact by concentrating efforts on those who bear the greatest responsibility, as well as by encouraging national proceedings against lower-level perpetrators. In Uganda, the Office has cooperated and shared information with the national prosecutor in the investigation and prosecution of a lower-level LRA perpetrator. The office has also worked in close cooperation and coordination with the judicial authorities of the DRC, Rwanda, France and Germany in its investigation into the FDLR in the Kivus region of the DRC and has benefited from further assistance from the Norway and Netherlands War Crimes Units. Additionally, the Office has shared expertise, contributed to training and provided assistance to the DRC judicial authorities in charge of investigating crimes under the Court’s jurisdiction alleged to have been committed in North Kivu.

146. Building and maintaining support networks for cooperation with States, inter-governmental and non-governmental entities is another key aspect of the Office’s activities, as it seeks to enhance cooperation by urging States to streamline national internal processes for handling requests for cooperation. Such enhanced cooperation greatly facilitates the Office’s work and reduces costs.

147. Integration and increased standardization of the Office has been achieved through the Office Operations Manual, which has codified all aspects of the Office’s working

methods and procedures. The Manual is constantly updated to incorporate best practices and the experience acquired through lessons learned exercises.

**Table 18: Changes in OTP budget and staff allocation per situation**

<i>Budget in euros (# cases)</i>	<i>Operational Support</i>	<i>Uganda</i>	<i>DRC</i>	<i>Darfur</i>	<i>CAR</i>	<i>Kenya</i>	<i>Libya</i>	<i>Côte d'Ivoire</i>	<i>Mali</i>
2009 approved	5,012,700 (9 cases)	898,900 (1 case)	6,124,300 (4 cases)	4,590,500 (3 cases)	4,206,300 (1 case)	N/A	N/A	N/A	N/A
2010 approved	5,539,200 (11 cases)	903,800 (1 case)	6,655,400 (5-6 cases)	4,121,400 (3 cases)	4,794,700 (1-2 cases)	N/A	N/A	N/A	N/A
2011 approved	6,245,900 (13 cases)	341,800 (1 case)	5,510,800 (5 cases)	2,288,200 (4 cases)	2,122,300 (1 case)	5,026,900 (2 cases)	Contingency Fund <sup>46</sup> 2,225,800 (2 cases)	N/A	N/A
2012 approved	5,101,400 (17 cases)	106,500 (1 case)	5,643,900 (6 cases)	2,300,000 (4 cases)	1,444,500 (1 case)	5,044,500 (2 cases)	1,523,900 (2 cases)	Supp. Budget 1,524,000 (1 case)	N/A
2013 approved	7,614,500 (18 cases)	158,400 (1 case)	4,280,400 (6 cases)	1,550,900 (4 cases)	1,620,300 (1 case)	3,855,200 (2 cases)	1,455,000 (2 cases)	2,880,700 (2 cases)	N/A
2014 proposed	8,825,600 (18 cases)	198,400 (1 case)	4,232,100 (5 cases)	1,076,600 (3 cases)	262,400 (1 case)	2,181,100 (2 cases)	361,100 (2 cases)	5,987,100 (2 cases)	4,821,400 (2 cases)

<sup>46</sup> Contingency Fund request for Libya situation resources for period May to December 2011.

**Table 19: Major Programme II: Proposed budget for 2014**

Programme II Office of the Prosecutor	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013		
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						3,664.9	12,677.8	16,342.7	4,159.8	12,533.0	16,692.8	350.1	2.1
General Service staff						1,179.3	2,852.2	4,031.5	1,071.2	2,955.2	4,026.4	-5.1	-0.1
<i>Subtotal staff</i>	<i>4,792.5</i>	<i>14,262.1</i>	<i>19,054.6</i>		<i>19,054.6</i>	<i>4,844.2</i>	<i>15,530.0</i>	<i>20,374.2</i>	<i>5,231.0</i>	<i>15,488.2</i>	<i>20,719.2</i>	<i>345.0</i>	<i>1.7</i>
General temporary assistance	401.5	5,357.7	5,759.2		5,759.2	38.8	5,111.2	5,150.0	93.5	11,702.3	11,795.8	6,645.8	129.0
Temporary assistance for meetings													
Overtime													
Consultants		17.0	17.0		17.0		81.0	81.0		86.9	86.9	5.9	7.3
<i>Subtotal other staff</i>	<i>401.5</i>	<i>5,374.7</i>	<i>5,776.2</i>		<i>5,776.2</i>	<i>38.8</i>	<i>5,192.2</i>	<i>5,231.0</i>	<i>93.5</i>	<i>11,789.2</i>	<i>11,882.7</i>	<i>6,651.7</i>	<i>127.2</i>
Travel	159.9	1,768.5	1,928.4		1,928.4	187.0	1,697.1	1,884.1	278.9	1,960.2	2,239.1	355.0	18.8
Hospitality	4.5		4.5		4.5	5.0		5.0	8.0		8.0	3.0	60.0
Contractual services	9.1	194.3	203.4		203.4	25.0	327.5	352.5	25.0	347.5	372.5	20.0	5.7
Training	20.6	19.8	40.4		40.4	23.9	32.0	55.9	35.0	65.0	100.0	44.1	78.9
General operating expenses		376.8	376.8		376.8		285.0	285.0		315.0	315.0	30.0	10.5
Supplies and materials	4.3	13.4	17.7		17.7	38.0	10.0	48.0	38.0	20.0	58.0	10.0	20.8
Furniture and equipment		31.7	31.7		31.7		30.0	30.0		50.0	50.0	20.0	66.7
<i>Subtotal non-staff</i>	<i>198.4</i>	<i>2,404.5</i>	<i>2,602.9</i>		<i>2,602.9</i>	<i>278.9</i>	<i>2,381.6</i>	<i>2,660.5</i>	<i>384.9</i>	<i>2,757.7</i>	<i>3,142.6</i>	<i>482.1</i>	<i>18.1</i>
<b>Total</b>	<b>5,392.4</b>	<b>22,041.3</b>	<b>27,433.7</b>		<b>27,433.7</b>	<b>5,161.9</b>	<b>23,103.8</b>	<b>28,265.7</b>	<b>5,709.4</b>	<b>30,035.1</b>	<b>35,744.5</b>	<b>7,478.8</b>	<b>26.5</b>
Distributed maintenance	145.2	680.1	825.3		825.3	133.5	656.3	789.8	220.5	188.4	408.9	-380.9	-48.2

**Table 20: Major Programme II: Proposed staffing for 2014**

Office of the Prosecutor		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	6	8	4	6	2	31	1	15	16	47
	Situation-related					6	21	40	41	14	122		48	48	170
	<i>Subtotal</i>	<i>1</i>	<i>2</i>		<i>2</i>	<i>12</i>	<i>29</i>	<i>44</i>	<i>47</i>	<i>16</i>	<i>153</i>	<i>1</i>	<i>63</i>	<i>64</i>	<i>217</i>
New	Basic				1						1				1
	Situation-related														
	<i>Subtotal</i>				<i>1</i>						<i>1</i>				<i>1</i>
Redeployed/ Returned	Basic		-1				1								
	Situation-related						-1				-1				-1
	<i>Subtotal</i>		<i>-1</i>								<i>-1</i>				<i>-1</i>
<b>Total</b>	<b>1</b>	<b>1</b>		<b>3</b>	<b>12</b>	<b>29</b>	<b>44</b>	<b>47</b>	<b>16</b>	<b>153</b>	<b>1</b>	<b>63</b>	<b>64</b>	<b>217</b>	

## 1. Programme 2100: The Prosecutor

### Introduction

148. The programme of the Prosecutor comprises the Immediate Office, the Legal Advisory Section (LAS) (Sub-programme 2110) and the Services Section (Sub-programme 2120), which all assist the Prosecutor with the coordination of, and provision of services to, the operational divisions and Joint Teams. It is here that the policies of the Office are evaluated and consolidated. The Executive Committee (regulation 4.2 of the Regulations of the Office of the Prosecutor) advises the Prosecutor on strategic aspects of all operations and activities of the Office, and the Immediate Office acts as its secretariat.

149. Through the Executive Committee, the Prosecutor directs the major activities for achieving the objectives of the prosecutorial strategy with a minimum of resources and maximum accountability.

150. In this regard, the Immediate Office of the Prosecutor coordinates internal and inter-organ activities, ensuring a well-qualified and motivated staff through its human resources capability, as well as effective information sharing through its Public Information Unit.

151. The Legal Advisory Section responds to requests for legal advice from the Prosecutor and all operational divisions. The section's activities are instrumental in achieving the results of Objective 1. The Legal Advisory Section plays an important facilitating role in the establishment of the standards of the Office. It maintains on-line legal tools, commentaries and database for the Office. It coordinates the work of the roster of external legal experts and the academic module of the ICC-OTP extranet. The Legal Advisory Section is also responsible for the ongoing review of the regulatory framework of the Office. Any necessary amendments/revisions are implemented. LAS has the function of coordinating compliance in order to maintain quality control.

152. The Services Section provides high-quality and timely OTP-specific administrative, linguistic and technical services by adopting a flexible approach and by interfacing with the Registry to coordinate seamless common services, in a continuum of activities that is aimed at meeting clients' needs with minimum resources. The section's activities are instrumental in achieving Objective 2 results.

### Objectives

153. The quality and efficiency of the OTP core activities are guaranteed through: a) the standards in the OTP Operations Manual, b) carefully planned and controlled implementation, including greater emphasis on quality control, and c) continuous improvement through lessons learned.

154. The Office goals contained in the OTP Strategic Plan are linked to the Court's broader strategic objectives. In particular, for Sub-programme 2100:

1. Conduct and implement an in-depth, "lessons-learned" review of judicial processes, focusing first on procedures in pre-trial and trial preparation and hearing stages, subsequently on conclusion of trials and appeals, consulting States Parties, parties/participants and other stakeholders as appropriate (SO 1.1.1);
2. Re-examine and adapt the structure, staffing and resources of the Court in the light of practical experience, promoting efficiency and effectiveness while ensuring the capacity to deliver the Court's mandates (SO 2.1.1);
3. Effective resource management and identification and implementation of possible further efficiency measures (SO 2.1.2);
4. Ensure high standards in recruitment (SO 2.2.1); and
5. Ensure compliance with the Court's Code of Conduct for Staff (SO 2.2.2).

**Table 21: Expected results, performance indicators and target for 2014**

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>
<b>Objective 1.1.1</b>		
<b>Objective 2.2.2</b>		
<b>OTP Strategic Goal 6</b>		
Ensure good governance and transparency:		
Provision of legal advice, including, with regard to disciplinary matters, development of the OTP's internal regulatory framework;	Level of satisfaction of OTP clients with legal advice;	100% accuracy and satisfaction.
Develop strategic policies;	Number of policies created;	At least 3.
Update Operational Manual;	Percentage of annual updates;	>70%.
Lessons learned concept institutionalized and percentage of lessons implemented	Percentage of annual action points implemented;	At least 90%.
Finalize the OTP Code of Conduct for Staff and ensure its alignment with the Court's Code of Conduct; and	Actual proportion of improvements/developments implemented;	>90%.
Ensure Staff are informed about and are compliant with the Code of Conduct.	Percentage of staff informed about the Code; and	100%.
	Number of non-compliance issues.	Zero. OTP Compliance Framework defined and put into practice.
<b>Objective 2.1.1</b>		
<b>OTP Strategic Goal 5.3</b>		
Maintain a professional office with specific attention to performance management and measurement:		
Enhance coordination with other Court's organs and streamline inter-organ processes;		
Review internal processes to streamline work-flow and increase efficiency;	Resource savings; and	2% of previous cost of the process involved.
OTP internal structure reviewed in order to increase its effectiveness and efficiency;	Percentage of errors and time lag.	Error rate <5%.
Outcome measurements reviewed;		
Overall performance measurement framework reviewed;		
Link OTP strategy-budget-indicators established;		
Workload and resource measurement reviewed; and		
Risk management system formalized.		
<b>Objective 2.2.1</b>		
<b>OTP Strategic Goal 5.2</b>		
Maintain a professional office with a specific attention to staff quality and motivation:		
Implement training programme for competency based interviews;	Number of staff trained;	At least 50%.
Create and update a roster of qualified candidates for roles in the OTP;	Percentage of roles for which a list of candidates is available; and	>50% (to be increased year on year).
In liaison with HR, delivery of the annual OTP training plan for staff;	Proportion of annual training plan implemented.	At least 70%.
Recruitment and selection standards reviewed;		
Career and development policy defined; and		
Key working climate issues within OTP's control addressed.		

**Table 22: Programme 2100: Proposed budget for 2014 (comprises combined figures for Sub-programmes 2110 and 2120)**

2100 The Prosecutor	Expenditure 2012 (thousands of euro)			Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013			
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						2,088.1	448.3	2,536.4	2,239.4	450.1	2,689.5	153.1	6.0
General Service staff						727.1	646.0	1,373.1	675.8	724.9	1,400.7	27.6	2.0
<i>Subtotal staff</i>	<i>2,587.9</i>	<i>1,121.2</i>	<i>3,709.1</i>		<i>3,709.1</i>	<i>2,815.2</i>	<i>1,094.3</i>	<i>3,909.5</i>	<i>2,915.2</i>	<i>1,175.0</i>	<i>4,090.2</i>	<i>180.7</i>	<i>4.6</i>
General temporary assistance	304.4	1,671.3	1,975.7		1,975.7	38.8	2,090.1	2,128.9	93.5	2,405.3	2,498.8	369.9	17.4
Temporary assistance for meetings													
Overtime													
Consultants		17.0	17.0		17.0		81.0	81.0		86.9	86.9	5.9	7.3
<i>Subtotal other staff</i>	<i>304.4</i>	<i>1,688.3</i>	<i>1,992.7</i>		<i>1,992.7</i>	<i>38.8</i>	<i>2,171.1</i>	<i>2,209.9</i>	<i>93.5</i>	<i>2,492.2</i>	<i>2,585.7</i>	<i>375.8</i>	<i>17.0</i>
Travel	79.2	223.5	302.7		302.7	63.5	349.3	412.8	119.6	358.2	477.8	65.0	15.7
Hospitality	4.5		4.5		4.5	5.0		5.0	8.0		8.0	3.0	60.0
Contractual services including training	9.1	121.0	130.1		130.1	25.0	217.5	242.5	25.0	237.5	262.5	20.0	8.2
Training	20.6	19.8	40.4		40.4	23.9	32.0	55.9	35.0	65.0	100.0	44.1	78.9
General operating expenses		0.1	0.1		0.1		10.0	10.0		30.0	30.0	20.0	200.0
Supplies and materials	4.3	13.4	17.7		17.7	38.0	10.0	48.0	38.0	20.0	58.0	10.0	20.8
Furniture and equipment		27.0	27.0		27.0		30.0	30.0		50.0	50.0	20.0	66.7
<i>Subtotal non-staff</i>	<i>117.7</i>	<i>404.8</i>	<i>522.5</i>		<i>522.5</i>	<i>155.4</i>	<i>648.8</i>	<i>804.2</i>	<i>225.6</i>	<i>760.7</i>	<i>986.3</i>	<i>182.1</i>	<i>22.6</i>
<b>Total</b>	<b>3,010.0</b>	<b>3,214.3</b>	<b>6,224.3</b>		<b>6,224.3</b>	<b>3,009.4</b>	<b>3,914.2</b>	<b>6,923.6</b>	<b>3,234.3</b>	<b>4,427.9</b>	<b>7,662.2</b>	<b>738.6</b>	<b>10.7</b>
Distributed maintenance	87.7	64.0	151.8		151.8	80.7	61.8	142.4	133.2	17.8	151.0	8.6	6.0

**Table 23: Programme 2100: Proposed staffing for 2014**

The Prosecutor		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	5	3	5	2	18	1	9	10	28
	Situation-related							1	2	2	5		11	11	16
	<i>Subtotal</i>	<i>1</i>				<i>2</i>	<i>5</i>	<i>4</i>	<i>7</i>	<i>4</i>	<i>23</i>	<i>1</i>	<i>20</i>	<i>21</i>	<i>44</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>
<b>Total</b>	<b>1</b>				<b>2</b>	<b>6</b>	<b>4</b>	<b>7</b>	<b>4</b>	<b>24</b>	<b>1</b>	<b>20</b>	<b>21</b>	<b>45</b>	

(a) **Sub-programme 2110: Immediate Office of the Prosecutor - Legal Advisory Section****Staff resources**

155. The Office of the Prosecutor needs its own Public Information Unit (PIU) to address issues across all situations and cases. This includes explaining OTP strategies and policies in preliminary examinations, situation and case selection, explaining and providing updates on investigative activities and defending OTP positions and interests. These functions cannot be performed by the Registry, which has to maintain neutrality between prosecution and defence.

156. The unit is responsible for drafting action plans based on the overall public information strategic approach, including developing media strategies from the preliminary examination phase of a situation through to trial and beyond.

157. The PIU is responsible for delivering timely and accurate information to the public at large and target audiences, through various channels of communication, on Office of the Prosecutor positions. In order to do so, it develops and implements structures to ensure publicity of relevant OTP activities for national and international audiences.

158. Given the independence of the Prosecutor, the OTP's messages concerning investigation of cases before the Court may differ from messages issued by the Registry, both in terms of timing and content.

159. In light of the actual workload performed by the unit,<sup>47</sup> the reintegration into the Public Information Unit of the P-2 Public Information Officer who was transferred to PIDS in 2013 is requested.<sup>48</sup> The Office is mindful of the forthcoming inter-organ review of the Court's structure by PricewaterhouseCoopers. Therefore, the Office will come back to this point and discuss it with the Committee during the September 2013 session, and, if necessary, provide a corrigendum to this proposed budget to incorporate any necessary change in the staffing requests for the Unit.

*General temporary assistance*

160. Funds are requested as in previous years for twelve months of GTA at P-2 level to support ad hoc projects or anticipated peaks in workload in relation to the legal advisory capacity of the Office; this capacity remains essential to ensure full implementation and necessary review of the OTP Operations Manual.

161. As proceedings increasingly rely on electronic documents and correspondence, the Office's information environment is growing increasingly complex. The proper regulations and legal requirements regarding in particular electronic file management, information processing, evidence management and disclosure are a very sensitive and important feature of OTP activities, and require a full-time resource dedicated to the coordination of the work-flow. Due to the nature of the specific tasks that are performed during the process, different units are engaged in the phases of such process. The cross-divisional nature of the work-flow calls for a strong coordination of these tasks.<sup>49</sup>

162. Funds are accordingly requested for an *Information Management Coordinator at P-5 level*. In consideration of the time-lag necessary to bring new resources on board, the funds for this resource have been budgeted for six months. However, the importance of such a competence within the Office calls for this role to be covered as soon as possible. The incumbent must understand the work product, the work processes and the workers across the entire Office. Initially, he/she will re-design the process of evidence registration and exploitation, as well as of disclosure. With the assistance and expertise of the Knowledge Base Unit ("KBU") and the Information and Evidence Unit ("IEU"), he/she will evaluate the appropriate systems to implement and make a proposal to ExCom for an appropriate future solution.

<sup>47</sup> *Report of the Court on Public Information and Outreach Activities*, CBF/20/20, 13 April 2013.

<sup>48</sup> ICC-ASP/11/15, paragraph 147.

<sup>49</sup> See *Consultancy on ICC Organizational Structure; Report on the intra-Organ review of the Office of the Prosecutor*, PricewaterhouseCoopers, June 2013.

163. Once a solution has been devised and approved, the Coordinator will:

- (a) Supervise the planning and organization of the evidence review and disclosure process by each joint/trial team;
- (b) Ensure compliance and quality control with the standards in relation to registration, review and disclosure of evidence by each joint/trial team; and
- (c) Report to ExCom in relation to performance and risks in relation to handling of evidence.

164. The incumbent will also play a vital role in ensuring the quality improvement of evidence handling including disclosure through lessons-learned and external reviews of suitable new technology. In addition, he/she will contribute to the development and implementation of an information management strategy within the Office.

#### *Overtime*

165. The OTP has removed any provision for overtime. Since the OTP does not use shift work and has managed to compensate the significant majority of necessary overtime through compensatory time off, the Office is of the view that any legitimate claims for paid overtime, which have been insignificant in the past, can be absorbed within the available staffing budget.

#### *Consultancy*

166. In 2014, the Office will continue to engage situation-related expert advisers and expert witnesses in support of investigations and trials. However, in an effort to reduce this budget line, such hirings will be strictly limited, and as far as possible recourse will be had to pro bono consultants for advisory functions. The increased amount of €86,900 equates to 6.8 work-months at P-5 level, although the actual level of the consultants will be determined on the basis of the work required and respective consultants' experience. This allocation is foreseen for case developments in Mali, Côte d'Ivoire, Central African Republic, Libya and Kenya. The budget remains centralized in the Immediate Office to ensure coordination across the operational divisions.

167. In accordance with article 42(9) of the Rome Statute, the Prosecutor continues the appointment of external legal advisers on gender crimes and other issues. As these persons contribute their services on a pro bono consultancy basis, their appointment entails no increase in the resources requested.

#### **Non-staff resources**

##### *Travel*

168. In order to raise support and enhance cooperation, at the highest levels, for the Office's investigations and the arrest and prosecution of individuals sought by the Court, as well as to contribute to maximizing the impact of the Rome Statute, it is necessary for the Prosecutor to travel. The travel budget also includes missions for representatives of the Public Information Unit, Legal Advisory Section and OTP Human Resources Unit, as well as provision for travel by key stakeholders invited to meet with the Prosecutor who are unable to fund the costs of such travel themselves.

169. The amount of €165.8 thousand requested for travel represents an increase of 21.9 per cent compared to 2013, and concerns a projected 39 missions.

##### *Contractual services*

170. An amount of €50,000 is requested to support the public information costs of independent public information 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 of informational material.

### Training

171. The training budget remains centralized in the Immediate Office. Training is a vital component of the strategy to create a common and cohesive working culture within the OTP. It has been increased to take into account the need to provide adequate training to the additional staff, as well as to enhance the skills of those already on board. At €100,000 this represents only 0.2 per cent of staff costs, substantially lower than typical organizational ratios, which are in the region of 0.5 per cent. The funds will be utilized to deliver a training schedule in accordance with OTP specific training priorities related primarily to investigations, litigation, appeal, complementarity and cooperation. The Office will, where possible, work with other organizations and national authorities to ensure maximum cost effectiveness, for example sharing annual advocacy and appellate training costs with the ad hoc tribunals. In addition, the OTP is working on common projects with the Registry designed to fully exploit the opportunities offered while keeping the costs at a minimum.

**Table 24: Sub-programme 2110: Proposed budget for 2014**

2110 Immediate Office of the Prosecutor	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013	
	Basic	Situation- related	Total	Cont. Fund Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff					957.6		957.6	1,094.2		1,094.2	136.6	14.3
General Service staff					339.5		339.5	346.3		346.3	6.8	2.0
<i>Subtotal staff</i>	<i>1,340.7</i>		<i>1,340.7</i>	<i>1,340.7</i>	<i>1,297.1</i>		<i>1,297.1</i>	<i>1,440.5</i>		<i>1,440.5</i>	<i>143.4</i>	<i>11.1</i>
General temporary assistance	268.7	3.4	272.1	272.1	38.8		38.8	93.5	82.9	176.4	137.6	354.6
Temporary assistance for meetings												
Overtime												
Consultants		17.0	17.0	17.0		81.0	81.0		86.9	86.9	5.9	7.3
<i>Subtotal other staff</i>	<i>268.7</i>	<i>20.4</i>	<i>289.1</i>	<i>289.1</i>	<i>38.8</i>	<i>81.0</i>	<i>119.8</i>	<i>93.5</i>	<i>169.8</i>	<i>263.3</i>	<i>143.5</i>	<i>119.8</i>
Travel	73.5	65.9	139.4	139.4	41.1	94.9	136.0	81.2	84.6	165.8	29.8	21.9
Hospitality	4.5		4.5	4.5	5.0		5.0	8.0		8.0	3.0	60.0
Contractual services	1.4		1.4	1.4		30.0	30.0		50.0	50.0	20.0	66.7
Training	19.9	19.8	39.7	39.7	23.9	32.0	55.9	35.0	65.0	100.0	44.1	78.9
General operating expenses												
Supplies and materials												
Furniture and equipment												
<i>Subtotal non-staff</i>	<i>99.3</i>	<i>85.7</i>	<i>185.0</i>	<i>185.0</i>	<i>70.0</i>	<i>156.9</i>	<i>226.9</i>	<i>124.2</i>	<i>199.6</i>	<i>323.8</i>	<i>96.9</i>	<i>42.7</i>
<b>Total</b>	<b>1,708.7</b>	<b>106.1</b>	<b>1,814.8</b>	<b>1,814.8</b>	<b>1,405.9</b>	<b>237.9</b>	<b>1,643.8</b>	<b>1,658.2</b>	<b>369.4</b>	<b>2,027.6</b>	<b>383.8</b>	<b>23.3</b>
Distributed maintenance	42.4		42.4	42.4	38.9		38.9	64.3		64.3	25.4	65.3

**Table 25: Sub-programme 2110: Proposed staffing for 2014**

Immediate Office of the Prosecutor / Legal Advisory Section	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	1	3	1	8	1	4	5	13
	Situation-related													
	<i>Subtotal</i>	<i>1</i>			<i>1</i>	<i>1</i>	<i>1</i>	<i>3</i>	<i>1</i>	<i>8</i>	<i>1</i>	<i>4</i>	<i>5</i>	<i>13</i>
New/ Converted	Basic													
	Situation-related													
	<i>Subtotal</i>													
Redeployed/ Reclassified/ Returned	Basic					1				1				1
	Situation-related													
	<i>Subtotal</i>					<i>1</i>				<i>1</i>				<i>1</i>
<b>Total</b>	<b>1</b>				<b>1</b>	<b>2</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>9</b>	<b>1</b>	<b>4</b>	<b>5</b>	<b>14</b>

**(b) Sub-programme 2120: Services Section****Introduction**

172. The Services Section comprises four separate units, overseen by the Senior Manager (P-5), namely:

- (a) General Administration Unit;
- (b) Information and Evidence Unit;
- (c) Knowledge Base Unit; and
- (d) Language Services Unit.

173. The Services Section is responsible for providing the operational divisions with the necessary support services to fulfill their mandate and assumptions. It prepares detailed estimates of the financial impact of the activities performed by the Office, and ensures effective monitoring and control over the use of resources. The section also acts as an interface with the Registry in managing effectively requests for services arising from the OTP's operational needs and coordinating matters from the OTP side on Court-wide initiatives and projects.

**Staff resources***General temporary assistance*

174. The Services Section continues to require GTA resources for translation, revision, field interpretation and a wide range of other services in immediate support of the Office's activities. The extension of current resources is also required for knowledge-base support in respect of case management and disclosure.

175. The increase in resources needed to strengthen the Joint Teams leads to larger volumes of transactions and activities that must be carried out and processed by the General Administration Unit. Thus, six months of a GS-OL level staff member in the capacity of General Administration and Financial Assistant are requested.

176. For the Language Services Unit (LSU), the GTA requirement remains necessary in order to service the multiple ethnic languages encountered in the situations under investigation as well as to provide working-language services to the operational divisions. Translation, revision, document summarizing, editing, field interpretation and phone interpretation are amongst the principal services supported by LSU staff at HQ, although a range of other close support services, including article 15, language identification and redaction support services, are also supplied. Provision is made for 17.5 FTE in flexible GTA work-months. This represents a minimal increase of 0.5 FTE over 2013.

177. As part of the GTA FTE provision, one Kinyarwanda/Swahili Translator post is requested. In order to accurately reflect the functions and responsibilities of the position and in light of the continuing criticality of these languages in the ongoing investigations and proceedings (especially the DRC and Kenya situations) and the need to provide quality translations of the evidence collected so as to ensure that OTP investigations and prosecutions are based on reliably translated facts, this post is requested at P-4 level. The current P-3 Translator position is no longer required.

178. In addition, one P-4 GTA Arabic Reviser is requested for six months. As well as being an official language of the Court, Arabic is a key language in three of the situations before the Court (Darfur, Libya, and Mali). In order to face the increasing workload in the Arabic area and to handle the broad sweep of Arabic dialects represented, LSU must be able to draw on the requisite expertise and experience in order to meet the challenges that translating often poorly legible evidence from this diverse range of dialects into English necessarily entails, whilst again ensuring the requisite quality to support the investigation and prosecution processes.

179. As with previous years, LSU continues to budget with a high degree of flexibility. This implies managing the foreseen internal shortfall in resources - this year estimated at 1.79 FTE (compared to 1.57 in 2013) - by carefully prioritizing its workload and through outsourcing, whilst remaining mindful of confidentiality.

**Table 26: Functional distribution of translators (GTA and existing posts) and resultant translation capacity based on anticipated 2014 workloads**

Language	FTE distribution						Total FTE	Capacity vs demand		
	Translation/Field Interpretation	Reviewing/Proof-reading (e.g. external translations)	Document Summarizing/Sight translation	Field Interpretation	Telephone Interpretation	Anticipated Translation Volume (pgs)		Translation Capacity 2014 (pgs)	Excess/Shortfall (pgs)	
English + French	3.85	1.3	0.8	0.05			6	3,846	2,965	-881.5
DRC languages	4.1	0.05	0.5	0.15	0.15	0.05	5	3,964	3,157	-807.0
KEN languages	0.75	0.5	0.65	0.2	0.1	0.05	2.25	476	578	101.5
CAR languages	0.15		0.05	0.05			0.25	40	116	75.5
CIV languages	0.75		0.4	0.2	0.1	0.05	1.5	486	578	91.5
DAR / LBY/MLI languages	4.4	0.05	0.7	0.2	0.1	0.05	5.5	3,348	3,388	40.0
<b>Total FTE</b>	<b>14</b>	<b>1.9</b>	<b>3.1</b>	<b>0.85</b>	<b>0.45</b>	<b>0.2</b>	<b>20.5</b>	<b>12,160</b>	<b>10,780</b>	<b>-1,380.0</b>

Include 3 FTE established positions.

180. In addition to the above, the Office requests 38 work-months at GS-OL level (equivalent to 3.17 FTE) to provide for freelance field interpretation services for those investigation missions requiring language support. Freelance field interpreters are contracted as individual contractors after recruitment, accreditation and inclusion in the field interpretation roster jointly overseen by LSU and the Registry's language service for each of the situations.

181. With the extent and sensitivity of investigations and cases, and the increased use of OTP information systems, the demand for information management services is increasing. Many critical developments for the management of information will have to be dealt with in 2014. In the light of the additional needs, the foreseen workload in assistance to investigations and trials cannot be met by the two established P-1 Database Coordinator posts. An effective ratio of investigations and trials to Database Coordinators would be two to one. Mindful of the phased approach the Office is taking in increasing its resources, in the 2014 proposed programme budget the Knowledge Base Unit is requesting that the third P-1 Database Coordinator, who has been on a GTA contract since January 2011, remain for 12 months. The unit will again seek to absorb the additional workload that would otherwise necessitate a fourth post.

182. As the Office of the Prosecutor increasingly devotes more resources from the outset of investigations to gathering the necessary witness statements, forensic material, and documentary evidence, attention must be given to the capacity to contribute to evidentiary collection, archiving and enrichment with metadata through the specialized services units. Year-on-year, the amount of evidence registered increases as a result of enhanced investigation techniques, the availability of more open-source material and the volume of IT forensic evidence available.<sup>50</sup> To this end, six months of a GS-OL level resource in the capacity of Evidence Assistant in the Information and Evidence Unit are requested.

<sup>50</sup>The number of documents registered, across all situations, rose from 25,642 in 2011 to 42,460 in 2012. In 2010 the figure was 18,015.

183. The increased volumes and complexity of electronic evidence that are being collected by the investigation teams have led the OTP to assign this area a high priority. Adequate equipment, software and specific training have been acquired and continue to be sought. This new and promising area for the OTP's operations also requires skilled staff in all the phases of the process of identification, selection, acquisition and storage of evidence. Six months of P-2 equivalent are thus requested to provide for an Electronic Evidence Coordinator in the IEU in support of the Joint Teams.

### **Non-staff resources**

#### *Travel*

184. The section's basic travel budget provides for eighteen missions for technical, language and administrative staff to participate in professional conferences.

185. The situation-related element of the travel budget shows an increase linked to the activities in support of the Joint Teams. It allows for investigation-related missions for technical support staff of the IEU and field interpreters (local and international), who necessarily support the investigative missions for all cases at pre-trial and trial phases, and further includes a number of missions to situation countries for the assessment and recruitment of field interpreters.

186. KBU's travel budget is comprised of attendance at professional technology conferences relevant to the technologies installed in the OTP or being evaluated for OTP purposes. The conferences of the International Legal Technology Association and LegalTech (USA) are key annual events where experiences with legal technology are presented and shared. Similarly, the Office can learn lessons from other Europe-based organizations where similar needs exist and systems contemplated by the Office are already in operation. Correct implementation of decisions based on experiences of other organizations will save time and money in upgrading or implementing new systems or maximizing gain from existing systems.

187. Thanks to efficiencies gained through the introduction of new equipment for recording witness interviews, IEU technicians no longer travel on mission to support investigators. However, some travel is required when the technical nature of evidence being collected is complex, or where it is more efficient to deploy an evidence technician rather than an investigator. Therefore, some travel has been retained. Additionally, as a provider of services to the rest of the OTP, the IEU needs to attend a small number of legal technology conferences and knowledge exchanges.

188. LSU requests a rise in its travel budget compared to 2013 approved budget, which reflects the increase in investigative missions and thus the concomitant increase in the need for local and international field interpretation support in all phases of investigation and prosecution. In parallel, LSU must conduct a number of missions to recruit and induct new interpreters to replenish the roster and meet fresh needs as new language requirements arise. Additionally, LSU staff need to travel to attend a number of critical language conferences (such as IAMLADP and conferences focusing specifically on situation-related languages). They also need to travel to meet with external language peers and experts to gain and share insight and expertise in order to ensure that the unit's operations are as effective as possible, including in relation to non-standard languages of lesser diffusion.

189. Overall, the travel budget has increased by €35,200 or 12.7 per cent, compared with 2013 approved budget.

#### *Contractual services*

190. Contractual services are required to supplement internal projects. Specific planned activities include: systems integration improvements to allow core systems to automatically exchange information to meet OTP information investigation and analysis needs; secure automatic exchange of evidence information, witness information, factual information gathered from reviews (€45,000); enhancements to automated redaction and disclosure tools to improve process efficiency and security of disclosed information (€30,000); implementation support for system upgrades and new systems introduced by Registry (€43,000).

191. Funds are necessary to outsource translations in support of the Office's in-house translation capacity, where confidentiality constraints allow. Most critically, this is required to deal with peaks in activity due to case-specific time-bound workloads and with documents requiring translation into or out of languages for which no in-house resources exist. The requested sum of €5,000 to cover all situations remains unchanged from the 2013 approved budget.

192. An amount of €9,500 is also required for the outsourcing of scanning, digitizing and printing of very large evidence items requiring specialized equipment not available or economical to have in-house. This sum will also be used to outsource any large-scale electronic media processing.

*General operating expenses*

193. The amount of €30,000 is intended to offset in part the costs of the projects outlined above and to cover freight and carriage costs associated with OTP-specific procurements.

*Supplies and materials*

194. This includes an amount of €8,000 to maintain annual subscriptions to OTP-specific databases/journals and professional subscriptions (e.g. International Association of Prosecutors), as well as the purchase of key reference books necessary to support the core activities of the Office. The largest portion of this budget line is to purchase media (SD cards, mini-disks, batteries, etc.) for equipment used by investigators: for example, cameras and recording devices.

*Furniture and equipment*

195. A provision of €30,000 is required for the Knowledge Base Unit to ensure OTP-specific software upgrades and new applications software to assist the cases, particularly electronic media extraction and more specifically CaseMap and Analyst Notebook. This budget line also includes €20,000 for the Information and Evidence Unit in respect of the maintenance, replacement and upgrades of OTP-specific mission equipment (for audio-visual/data collection support to investigations).

**Table 27: Sub-programme 2120: Proposed budget for 2014**

2120 Services Section	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013		
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						1,130.5	448.3	1,578.8	1,145.2	450.1	1,595.3	16.5	1.0
General Service staff						387.6	646.0	1,033.6	329.5	724.9	1,054.4	20.8	2.0
<i>Subtotal staff</i>	<i>1,247.2</i>	<i>1,121.2</i>	<i>2,368.4</i>		<i>2,368.4</i>	<i>1,518.1</i>	<i>1,094.3</i>	<i>2,612.4</i>	<i>1,474.7</i>	<i>1,175.0</i>	<i>2,649.7</i>	<i>37.3</i>	<i>1.4</i>
General temporary assistance	35.7	1,667.9	1,703.6		1,703.6		2,090.1	2,090.1		2,322.4	2,322.4	232.3	11.1
Temporary assistance for meetings													
Overtime													
Consultants													
<i>Subtotal other staff</i>	<i>35.7</i>	<i>1,667.9</i>	<i>1,703.6</i>		<i>1,703.6</i>		<i>2,090.1</i>	<i>2,090.1</i>		<i>2,322.4</i>	<i>2,322.4</i>	<i>232.3</i>	<i>11.1</i>
Travel	5.7	157.6	163.3		163.3	22.4	254.4	276.8	38.4	273.6	312.0	35.2	12.7
Hospitality													
Contractual services	7.7	121.0	128.7		128.7	25.0	187.5	212.5	25.0	187.5	212.5		
Training	0.7		0.7		0.7								
General operating expenses		0.1	0.1		0.1		10.0	10.0		30.0	30.0	20.0	200.0
Supplies and materials	4.3	13.4	17.7		17.7	38.0	10.0	48.0	38.0	20.0	58.0	10.0	20.8
Furniture and equipment		27.0	27.0		27.0		30.0	30.0		50.0	50.0	20.0	66.7
<i>Subtotal non-staff</i>	<i>18.4</i>	<i>319.1</i>	<i>337.5</i>		<i>337.5</i>	<i>85.4</i>	<i>491.9</i>	<i>577.3</i>	<i>101.4</i>	<i>561.1</i>	<i>662.5</i>	<i>85.2</i>	<i>14.8</i>
<b>Total</b>	<b>1,301.3</b>	<b>3,108.2</b>	<b>4,409.5</b>		<b>4,409.5</b>	<b>1,603.5</b>	<b>3,676.3</b>	<b>5,279.8</b>	<b>1,576.1</b>	<b>4,058.5</b>	<b>5,634.6</b>	<b>354.8</b>	<b>6.7</b>
Distributed maintenance	45.4	64.0	109.4		109.4	41.7	61.8	103.5	68.9	17.8	86.7	-16.8	-16.2

**Table 28: Sub-programme 2120: Proposed staffing for 2014**

Services Section		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	2	2	1	10		5	5	15
	Situation-related							1	2	2	5		11	11	16
	<i>Subtotal</i>					<i>1</i>	<i>4</i>	<i>3</i>	<i>4</i>	<i>3</i>	<i>15</i>		<i>16</i>	<i>16</i>	<i>31</i>
New/ Converted	Basic														
	Situation-related														
	<i>Subtotal</i>														
Redeployed/ Reclassified/ Returned	Basic														
	Situation-related														
	<i>Subtotal</i>														
<b>Total</b>					<b>1</b>	<b>4</b>	<b>3</b>	<b>4</b>	<b>3</b>	<b>15</b>		<b>16</b>	<b>16</b>	<b>31</b>	

## 2. Programme 2200: Jurisdiction, Complementarity and Cooperation Division (JCCD)

### Introduction

196. Cooperation is key to timely investigation and prosecution of cases. Each situation and each case has its own unique cooperation requirements. The division contributes primarily to building and reinforcing the strong and extensive network of support and cooperation with States, international organizations and other stakeholders which is necessary in order for the Office to carry out its judicial mandate effectively. It is also responsible for conducting all preliminary examinations of situations based on State or Security Council referrals and article 15 communications. The division thus leads within the Office on matters of jurisdiction, admissibility, interests of justice and cooperation.

197. The division comprises two sections. The International Cooperation section (ICS) develops and updates cooperation plans for each situation based on the investigation plans; channels and coordinates all requests for judicial assistance; maintains a database of cooperation requests for follow-up; develops and maintains a database of national procedures for facilitating requests; negotiates cooperation agreements as appropriate; develops information-sharing networks; galvanizes support for arrests; and coordinates all matters of diplomatic contacts and external relations. The section is responsible for all cooperation-related support for the joint and trial teams, with cooperation advisers serving as members of the joint and trial team leadership, ensuring implementation of cooperation plans and providing advice and expertise on all aspects of cooperation. The Section also coordinates all aspects of the Office's external relations work, including with The Hague and New York Working Groups and the Assembly.

198. The Situation Analysis Section (SAS) is in charge of all preliminary examinations and provides advice on complex matters of fact and law regarding jurisdiction, admissibility, and assessment of interests of justice, in particular in terms of interests of victims. As explained in the OTP Strategic Plan 2013-2015, although conducting preliminary examinations is one of the three core activities of the Office, together with investigations and prosecutions (article 42), it is the one currently with the least resources. Preliminary examinations are critical for deciding on and laying the ground for new investigations, but they also can have a preventive impact and can serve to foster domestic complementarity efforts, potentially obviating the need for intervention by the Court.

199. In addition, the vital analytical work conducted by SAS feeds into the analysis that is essential to successful investigations, when the Prosecutors decides to open an investigation in a situation.

### Objectives

200. The quality and efficiency of the OTP core activities are guaranteed through: a) the standards in the OTP Operations Manual, b) carefully planned and controlled implementation, including greater emphasis on quality control, and c) continuous improvement through lessons learned.

201. The Office goals contained in the OTP Strategic Plan are linked to the Court's broader strategic objectives. In particular, for Programme 2200:

1. Continue to deliver regular reports enabling the Prosecutor to take informed decisions on situations under preliminary examination (SO 1.2.1);
2. Further enhance positive complementarity through monitoring/assessment of proceedings by the Office of the Prosecutor and through the encouragement of efforts by States and other stakeholders, including NGO's/IGO's (SO 1.2.2);
3. Further increase preventive impact of preliminary examinations through the actions of the Office of the Prosecutor (monitoring, documenting, assessing alleged crimes) (SO 1.2.3);
4. Improve the quality of investigations (SO 1.3.2); and

5. Use all opportunities such as bilateral meetings and public addresses to draw attention to the principle of complementarity and the need to strengthen national jurisdictions (SO 3.6.1).

**Table 29: Expected results, performance indicators and target for 2014**

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>
<b>Objective 1.2.1</b>		
<b>Objective 1.3.2</b>		
<b>OTP Strategic Goal 2.1</b>		
Further improve the quality and efficiency of preliminary examinations.	Number of situations that are affected by a decision; and  Proportion of analytical reports delivered on time and substantiated to the Executive Committee.	Policy on preliminary examinations issues;  Yearly report on status of preliminary examinations; and  Reports outlining the basis of decisions taken by the Prosecutor on a situation under preliminary examination.
<b>Objective 1.2.2</b>		
<b>Objective 1.2.3</b>		
<b>OTP Strategic Goal 4</b>		
Enhance cooperation and strengthen the Rome System in supporting the Court as well as national systems' efforts in situations under preliminary examination or investigation.	Developments of national judiciaries and legal frameworks to address crimes.	Cooperation plans for critical support to investigations successfully implemented;  Cooperation models allowing for a faster response to cooperation needs developed with key partners;  Law Enforcement Network (LEN) with investigative, prosecutorial and other entities to increase exchange of information, coordination of activities and development of common standards further established; and  Genuine national proceedings started in States object of preliminary examinations.
<b>Objective 3.6.1</b>		
complementarity initiatives of States Parties to assist other States Parties.		
<b>OTP Strategic Goal 4</b>		
Enhance cooperation and strengthen the Rome System in supporting the Court as well as national systems' efforts in situations under preliminary examination or investigation.	Number of meetings / conferences / seminars / visits dedicated to drawing attention to the need to strengthen national jurisdictions.	Six.

### Staff resources

202. There are no new proposals for established posts for this programme. There has been minor modification of the internal organization of the division: the post of Legal Adviser (P-4) in the International Cooperation Section currently provides legal advice to both Sections (ICS and SAS) as well as to JCCD Head. Minor structural modifications will be made to reflect this reality.

#### *General temporary assistance*

203. The International Cooperation section will require the existing two Associate International Cooperation Advisers (P-2) to be extended for 12 months each to deal with ongoing analysis and cooperation for investigative missions and with the new activities. The Section will also require three GTA Cooperation Adviser positions (Two at P-3 level for a total of 18 months and one at P-2 level for 12 months) to discharge all required cooperation-related activities in support of the Joint Teams. In the 2013 Contingency Fund request, two posts (One P-3 level International Cooperation Adviser and one P-2 level Associate International Cooperation Adviser) were created to support the Mali 1 and Mali 2 Joint Teams. These two GTA posts will continue to be essential for 2014 (12 months each): they cannot be absorbed by the current FTE resources within the section since all other cooperation advisers are already dedicated and working at full capacity to support other joint and trial teams. Based on the number of cases foreseen in the assumptions, one additional P-3 level International Cooperation Adviser GTA post will be necessary. In light of the recruitment time necessary to hire the staff, this position is requested for six months.

204. The Situation Analysis Section will require six additional GTA positions: two Situation Analysts (P-3 level) for six months each, two Associate Situation Analysts (P-2 level) for six months each, and two Assistant Situation Analysts (P-1 level) for six months each. The existing two Associate Situation Analysts (P-2 level) are also requested to be extended for 12 months each. Since 2007, the number of FTE allocated to SAS – five – has not changed, but the situations under preliminary examination have consistently increased from five in 2007 to a peak of ten in 2011. In 2014, there will be eight situations under preliminary examination. SAS is also responsible for reviewing all article 15 communications (average of 400/year) and of producing phase 1 reports on communications warranting further analysis (average of 20/year). The Office also publishes yearly situation-specific reports for the purpose of enhancing transparency and understanding in line with Court-wide and OTP goals. The P-1 Assistant Situation Analysts will be working on phase 1 reports, crime monitoring and information gathering and management. The P-2 Associate Situation Analysts and the P-3 Situation Analysts will be assigned evenly to phase II situations (currently, Afghanistan, Comoros, Honduras, and Korea) and phase III situations (currently, Nigeria, Colombia, Guinea and Georgia). The Associate Situation Analysts will focus on gathering information on national proceedings, producing legal and contextual memoranda, and liaising with victims' associations and NGOs. The Situation Analysts will be in charge of drafting the article 5, 17, and 53(1) reports and will maintain interaction with national judicial authorities and international partners.

205. Provision is also made for 12 months of GS-OL as a Judicial Cooperation Assistant to support the Judicial Cooperation Adviser. The workload for judicial cooperation continues operating at a high volume, with the number of requests for assistance and notifications sent to States and international organizations standing at 296 for 2012, each requiring internal coordination with the joint team involved as well as often intense follow-up with the competent authorities to ensure execution. This is an extension of an existing resource.

206. An additional twelve months of GS-OL is requested to provide for a second Administration Assistant to support administration, in particular relating to external relations and cooperation. This is an extension of an existing resource.

207. The breakdown of the GTA resources requested is as follows:

- (a) Two International Cooperation Advisers (P-3) for a total of 18 months (1.5 FTE);
- (b) Three Associate International Cooperation Advisers (P-2) for a total of 36 months (three FTE);
- (c) Two Situation Analysts (P-3) for a total of 12 months (one FTE);
- (d) Four Associate Situation Analysts (P-2) for a total of 36 months (three FTE);
- (e) Two Assistant Situation Analysts (P-1) for a total of 12 months (one FTE);
- (f) One Judicial Cooperation Assistant (GS-OL) for a total of 12 months (one FTE); and
- (g) One Administration Assistant (GS-OL) for a total of 12 months (one FTE).

#### **Non-staff resources**

##### *Travel*

208. Overall, the proposed travel budget shows an increase over 2013 of 16.9 per cent. This reflects increases due to missions by the Situations Analysis Section in relation to situations under preliminary examination, including to situation countries and/or information providers. The Division Director will also continue to attend high-level meetings to secure general cooperation from States and international organizations, accompanied where necessary by cooperation advisers. He will also continue to accompany the Prosecutor on investigations-related missions to garner cooperation.

209. The increases also reflect the growth in situation-related missions by cooperation advisers in order to secure cooperation for all situations under investigation in support of the joint and trial teams. The work of cooperation advisers remains critical for opening doors and establishing procedures for joint team members to conduct on-site investigations and to access and obtain information and evidence, and as such is a prerequisite for effective investigations and trials.

**Table 30: Programme 2200: Proposed budget for 2014**

2200 Jurisdiction, Complementarity and Cooperation Division	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013		
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff					771.5	936.3	1,707.8	781.0	947.9	1,728.9	21.1	1.2	
General Service staff					129.2		129.2	131.8		131.8	2.6	2.0	
<i>Subtotal staff</i>	<i>915.4</i>	<i>877.9</i>	<i>1,793.3</i>		<i>1,793.3</i>	<i>900.7</i>	<i>936.3</i>	<i>1,837.0</i>	<i>912.8</i>	<i>947.9</i>	<i>1,860.7</i>	<i>23.7</i>	<i>1.3</i>
General temporary assistance		371.7	371.7		371.7		420.2	420.2		1,086.0	1,086.0	665.8	158.4
Temporary assistance for meetings													
Overtime													
Consultants													
<i>Subtotal other staff</i>		<i>371.7</i>	<i>371.7</i>		<i>371.7</i>		<i>420.2</i>	<i>420.2</i>		<i>1,086.0</i>	<i>1,086.0</i>	<i>665.8</i>	<i>158.4</i>
Travel	64.8	221.0	285.8		285.8	108.6	282.9	391.5	144.3	313.3	457.6	66.1	16.9
Hospitality													
Contractual services													
Training													
General operating expenses													
Supplies and materials													
Furniture and equipment													
<i>Subtotal non-staff</i>	<i>64.8</i>	<i>221.0</i>	<i>285.8</i>		<i>285.8</i>	<i>108.6</i>	<i>282.9</i>	<i>391.5</i>	<i>144.3</i>	<i>313.3</i>	<i>457.6</i>	<i>66.1</i>	<i>16.9</i>
<b>Total</b>	<b>980.2</b>	<b>1,470.6</b>	<b>2,450.8</b>		<b>2,450.8</b>	<b>1,009.3</b>	<b>1,639.4</b>	<b>2,648.7</b>	<b>1,057.1</b>	<b>2,347.2</b>	<b>3,404.3</b>	<b>755.6</b>	<b>28.5</b>
Distributed maintenance	24.2	36.0	60.2		60.2	22.3	34.7	57.0	36.7	10.0	46.8	-10.2	-17.9

**Table 31: Programme 2200: Proposed staffing for 2014**

Jurisdiction, Complementarity and Cooperation Division	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				1	1	2	1	1		6		2	2	8
						3	2	4		9				9
<i>Subtotal</i>				<i>1</i>	<i>1</i>	<i>5</i>	<i>3</i>	<i>5</i>		<i>15</i>		<i>2</i>	<i>2</i>	<i>17</i>
New														
Redeployed/ Returned														
<i>Subtotal</i>														
<b>Total</b>				<b>1</b>	<b>1</b>	<b>5</b>	<b>3</b>	<b>5</b>		<b>15</b>		<b>2</b>	<b>2</b>	<b>17</b>

### 3. Programme 2300: Investigation Division

#### Introduction

210. The division contributes to the quality of justice by supporting the OTP in carrying out impartial and expeditious investigations in accordance with the Rome Statute. It is also responsible for the preparation of the necessary security plans and protection policies for each case with a view to ensuring the safety and well-being of victims, witnesses, Office staff, and persons at risk on account of their interaction with the Court, in accordance with good practices and, when necessary, in cooperation and coordination with the Registry. It provides investigative expertise and support, and assists in the preparation and coordination of field deployment of Office staff.

211. The division also provides factual crime analysis of information and evidence, in support of preliminary examinations and evaluations, investigations and prosecutions.

#### Objectives

1. Deliver number of planned investigations (SO 1.3.1). Annual OTP objective for 2014: Conduct five active investigations, at least one Art 70 investigation, investigative support to three trials and four appeals and maintain seven investigations in hibernation; and
2. Improve the quality and efficiency of the investigations (SO 1.3.2). Annual OTP objectives for 2014:
  - (a) First phase of the review and validation of the investigative standards achieved;
  - (b) Cyber investigations capacity developed;
  - (c) New field presence model defined and tested;
  - (d) First phase of an improved quality control model implemented; and
  - (e) Efficiency gain through process review identified and achieved.

**Table 32: Expected results, performance indicators and targets for 2014**

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>
<b>Objective 1.3.1</b>		
Conduct five full investigations, at least one Art 70 investigation, investigative support to three trials and four appeals and maintain seven investigations in hibernation until arrest.	Number of investigations. Planned investigative steps versus executed.	5 plus 6 plus 7. 80% or more of the investigative steps within the ID control on track.
<b>Objective 1.3.2</b>		
First phase of the review and validation of the investigative standards achieved;	Planned versus actual.	80% or more of the steps within ID control on track.
- Cyber investigative capacity developed;	Planned versus actual.	Same as above.
- New field presence model defined and tested;	Planned versus actual.	Same as above.
- First phase of an improved quality control model implemented; and	Planned versus actual.	Same as above.
- Efficiency gain through process review identified and achieved.	Identified efficiency gains.	2% of total budget.

**Table 33: Programme 2300: Proposed budget for 2014 (Combines budget figures for Sub-programmes 2320 and 2330)**

2300 Investigation Division	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013		
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						300.4	7,661.5	7,961.9	305.7	7,616.7	7,922.4	-39.5	-0.5
General Service staff						129.2	1,818.6	1,947.8	131.8	1,769.0	1,900.8	-47.0	-2.4
<i>Subtotal staff</i>	<i>428.9</i>	<i>8,824.3</i>	<i>9,253.2</i>		<i>9,253.2</i>	<i>429.6</i>	<i>9,480.1</i>	<i>9,909.7</i>	<i>437.5</i>	<i>9,385.7</i>	<i>9,823.2</i>	<i>-86.5</i>	<i>-0.9</i>
General temporary assistance		1,486.8	1,486.8		1,486.8	706.1	706.1		4,592.3	4,592.3	3,886.2	550.4	
Temporary assistance for meetings													
Overtime													
Consultants													
<i>Subtotal other staff</i>		<i>1,486.8</i>	<i>1,486.8</i>		<i>1,486.8</i>	<i>706.1</i>	<i>706.1</i>		<i>4,592.3</i>	<i>4,592.3</i>	<i>3,886.2</i>	<i>550.4</i>	
Travel		1,113.3	1,113.3		1,113.3	894.8	894.8		1,075.4	1,075.4	180.6	20.2	
Hospitality													
Contractual services		73.3	73.3		73.3	110.0	110.0		110.0	110.0			
Training													
General operating expenses		376.7	376.7		376.7	275.0	275.0		285.0	285.0	10.0	3.6	
Supplies and materials													
Furniture and equipment		4.7	4.7		4.7								
<i>Subtotal non-staff</i>		<i>1,568.0</i>	<i>1,568.0</i>		<i>1,568.0</i>	<i>1,279.8</i>	<i>1,279.8</i>		<i>1,470.4</i>	<i>1,470.4</i>	<i>190.6</i>	<i>14.9</i>	
<b>Total</b>	<b>428.9</b>	<b>11,879.1</b>	<b>12,308.0</b>		<b>12,308.0</b>	<b>429.6</b>	<b>11,466.0</b>	<b>11,895.6</b>	<b>437.5</b>	<b>15,448.4</b>	<b>15,885.9</b>	<b>3,990.3</b>	<b>33.5</b>
Distributed maintenance	15.1	420.1	435.2		435.2	13.9	405.4	419.3	18.4	117.1	135.4	-283.8	-67.7

**Table 34: Programme 2300: Proposed staffing for 2014**

Investigation Division		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				3		2	2	5
	Situation-related					3	8	31	28	6	76		30	30	106
	<i>Subtotal</i>		<i>1</i>		<i>1</i>	<i>3</i>	<i>9</i>	<i>31</i>	<i>28</i>	<i>6</i>	<i>79</i>		<i>32</i>	<i>32</i>	<i>111</i>
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
Redeployed/ Returned	Basic		-1								-1				-1
	Situation-related						-1				-1				-1
	<i>Subtotal</i>		<i>-1</i>				<i>-1</i>				<i>-2</i>				<i>-2</i>
<b>Total</b>				<b>1</b>	<b>3</b>	<b>8</b>	<b>31</b>	<b>28</b>	<b>6</b>	<b>77</b>		<b>32</b>	<b>32</b>	<b>109</b>	

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

212. No new posts are requested for 2014; the staffing level remains as approved in 2013.

*General temporary assistance*

213. The GTA provision requested in this sub-programme in order to support the increased resources and activity of the Office for 2014 is equal to 22.66 FTE.

214. Following the outsourcing of transcriptions, staffing levels in the Planning and Operations Section remain at the necessary minimum, even though substantially more documentation, including electronic material, continues to be collected.

215. Of the above GTA provision, for the Data Processing Unit, six FTE, or 72 work-months, are required for in-house data-processing; this includes one FTE (GS-OL) that was requested in 2013 in the Mali Contingency Fund Application and a further one FTE (GS-OL) in the DRC 6 Contingency Fund Application. An increasing amount of data, including electronic data, documents, images and video, requires accurate meta-data treatment and input.

216. One FTE (P-2) Associate Victims Expert is required for six months to boost the Gender & Children Unit (GCU), as well as an additional Psycho-Social Expert. The continuing year-on-year increase in vulnerable persons, witnesses and victims of the incidents investigated means that the current small unit of three persons lacks the capacity to support five active cases, as well as addressing support issues related to cases in hibernation and at trial. In addition, provision for the equivalent of two-work-month at the P-2 level is requested for the contracting of Psycho-Social Experts from the roster maintained by GCU when parallel investigative activities require simultaneous support beyond the capacity of the unit. Individual contractors are able to provide this additional support to investigators through the necessary pre-interview assessment of children and traumatized witnesses in the field.

217. The protection of persons interacting with the OTP is critical to the success of the investigations and prosecutions. The responsibility to protect witnesses is a duty that is shared between the VWU and the OTP; to avoid overlap a protocol has been signed between the Registrar and the Prosecutor which organizes a continuum of protection measures and divides responsibilities between the OTP and the VWU. The OTP has presently over one thousand people for whom it needs to regularly update risk assessments. Two (P-1) Assistant Protection Strategies Analysts are therefore required for a total of 12 months for the Protection Strategies Unit. The Assistant Protection Strategies Analyst (P-1) requested in the Mali Contingency Fund also needs to be maintained for 12 months and is required to support the production of Security and Threat Risk Assessments (STRA) and protection strategies documents across all the cases, as well as supporting the production of documentation for witness referrals to VWU. In addition, two GS-OL Protection Strategies Assistants are requested for a total of 18 months.

218. Within the Operational Support Unit, which includes the Office's field staff, an additional three FTE, or 36 work-months, are required. One FTE Associate Analyst (P-2) is required for six months to assist in the collection, collation and analysis of information relevant for risk analysis and operational deployment in new and existing locations where the Office is operating. In addition, two FTE (one P-3 Field Operations Officer for 12 months and one GS-OL Field Operations Coordinator for 12 months) are required for field support and were requested as part of the Mali Contingency Fund application. An additional one FTE (GS-OL Field Operations Coordinator for six months) is required to support increased operational activity in Mali, and a further one FTE (P-3 Field Operations Officer) will be required to support all field management issues in the DRC related to cases in appeal.

219. Within the Scientific Response Unit (SRU), two additional FTE are required for a total of 24 months. One P-3 Forensic Officer is required for six months for additional forensic mission support and forensic research, where increased focus on forensic evidence, including crime scenes, necessitates an additional resource. A further 1.5 FTE P-3 Forensic

Officers are required for a total of 18 months for cyber-investigation. The OTP currently lacks capacity to deal adequately with digital information forensically, and an independent review has recommended a minimum of three FTE in this sphere to give the OTP capacity to operate to an acceptable standard. Due to recruitment time-lags, staff are budgeted to be available only in the second half of the year.

220. The Investigation Division centralized the administrative function in 2011 and continues to benefit from the efficiency gains made. 2.5 FTE Administrative Assistant equivalent to a total of 30 months are required to maintain this support. Two Administrative Assistants FTE (GS-OL) are carried over from previous years, while an additional 0.5 FTE (six months) is required to assist with the increase of staff within the division.

221. As outlined in the following sub-section, Investigation Teams (2330), it has become necessary to significantly enhance the Office's ability to effectively investigate complex cases. In order to provide sufficient in-depth analytical support to ongoing investigations, the Office requires an additional 4.5 FTE P-3 (equivalent to a total of 54 months) of analytical capability. This includes one FTE P-3 Analyst requested in the Mali Contingency Fund Application and two FTE P-3 Analysts requested in the DRC 6 Contingency Fund Application.

222. In order to continue collecting and recording information regarding past crimes and continuing crimes committed in those situation countries where the cases are not active, one Analysis Assistant 0.5 FTE (GS-OL) is required for an additional six months.

223. In summary, the breakdown of the GTA resources requested is as follows:

- (a) Eight Data Processing Assistants (GS-OL) for a total of 72 months (six FTE);
- (b) One Associate Victims Expert (P-2) for a total of six months (0.5 FTE);
- (c) One Psycho-Social Expert (P-2) for a total of two months (0.167 FTE);
- (d) Three Assistant Protection Strategies Analysts (P-1) for a total of 24 months (two FTE);
- (e) Two Protection Strategies Assistants(GS-OL) for a total of 18 months (1.5 FTE);
- (f) Two Field Operations Officers(P-3) for a total of 18 months (1.5 FTE);
- (g) Two Field Operations Coordinators (GS-OL) for a total of 18 months (1.5 FTE);
- (h) Four Forensic Officers (P-3) for a total of 24 months (two FTE);
- (i) Three Administrative Assistants (GS-OL) for a total of 30 months (2.5 FTE);
- (j) Five Analysts (P-3) for a total of 48 months (four FTE);
- (k) One Assistant Analyst (P-1) for a total of six months (0.5 FTE); and
- (l) One Analysis Assistant (GS-OL) for a total of six months (0.5 FTE).

#### **Non-staff resources**

##### *Travel*

224. Travel provision in the increased amount of €90.8 thousand (19.8 per cent more than 2013) is requested for the representatives of the Investigative Planning and Operations Section, for the following purposes:

- (a) Missions for the Associate Victims Expert and/or psychological experts from the roster to perform pre-interview assessments and/or assist with the interviewing of highly traumatized victims/witnesses by the investigators;
- (b) Missions for the purpose of developing risk assessments, protection strategies and ensuring the compliance and operational effectiveness of the systems in place and dealing with emergency situations thus ensuring the security of field personnel, witnesses and intermediaries;

(c) Missions of field personnel supporting the investigations and conducting witness-management tasks for all active and residual cases; and

(d) Forensic investigation missions in support of the situations under investigation or at the trial phases.

#### Contractual services

225. The amount of €110,000 is requested to support continued outsourcing of working and non-working language transcription in support of trial preparations, evidence collection and analysis, maintaining the cost as for the previous year.

**Table 35: Sub-programme 2320: Proposed budget for 2014**

2320 Planning and Operations Section	Expenditure 2012 (thousands of euro)			Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013			
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						300.4	3,111.3	3,411.7	305.7	3,160.7	3,466.4	54.7	1.6
General Service staff						129.2	1,495.6	1,624.8	131.8	1,439.5	1,571.3	-53.5	-3.3
<i>Subtotal staff</i>	428.9	4,379.5	4,808.4		4,808.4	429.6	4,606.9	5,036.5	437.5	4,600.2	5,037.7	1.2	0.0
General temporary assistance		1,331.7	1,331.7		1,331.7		659.5	659.5		2,020.6	2,020.6	1,361.1	206.4
Temporary assistance for meetings													
Overtime													
Consultants													
<i>Subtotal other staff</i>		1,331.7	1,331.7		1,331.7		659.5	659.5		2,020.6	2,020.6	1,361.1	206.4
Travel		273.3	273.3		273.3		242.7	242.7		290.8	290.8	48.1	19.8
Hospitality													
Contractual services		73.3	73.3		73.3		110.0	110.0		110.0	110.0		
Training													
General operating expenses		-0.3	-0.3		-0.3								
Supplies and materials													
Furniture and equipment		2.1	2.1		2.1								
<i>Subtotal non-staff</i>		348.4	348.4		348.4		352.7	352.7		400.8	400.8	48.1	13.6
<b>Total</b>	<b>428.9</b>	<b>6,059.6</b>	<b>6,488.5</b>		<b>6,488.5</b>	<b>429.6</b>	<b>5,619.1</b>	<b>6,048.7</b>	<b>437.5</b>	<b>7,021.6</b>	<b>7,459.1</b>	<b>1,410.4</b>	<b>23.3</b>
Distributed maintenance	12.1	228.0	240.1		240.1	11.1	220.0	231.2	18.4	62.4	80.8	-150.4	-65.0

**Table 36: Sub-programme 2320: Proposed staffing for 2014**

Planning and Operations Section		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				2		2	2	4
	Situation-related					2	2	12	15		31		25	25	56
	<i>Subtotal</i>				1	2	3	12	15		33		27	27	60
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
Redeployed/ Returned	Basic														
	Situation-related														
	<i>Subtotal</i>														
<b>Total</b>				<b>1</b>	<b>2</b>	<b>3</b>	<b>12</b>	<b>15</b>		<b>33</b>		<b>27</b>	<b>27</b>	<b>60</b>	

**(b) Sub-programme 2330: Investigation Teams****Staff resources**

226. While there are no new established posts within this sub-programme, there is a requirement for a substantial increase in the base investigative resource.

227. In previous budgets, the Office has described how, through use of its rotation of investigative staff moving from one case to another as a case transitions from investigative to pre-trial and trial phase, it has been able to make the most efficient use of resources and has thus mitigated the need to request increased resources. The rotational model was based on an assumption of a core team consisting of 11 investigators and analysts, and currently the sub-programme is already lacking 17.5 FTE to cover the seven ongoing investigations in 2013. In addition, as outstanding arrest warrants remain and increase, further activity is required in those cases to retain evidence and ensure ongoing protection of witnesses.

228. Recent judicial outcomes, as well as in-depth reading of decisions and lessons-learned reviews, show that the Office's team model is insufficient to ensure that the highest standards are achieved, given that Chambers are requiring more investigative activities to be finalized at an earlier stage.

229. Accordingly, the Office has been forced to reassess its operational model for investigations, breaking it down into active investigations, cases awaiting arrest (investigations in hibernation) and trials. In order to make up the difference between the actual number of established posts and the required resources, for 2014 the latter will be requested as GTA.

*General temporary assistance*

230. The overall requirement to support all of the above activities is equivalent to 80 FTE (this includes 65 FTE investigators and 15 FTE Analysts (covered under budget code 2320). The increase in need over and above established posts to be met by GTA is equivalent to 34 FTE. However, taking into account the Contingency Fund Applications for Mali and DRC 6, the effective increase over 2013 is five FTE only.

231. An investigation team should comprise a Team Leader and Senior Investigator (both at P-4 level), with responsibility for managing all aspects of leading the investigation, tasking and administration. Their leadership is key to ensuring an effective and efficient investigation.

232. In any investigation there are three key elements:

- (a) The crimes;
- (b) The suspects; and
- (c) Linkage between the two.

233. Each of these three areas requires investment in investigative capacity.

234. For crimes, there should be one Leading Investigator (P-3) reporting to the Team Leader, supported by a team of "collectors" (P-2/P-1 Associate and Assistant Investigators) to cover ALL incidents under investigation.

235. Likewise, for suspects, teams must conduct lines of enquiry into role, knowledge and intent, and collect relevant evidence. One Leading Investigator (P-3) should be supported by a team of "collectors" (P-2/P-1 Associate and Assistant Investigators).

236. The same team profile is required to manage the organization and linkage between the suspect and the crime (one P-3, one P-2 and one P-1).

237. In reality, many of the cases are complex, having multiple suspects and multiple crimes committed. In order to achieve the highest standard of quality and in view of the time sensitivity of investigation, further resources should be considered to deal with additional suspects and crimes.

238. A Specialized Investigator (P-3) is required to follow up on the finance and logistics required to commit the crimes, and an Information Management Assistant (GS-OL) is required to ensure quality and consistency of databases and data management within the team.

239. This model, comprising a total of 16 FTE (which include staff from Sub-programme 2320 and Sub-programme 2330), should allow for an investigation to better meet the judicial requirements placed on the Office. The requirement to present a higher threshold of evidence, with greater scope and at an earlier stage in the proceedings necessitates that all activities be undertaken in parallel. Moreover, the need for an increased intensity of investigation removes the flexibility of the former rotational model, and, in order to effectively allow five investigations to proceed at a standard and timeliness demanded of the institution, the resources required amount to 80 FTE. Part of these resources can be provided by established posts. The additional GTA resources are either extended from the pool of staff hired out of the Contingency Fund for the Mali and DRC 6 cases, or recruited as new GTA staff. In the latter case, account has been taken of the time-lag in recruitment.

240. By the end of 2014, it is anticipated that there will be seven cases in hibernation from four situations. However, the recent detention and transfer to the Court of Bosco Ntaganda highlights the need to be able to transform a case in hibernation to pre-trial stage within a limited time frame. Thus, in order to ensure, for all cases in hibernation, that evidence is preserved by maintaining contact with witnesses, that security is monitored and that threats are mitigated, sufficient resources will need to be allocated. Currently, the seven cases in hibernation involve approximately 450 witnesses. Maintaining contact, updating profiles, monitoring the situation and responding to incidents and issues will require a minimum of one investigator per situation, corresponding to a total of four full-time staff.

241. It is anticipated that four trials will take place in 2014. Investigative resources are required in both the preparation and the prosecution phases, as well as in the defence phase. Activities include investigation for the purpose of rebuttal of defence lines and cross-examination, and a team of two investigators (P-2s) is seen as a minimum per defendant. In the defence phase, increased investigation into the credibility and rebuttal of defence witnesses' testimony requires a minimum of three investigators (one P-3, two P-2s) per defendant. For 2014, five defendants and a mix of both prosecution and defence phases of trials indicate the need for 12.5 FTE. In addition, there has been a marked increase in recent years in efforts to intimidate and harm or expose witnesses and pervert justice. Accordingly, the Office also requires the capacity to undertake focused article 70 investigations. An Article 70 team would consist of one P-3 and one P-2 investigator and one P-2 analyst.

242. The amount of €46,600 is requested in support of the continuing War Crimes Unit (WCU) and law enforcement network exchanges.

243. In summary, the breakdown of the GTA resources requested is as follows:

- a) One Team Leader (P-4) for a total of 12 months (one FTE);
- b) Four Senior Investigators (P-4) for a total of 36 months (three FTE);
- c) 10 Investigators (P-3) for a total of 72 months (six FTE);
- d) 12 Associate Investigators (P-2) for a total of 72 months (six FTE);
- e) Six Assistant Investigators (P-1) for a total of 72 months (six FTE);
- f) Two Information Management Assistants (GS-OL) for a total of 24 months (two FTE); and
- g) One WCU secondment (P-2) for a total of six months (0.5 FTE).

### **Non-staff resources**

#### *Travel*

244. The provision for this budget line amounts to €784.6 thousand (20.3 per cent more than in 2013). It is essential for investigators to travel in order to collect evidence in ongoing cases, and to preserve the evidence by way of witness management in residual

cases (where arrest warrants are pending), thus safeguarding the investments made and the integrity of the case in the event of subsequent arrest and surrender. The Office has in previous years managed to absorb inflation increases related to travel by adapting travel modalities to maintain the most effective balance between flight and DSA costs.

#### *General operating expenses*

245. This budget line relates solely to costs necessarily incurred by witnesses attending interviews, and to costs relating to the Office's duty of care towards witnesses in cases (including active investigations, trials and the remaining residual cases). Thus, provision is made for €285,000 in 2014, an increase of €10,000 over 2013 to manage the existing witnesses as well as absorb the increase in new witnesses due to the expanded investigative capacity.

#### *Supplies and materials*

246. As in the 2013 budget, the Office has not created specific provisions for field clothing and mission kits. Should these materials need to be replaced, their costs will be absorbed in the regular budget non-staff funds.

**Table 37: Sub-programme 2330: Proposed budget for 2014**

2330 Investigation Teams	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013		
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						4,550.2	4,550.2		4,456.0	4,456.0		-94.2	-2.1
General Service staff						323.0	323.0		329.5	329.5		6.5	2.0
<i>Subtotal staff</i>		4,444.8	4,444.8		4,444.8	4,873.2	4,873.2		4,785.5	4,785.5		-87.7	-1.8
General Temporary Assistant		155.1	155.1		155.1	46.6	46.6		2,571.7	2,571.7		2,525.1	5,418.7
Temporary assistance for meetings													
Overtime													
Consultants													
<i>Subtotal other staff</i>		155.1	155.1		155.1	46.6	46.6		2,571.7	2,571.7		2,525.1	5,418.7
Travel		840.0	840.0		840.0	652.1	652.1		784.6	784.6		132.5	20.3
Hospitality													
Contractual services													
Training													
General operating expenses		377.0	377.0		377.0	275.0	275.0		285.0	285.0		10.0	3.6
Supplies and materials													
Furniture and equipment		2.6	2.6		2.6								
<i>Subtotal non-staff</i>		1,219.6	1,219.6		1,219.6	927.1	927.1		1,069.6	1,069.6		142.5	15.4
<b>Total</b>		<b>5,819.5</b>	<b>5,819.5</b>		<b>5,819.5</b>	<b>5,846.9</b>	<b>5,846.9</b>		<b>8,426.8</b>	<b>8,426.8</b>		<b>2,579.9</b>	<b>44.1</b>
Distributed maintenance	3.0	192.0	195.1		195.1	2.8	185.3	188.1		54.6	54.6	-133.5	-71.0

**Table 38: Sub-programme 2330: Proposed staffing for 2014**

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
	Situation-related					1	6	19	13	6	45		5	5	50
	<i>Subtotal</i>		1			1	6	19	13	6	46		5	5	51
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
Redeployed/ Returned	Basic		-1								-1				-1
	Situation-related						-1				-1				-1
	<i>Subtotal</i>		-1				-1				-2				-2
<b>Total</b>					<b>1</b>	<b>5</b>	<b>19</b>	<b>13</b>	<b>6</b>	<b>44</b>		<b>5</b>	<b>5</b>	<b>49</b>	

#### 4. Programme 2400: Prosecution Division

##### Introduction

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

248. The Prosecution Division comprises the Prosecution and Appeals Teams, assisted by case managers and trial support staff. Strategic direction of the Division will be managed by the Head of the Prosecution Division. The effective deployment of resources and standardization of case preparations and filings is overseen by the Prosecution Coordinator. The Senior Appeals Counsel manages and coordinates all appellate filings and arguments

##### Objectives

249. The quality and efficiency of the OTP core activities are guaranteed through: a) the standards in the OTP Operations Manual, b) carefully planned and controlled implementation, including greater emphasis on quality control, and c) continuous improvement through lessons learned.

250. The Office goals contained in the OTP Strategic Plan are linked to the broader Court's strategic objectives. In particular, for Programme 2400:

(a) Conduct and implement an in depth "lessons-learned" review of judicial processes, focusing first on procedures in pre-trial and trial preparation and hearing stages, subsequently on conclusion of trials and appeals, consulting States Parties, parties/participants and other stakeholders as appropriate (SO 1.1.1);

(b) Continue to prioritize sexual and gender-based crimes, and crimes against children (SO 1.1.2); and

(c) Deliver the number of planned investigations (SO 1.3.1).

**Table 39: Expected results, performance indicators and targets for 2014**

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>
<b>Objective 1.1.1</b>		
<b>OTP Strategic Goal 2.3</b>		
Further improve the quality and efficiency of:	Rate of acceptance of submissions and granting of requests by the Chambers;	80%.
Prosecutions by reviewing its prosecutorial strategies, enhancing the quality of litigation both in filings and in court, and identifying and applying good practices learned.	Time in which Prosecution case is presented (actual court days) for each case; and Number of witnesses per case maintained at lowest levels to minimize exposure.	six months. Minimum possible - at least comparable to current trial average (30-35). Prosecutorial strategies and standards reviewed. Witness-proofing guidelines to focus evidence fairly and effectively developed, applied and included in the Operations Manual. Code of Conduct promulgated (in conjunction with LAS). Improved case review process established. Revised training programme for prosecutors defined in annual Training Plan and implemented. Evidence disclosure practice revised, implemented and Operations Manual updated (with LAS). Legal research database available to the whole OTP. Lessons learned of prosecutorial performance in

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Court translated into good practices.

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**Objective 1.1.2****OTP Strategic Goal 3**

Continue to prioritize sexual and gender-based crimes, and crimes against children.

Finalization of Sexual and Gender-based Crimes Policy, as well as Children Policy; and

Sexual and Gender-based Crimes Policy finalized.

Guidelines drafted.

Development of guidelines on novel ways of proving sexual and gender-based violence on large scale.

Children Policy finalized.

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**Objective 1.3.1****OTP Strategic Goal 1**

Conduct impartial, high quality, efficient and secure preliminary examinations, investigations and prosecutions.

Number of investigations.

Five active, plus six trial-related.

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**Staff resources**

251. As recognized by the analysis of external experts<sup>51</sup>, the OTP has always been proactive in evaluating and analyzing how to better structure its operations and design its organization. As the new Deputy Prosecutor has been charged – amongst other duties – with the task of enhancing performance management within the OTP, it is considered relevant to re-assess and re-align responsibilities at OTP level. To this end, the three Divisions (ID, JCCD and PD) will report to the Deputy Prosecutor. The Office considers that only one Deputy Prosecutor with his enlarged responsibilities is needed. The second ASG Deputy Prosecutor position is deemed no longer necessary. Instead, in order to ensure parity, and a fair distribution of responsibilities and roles<sup>52</sup> amongst the divisions, a D-1 post for the position of Head of the Prosecution Division is requested in 2014. This person will manage the Division at a strategic level, as is done by the heads of the Investigation Division and the JCCD. The total number of established posts remains unchanged.

*General temporary assistance*

252. An increase in GTA resources for the Prosecution Division in 2014 is requested, corresponding to the increase in resources obtained from the Contingency Fund in 2013 as a result of the Mali and DRC 6 prosecutions.

253. A staff of six lawyers, one case manager, and half of a trial support assistant is required for each active investigation. The team will be led by an experienced P-5 level Senior Trial Lawyer. The Senior Trial Lawyer and the legal team will provide legal and strategic guidance to the investigation, analyze evidence, develop the legal theory of the case, participate in investigative activities including interviews under article 55(2) of the Statute, prepare disclosure, and draft relevant documents. The case manager and half trial support assistant will manage the evidence and information and pleadings and will support the lawyers in their tasks.

254. A staff of nine lawyers, headed by an experienced Senior Trial Lawyer (P-5), one case manager, and one trial support assistant is required for cases that have passed the charging stage and are either in pre-trial or trial phase. The lawyers will organize and prepare the case during the pre-trial and trial phases, manage witnesses, provide guidance for additional investigation, manage disclosure, draft all pleadings for the Pre-Trial Chamber and the Trial Chamber, participate in hearings, conduct the confirmation hearing, and conduct the trial. The case manager and trial support assistant will manage evidence, information and pleadings and will support all of the lawyers in their tasks.

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<sup>51</sup> *Consultancy on ICC Organizational Structure; Report on the intra-Organ review of the Office of the Prosecutor*, PricewaterhouseCoopers, June 2013.

<sup>52</sup> "...Appointing a head of PD appears to be logical and consistent from both the perspective of the OTP as a HR strategy and is in line with the OTP Operations Manual..." 3.5.2 Organizational structure and governance: division and section level -*Consultancy on ICC Organizational Structure; Report on the intra-Organ review of the Office of the Prosecutor*, PricewaterhouseCoopers, June 2013.

255. Although there can be variation in the investigations and prosecutions as a result of the complexity of the case or the number of suspects or accused, the staff composition described above is appropriate for most cases faced by the Court at this stage. Some flexibility will permit small adjustments in team compositions: slightly increasing teams for bigger cases and decreasing for less complex cases. The lawyers assigned to the investigation teams and the prosecution teams will absorb the work previously done by the Legal Reviewers.

256. The Appeals Section consists of five lawyers and one case manager. These staff are needed in order to address all applications for leave to appeal, all interlocutory appeals, and all final appeals. In addition, the Appeals Section provides legal guidance to all of the investigation and trial teams within the division.

257. As the Court develops its jurisprudence in relation to substantive interpretation of the Rome Statute and matters of practices, procedures, and evidence, the Appeals Section will continue to play a vital role - the importance of which can't be over-emphasized - in contributing to shape the decisions of the Appeals Chambers and contributing to the evolution of the Court's jurisprudence.

258. The breakdown of the GTA resources requested is as follows:

- (a) Five Senior Trial Lawyers (P-5) for 42 months (3.5 FTE);
- (b) Two Trial Lawyers (P-4) for 24 months (two FTE);
- (c) 14 Trial Lawyers (P-3) for 126 months (10.5 FTE);
- (d) Five Associate Trial Lawyers (P-2) for 60 months (five FTE);
- (e) Eight Assistant Trial Lawyers (P-1) for 90 months (7.5 FTE); and
- (f) Four Case Managers (P-1) for 48 months (four FTE);

#### **Non-staff resources**

##### *Travel*

259. Travel is requested not only for Joint Team missions in support of the investigations, but also for the representative functions performed by the Deputy Prosecutor aimed at broadening understanding of, and cooperation for, the Office's activities.

260. Provision for 2014 is €28.3 thousand, which represents an increase of 23.4 per cent and is foreseen for a total of 41 missions.

**Table 40: Programme 2400: Proposed budget for 2014**

2400 Prosecution Division	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013		
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						504.9	3,631.7	4,136.6	833.7	3,518.3	4,352.0	215.4	5.2
General Service staff						193.8	387.6	581.4	131.8	461.3	593.1	11.7	2.0
<i>Subtotal staff</i>	860.3	3,438.7	4,299.0		4,299.0	698.7	4,019.3	4,718.0	965.5	3,979.6	4,945.1	227.1	4.8
General temporary assistance	97.1	1,827.9	1,925.0		1,925.0		1,894.8	1,894.8		3,618.7	3,618.7	1,723.9	91.0
Temporary assistance for meetings													
Overtime													
Consultants													
<i>Subtotal other staff</i>	97.1	1,827.9	1,925.0		1,925.0		1,894.8	1,894.8		3,618.7	3,618.7	1,723.9	91.0
Travel	15.9	210.7	226.6		226.6	14.9	170.1	185.0	15.0	213.3	228.3	43.3	23.4
Hospitality													
Contractual services													
Training													
General operating expenses													
Supplies and materials													
Furniture and equipment													
<i>Subtotal non-staff</i>	15.9	210.7	226.6		226.6	14.9	170.1	185.0	15.0	213.3	228.3	43.3	23.4
<b>Total</b>	<b>973.3</b>	<b>5,477.3</b>	<b>6,450.6</b>		<b>6,450.6</b>	<b>713.6</b>	<b>6,084.2</b>	<b>6,797.8</b>	<b>980.5</b>	<b>7,811.6</b>	<b>8,792.1</b>	<b>1,994.3</b>	<b>29.3</b>
Distributed maintenance	18.2	160.0	178.2		178.2	16.7	154.4	171.1	32.2	43.5	75.6	-95.5	-55.8

**Table 41: Programme 2400: Proposed staffing for 2014**

Prosecution Division	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						4	2	2	6
	Situation-related					3	10	6	7	6			7	7	39
	<i>Subtotal</i>		1			6	10	6	7	6			9	9	45
New	Basic				1							1			1
	Situation-related														
	<i>Subtotal</i>				1							1			1
Redeployed/ Returned	Basic														
	Situation-related														
	<i>Subtotal</i>														
<b>Total</b>		<b>1</b>		<b>1</b>	<b>6</b>	<b>10</b>	<b>6</b>	<b>7</b>	<b>6</b>	<b>37</b>		<b>9</b>	<b>9</b>	<b>46</b>	

## C. Major Programme III: Registry

261. The Registry is headed by the Registrar, the principal administrative officer of the Court, and is the organ responsible for the non-judicial aspects of the administration and servicing of the Court.

262. The Registry is currently organized into two divisions: the Common Administrative Services Division and the Division of Court Services, as well as a number of sections and offices directly under the Office of the Registrar. These are the Counsel Support Section, the Field Operations Section, the Legal Advisory Services Section, the Public Information and Documentation Section, and the Security and Safety Section. The Immediate Office of the Registrar supports the Registrar in his functions. The Offices of Public Counsel for the Defence and for Victims and the Office of Internal Audit, while functionally independent, are located within Registry's structure mainly for administrative and management purposes. Similarly, the Independent Oversight Mechanism, the Secretariat of the Assembly of States Parties, the Secretariat of the Trust Fund for Victims and the Project Director's Office of the Permanent Premises Project also fall under the Registry's administrative purview.

263. In order to increase efficiency, the Registry's Permanent Premises Office has been moved to Major Programme VII-1, the Permanent Premises Project Director's Office, under the direct supervision of the Project Director, thus creating synergies through better coordination and mainstreaming of the different aspects of the Court's permanent premises project, including the transition project.

264. All of the Registry's functions and operations are aimed at supporting the implementation of the Court's judicial mandate, as well as its appropriate organizational functioning. It constitutes the main support structure for the functioning of the entire Court and its various related bodies, and its budget is thus essentially driven by judicial and prosecutorial developments and the assumptions underlying them.

265. Registry's responsibility to ensure, *inter alia*, adequate judicial cooperation with States, protection of victims and witnesses, safety and security of the Court's operations, detention of suspects and accused individuals, courtroom services, field operations, assistance and support to the Office of the Prosecutor, the defence and to the victims participating in the proceedings and outreach to affected communities, is fundamental in guaranteeing the adequate functioning of the judicial proceedings before the Court and the effective implementation of judicial decisions, as well as in maximizing their impact by delivering justice in a meaningful way to the actual communities affected by the crimes under the Court's jurisdiction.

266. Through its common platform of support and services, the Registry seeks to ensure maximum efficiency. The Registry's centralized approach to the provision of administrative and judicial services within the Court enables it to support the different areas of the Court's operations. In particular, the Registry guarantees the efficient delivery of essential services to the different participants in judicial proceedings in order to facilitate and ensure effective investigations, trials and other judicial proceedings. In addition, the Registry's mandate to provide and maintain the Court's administrative service delivery architecture, seeks to guarantee comprehensive Court-wide solutions to meet the administrative needs of the institution.

267. The Court's overall budget assumptions for 2014 foresee a substantial increase in its judicial and prosecutorial activities by comparison with 2013, with double the number of confirmation of charges hearings, double the trial hearings and double the cases in final appeals, as well as four new investigations conducted by the OTP in the context of current situations, the level of services and support required from the Registry to ensure the adequate functioning of the Court will inevitably have to increase significantly.

268. Furthermore, the Office of the Prosecutor is seeking to enhance the quality and efficiency of its investigative and prosecutorial activities, which will require a substantive increase in its resources in order to enable it to move progressively from the existing rotational model to an overall system that can better ensure adequate staffing and support levels required for the OTP to meet all judicial and prosecutorial demands. In order to sustain and ensure the level of quality and efficiency sought by the OTP in its operations,

the Registry will be similarly required to provide an increased level of services and support, in particular in regard to security, field operations and protection of witnesses.

269. In addition, there are in-built increases in staff costs, amounting to approximately €0.6 million, mainly as a consequence of the application of UN common system costs.

270. Notwithstanding all these factors, which directly impact and drive the workload and operations of the vast majority of Registry's functions, the Registrar has made strenuous efforts to prepare a budget proposal for 2014 which remains as far as possible at the same level as the approved budget for 2013. Significant efficiencies have been achieved, including by capitalizing upon past investments and procurement activities. As a result, the majority of programmes and sub-programmes within Registry reflect a budget proposal for 2014 at approximately the level of the approved 2013 budget, or even, in some cases, below that level.

271. Out of the €7 million increase initially identified on the basis of the anticipated additional cost drivers, it has been possible, as a result of efficiency gains and careful allocation, redeployment and reprioritization of resources, to achieve a reduction of approximately €3.5 million. In particular, the additional resources required to support the increased level of judicial activities and providing services to parties and participants in the different pre-trials, trials and appeals, as well as the in-built increase in staff costs, have been, to a large extent, absorbed within the 2013 approved level of resources. However, the remaining gap of €3.5 million could not be bridged without significantly impairing the level of services provided, in particular in those areas of the Registry directly impacted by the increased requirements of the OTP.

272. In sum, even when taking into account the increased judicial assumptions and the in-built increase in staff costs, had it not been for the increased resources needed to support the operations of the OTP, the Registry would have presented a proposed budget at nearly the same level as the approved budget for 2013.

273. Such an approach demonstrates how the Registry, by implementing its central role as Court-wide service provider, has ensured minimal budget growth. The Registrar will continue to consider ways to achieve further redeployments and synergies that can be undertaken with a view, as far as possible, to containing future required increases in resources, and, where possible, finding additional sustainable efficiencies. However, in view of the significant pressure in the level of its proposed resources for 2014, in order to ensure continuity and sustainability in Registry's operations and activities, the Registrar will need to be given sufficient flexibility by the Assembly of States Parties to enable him, in the coming years, to reorganize and reassess the current structures and processes within Registry. In addition, efforts will continue to be undertaken with the OTP with a view to achieving better and more efficient inter-organ coordination and processes and finding, where possible, additional synergies.

274. In line with the wishes of the Assembly and the Committee, the Registry will continue in 2014 to seek efficiencies, and to continue leading the Court-wide exercise targeted at improving the Court's business processes, prioritizing its activities and services and saving costs, thus further contributing to the Court's strategic goal of delivering efficient, well-planned and cost-effective administration.

**Table 42: Breakdown of MP III proposed budget for 2014, showing net decreases and increases**

<i>MP III proposed budget for 2014</i>	<i>Total (millions of euros)</i>
2013 baseline	64.5
<b>Less</b>	
Temporarily unfunded post	0.1
Other staff costs (including consultants)	0.1
Contractual services and others	0.1
Counsel for defence and victims	0.2
General operating expenses	0.3
<i>Sub-total</i>	<i>0.8</i>
<b>Add</b>	
Forward commitments (staff costs incl. common system costs)	0.6
GTA	1.6
Mali situation	0.7
Victims and witnesses protection programmes costs	1.1
Witnesses testimony costs (videolinks included)	0.4
<i>Sub-total</i>	<i>4.4</i>
<b>Total</b>	<b>68.1</b>
<b>Total growth (5.6%)</b>	<b>3.6</b>

**Table 43: Major Programme III: Proposed budget for 2014**

Major Programme III Registry	Expenditure 2012 (thousands of euro)					Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013	
	Basic	Situation- related	Total	Cont. Fund	Total incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						12,271.3	8,222.1	20,493.4	12,199.2	8,460.0	20,659.2	165.8	0.8
General Service staff						9,249.3	6,213.1	15,462.4	9,496.2	6,323.4	15,819.6	357.2	2.3
<i>Subtotal staff</i>	<i>19,929.5</i>	<i>14,486.9</i>	<i>34,416.4</i>	<i>93.2</i>	<i>34,509.6</i>	<i>21,520.6</i>	<i>14,435.2</i>	<i>35,955.8</i>	<i>21,695.4</i>	<i>14,783.4</i>	<i>36,478.8</i>	<i>523.0</i>	<i>1.5</i>
General temporary assistance	2,065.9	2,878.5	4,944.4	418.3	5,362.7	1,909.7	2,297.1	4,206.8	2,158.3	3,900.1	6,058.4	1,851.6	44.0
Temporary assistance for meetings	59.7	224.7	284.4		284.4	200.0	153.2	353.2	254.7	68.8	323.5	-29.7	-8.4
Overtime	257.5	24.3	281.8		281.8	214.5	138.8	353.3	222.4	141.6	364.0	10.7	3.0
Consultants	119.3	63.2	182.5		182.5	86.6	36.1	122.7	19.6	47.1	66.7	-56.0	-45.6
<i>Subtotal other staff</i>	<i>2,502.4</i>	<i>3,190.7</i>	<i>5,693.1</i>	<i>418.3</i>	<i>6,111.4</i>	<i>2,410.8</i>	<i>2,625.2</i>	<i>5,036.0</i>	<i>2,655.0</i>	<i>4,157.6</i>	<i>6,812.6</i>	<i>1,776.6</i>	<i>35.3</i>
Travel	204.2	1,250.2	1,454.4	52.1	1,506.5	184.5	1,636.9	1,821.4	314.4	2,133.9	2,448.3	626.9	34.4
Hospitality	4.2	0.1	4.3		4.3	4.0		4.0	4.0		4.0		
Contractual services	1,846.8	1,146.8	2,993.6	136.5	3,130.1	1,021.4	1,526.9	2,548.3	835.3	1,717.6	2,552.9	4.6	0.2
Training	320.8	209.8	530.6		530.6	387.4	178.0	565.4	389.3	174.4	563.7	-1.7	-0.3
Counsel for Defence		3,284.0	3,284.0	554.7	3,838.7		2,608.4	2,608.4		2,866.4	2,866.4	258.0	9.9
Counsel for Victims		2,174.7	2,174.7	212.5	2,387.2		3,448.2	3,448.2		3,000.7	3,000.7	-447.5	-13.0
General operating expenses	5,588.7	5,030.9	10,619.6	203.7	10,823.3	6,315.8	4,293.5	10,609.3	6,028.8	5,420.3	11,449.1	839.8	7.9
Supplies and materials	518.5	300.8	819.3	1.6	820.9	693.2	260.2	953.4	649.2	274.0	923.2	-30.2	-3.2
Furniture and equipment	1,119.6	3.5	1,123.1	62.7	1,185.8	934.0	36.7	970.7	593.9	417.9	1,011.8	41.1	4.2
<i>Subtotal non-staff</i>	<i>9,602.8</i>	<i>13,400.8</i>	<i>23,003.6</i>	<i>1,223.8</i>	<i>24,227.4</i>	<i>9,540.3</i>	<i>13,988.8</i>	<i>23,529.1</i>	<i>8,814.9</i>	<i>16,005.2</i>	<i>24,820.1</i>	<i>1,291.0</i>	<i>5.5</i>
<b>Total</b>	<b>32,034.7</b>	<b>31,078.4</b>	<b>63,113.1</b>	<b>1,735.3</b>	<b>64,848.4</b>	<b>33,471.7</b>	<b>31,049.2</b>	<b>64,520.9</b>	<b>33,165.3</b>	<b>34,946.2</b>	<b>68,111.5</b>	<b>3,590.6</b>	<b>5.6</b>
Distributed maintenance	-317.7	-728.1	-1,037.9		-1,037.9	-303.2	-702.6	-1,005.8	-41.3		-41.3	964.4	-95.9

**Table 44: Major Programme III: Proposed staffing for 2014**

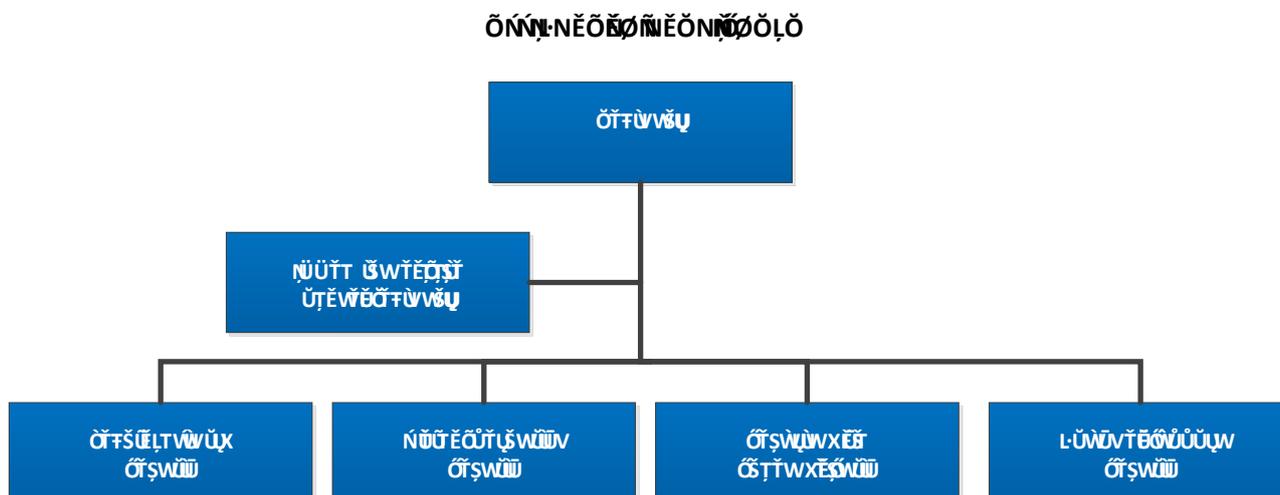
Registry		USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P-staff and above	Total			Total staff
												GS-PL	GS-OL	GS-staff	
Existing	Basic		1		4	15	25	34	26	3	108	9	136	145	253
	Situation-related					1	14	32	36	3	86	7	132	139	225
	<i>Subtotal</i>		<i>1</i>		<i>4</i>	<i>16</i>	<i>39</i>	<i>66</i>	<i>62</i>	<i>6</i>	<i>194</i>	<i>16</i>	<i>268</i>	<i>284</i>	<i>478</i>
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
Redeployed/ Returned	Basic														
	Situation-related														
	<i>Subtotal</i>														
<b>Total</b>		<b>1</b>		<b>4</b>	<b>16</b>	<b>39</b>	<b>66</b>	<b>62</b>	<b>6</b>	<b>194</b>	<b>16</b>	<b>268</b>	<b>284</b>	<b>478</b>	

## 1. Programme 3100: Office of the Registrar

### Introduction

275. The Registrar is the principal administrative officer of the Court, and, as such, is entrusted with responsibilities in different areas relating to the non-judicial aspects of the administration and servicing of the Court.

276. The Office of the Registrar comprises the following five sub-programmes:



277. The Immediate Office of the Registrar supports and advises the Registrar and the Deputy Registrar in relation to all of their responsibilities, including cooperation with States Parties, budget and financial management, and Court-wide and section-wide Registry policies and strategies. The Legal Advisory Section reports to the Registrar and provides legal advice on questions regarding the Court's legal framework on matters within the Registry's responsibilities. The Field Operations Section manages and supports the field offices established in the situation countries to meet the Court's mandate on the ground. The operational needs of the Registry, Office of the Prosecutor, Trust Fund for Victims and counsel are the key driving factors for field offices services and resources. The Security and Safety Section provides a safe, secure and confidential working environment, both in The Hague and in the field, to protect all persons to whom the Court owes a duty of care, as well as the Court's tangible and intangible assets and information resources. The Counsel Support Section coordinates all the assistance provided to counsel by the Court, and manages the Court's legal aid scheme.

### Objectives

1. Conduct and implement an in-depth "lessons-learned" review of judicial processes, focusing first on procedures in pre-trial and trial preparation and hearing stages, and subsequently on conclusion of trials and appeals, consulting States Parties, parties/participants and other stakeholders as appropriate (1.1.1);
2. Implement the revised legal aid system and continuously monitor its adequacy and cost effectiveness in a manner consistent with judicial decisions and the rights of the defence (1.4.1);
3. Revisit the victim application system (1.5.1);
4. Re-examine and adapt the structure, staffing and resources for the Court in the light of practical experience, promoting efficiency and effectiveness while ensuring the capacity to deliver the Court's mandate (2.1.1);
5. As part of the Court's review of roles and responsibilities, review and adapt the field operations structures, in particular in the field (2.1.3);

6. Improve of governance and security and safety risk management mechanism for all countries of Court operations, including non-situation countries, and for all stages of investigations and judicial processes (2.6.5);
7. Ensure security and safety measures are tailored to the circumstances and facilitate the requisite operations of the Court while being included from the outset in the planning and execution of the Court's operations (2.8.1);
8. Further improve the dialogue between the Court and the Assembly and its sub-bodies through the setting up of a cost-effective information exchange (3.1.1);and
9. Conclude relocation agreements (including cost-neutral agreements) and agreements for interim release/acquittal as a priority with States in relative geographical proximity of the States of origin of witnesses and the accused (3.4.1).

**Table 45: Expected results, performance indicators and target for 2014**

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>
<b>Objective 1.1.1</b> Efficient management of trial;	Number of findings by Chambers in respect of non-provision of adequate services by Registry;	0%.
<b>Objective 1.4.1</b> Implementation of most effective legal aid system;	Adherence to legal aid policy;	100%.
<b>Objective 1.5.1</b> Achievement of more sustainable, effective and efficient victim application system;	Review of victim application system completed; Guidelines on Intermediaries implemented;	100%. 100%.
<b>Objective 2.1.1</b> Cross-cutting review of implications for overall Court structure;	Conclude Registry's evaluation regarding structure, staffing and resources;	100%.
<b>Objective 2.1.3</b> Better coordination and higher impact of the Court's work in situation countries;	Vision for operations in the field defined;	100%.
<b>Objective 2.6.5</b> Finalized review of the Court's crisis readiness;	Implement Crisis Cell;	100%.
<b>Objective 2.8.1</b> No security incidents caused by a lack of prevention or management of foreseeable risks by the Court, while allowing operations to continue;	Number of incidents involving serious injuries due to negligence of management; Screening of all persons and items entering the Court's premises; Compliance with Minimum Operating Security Standards (MOSS);	0%. 100%. 90%.
<b>Objective 3.1.1</b> Cooperation and efficient dialogue between the Court, the Assembly and States Parties enhanced; and	Registry participation and input to all meetings, seminars, events etc. organized by states upon request; and	100%.
<b>Objective 3.4.1</b> Conclusion of new agreements.	Number of framework agreements concluded in support of the Court's operations.	Four.

**Table 46: Programme 3100: Proposed budget for 2014**

3100 Office of the Registrar	Expenditure 2012 (thousands of euro)					Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013	
	Basic	Situation- related	Total	Cont. Fund	Total Incl. CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						2,566.5	1,442.2	4,008.7	2,588.7	1,623.4	4,212.1	203.4	5.1
General Service staff						2,624.6	2,013.9	4,638.5	2,676.0	2,090.9	4,766.9	128.4	2.8
<i>Subtotal staff</i>	<i>4,601.8</i>	<i>3,509.4</i>	<i>8,111.2</i>	<i>93.2</i>	<i>8,204.4</i>	<i>5,191.1</i>	<i>3,456.1</i>	<i>8,647.2</i>	<i>5,264.7</i>	<i>3,714.3</i>	<i>8,979.0</i>	<i>331.8</i>	<i>3.8</i>
General temporary assistance	1,242.0	366.3	1,608.3	16.8	1,625.1	1,082.4	208.5	1,290.9	1,082.4	607.5	1,689.9	399.0	30.9
Temporary assistance for meetings													
Overtime	142.5	24.0	166.5		166.5	124.4	50.3	174.7	124.4	50.3	174.7		
Consultants	14.5		14.5		14.5								
<i>Subtotal other staff</i>	<i>1,399.0</i>	<i>390.3</i>	<i>1,789.3</i>	<i>16.8</i>	<i>1,806.1</i>	<i>1,206.8</i>	<i>258.8</i>	<i>1,465.6</i>	<i>1,206.8</i>	<i>657.8</i>	<i>1,864.6</i>	<i>399.0</i>	<i>27.2</i>
Travel	45.0	444.8	489.8	6.0	495.8	30.1	434.0	464.1	37.5	637.5	675.0	210.9	45.4
Hospitality	4.2	0.1	4.3		4.3	4.0		4.0	4.0		4.0		
Contractual services	311.9	251.5	563.4	59.2	622.6	112.0	261.6	373.6	112.0	463.9	575.9	202.3	54.1
Training	88.0	154.7	242.7		242.7	97.6	107.7	205.3	97.2	108.1	205.3		
Counsel for Defence		3,284.0	3,284.0	554.7	3,838.7		2,608.4	2,608.4		2,866.4	2,866.4	258.0	9.9
Counsel for Victims		2,174.7	2,174.7	212.5	2,387.2		3,448.2	3,448.2		3,000.7	3,000.7	-447.5	-13.0
General operating expenses	132.7	731.5	864.2	124.8	989.0	165.0	573.7	738.7	165.0	563.5	728.5	-10.2	-1.4
Supplies and materials	61.3	196.2	257.5	1.6	259.1	63.3	146.0	209.3	63.3	159.8	223.1	13.8	6.6
Furniture and equipment	0.7		0.7		0.7	1.0	1.7	2.7	0.9	1.8	2.7		
<i>Subtotal non-staff</i>	<i>643.8</i>	<i>7,237.5</i>	<i>7,881.3</i>	<i>958.8</i>	<i>8,840.1</i>	<i>473.0</i>	<i>7,581.3</i>	<i>8,054.3</i>	<i>479.9</i>	<i>7,801.7</i>	<i>8,281.6</i>	<i>227.3</i>	<i>2.8</i>
<b>Total</b>	<b>6,644.6</b>	<b>11,137.2</b>	<b>17,781.8</b>	<b>1,068.8</b>	<b>18,850.6</b>	<b>6,870.9</b>	<b>11,296.2</b>	<b>18,167.1</b>	<b>6,951.4</b>	<b>12,173.8</b>	<b>19,125.2</b>	<b>958.1</b>	<b>5.3</b>
Distributed maintenance	226.9	296.1	523.0		523.0	278.1	301.1	579.2	284.8	73.6	358.3	-220.9	-61.6

**Table 47: Programme 3100: Proposed staffing for 2014**

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		1	5	5	4	4	1	21	2	39	41	62
	Situation-related					1	4	7	3		15	1	50	51	66
	<i>Subtotal</i>		<i>1</i>		<i>1</i>	<i>6</i>	<i>9</i>	<i>11</i>	<i>7</i>	<i>1</i>	<i>36</i>	<i>3</i>	<i>89</i>	<i>92</i>	<i>128</i>
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
Redeployed/ Returned	Basic														
	Situation-related														
	<i>Subtotal</i>														
<b>Total</b>		<b>1</b>		<b>1</b>	<b>6</b>	<b>9</b>	<b>11</b>	<b>7</b>	<b>1</b>	<b>36</b>	<b>3</b>	<b>89</b>	<b>92</b>	<b>128</b>	

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

278. The Immediate Office directly supports the Registrar and the Deputy Registrar in the non-judicial aspects of the administration and servicing of the Court. It is important that the Registrar and Deputy Registrar have at their disposal a structure allowing effective communication within the Court, as well as with States Parties and other external key partners and stakeholders. The Office must thus foster communication internally, both Registry- and Court-wide as well as with external stakeholders.

279. The Immediate Office supports the Registrar in the preparation of the annual programme budget, in the consultations with the Bureau's Hague Working Group, and in the coordination of organ-wide initiatives such as the review of procedures for victims' participation and the Guidelines on Intermediaries. As part of the administrative management, the Immediate Office oversees and guides the effective administration of the Court's resources, monitors the implementation of internal and external audit recommendations and acts as the overall manager for the Court's trust funds and special accounts.

280. In addition, in view of the important role played by the Registrar in securing support and cooperation from States Parties, the Immediate Office channels judicial requests for cooperation to the relevant States and ensures their implementation. Furthermore, it is also responsible for organizing regional and high-level seminars for fostering cooperation, and for negotiating voluntary agreements with States, such as agreements on the protection of witnesses and on the interim release of detainees.

**Non-staff resources**

**Basic resources**

*Travel*

281. Recurrent. The Registrar, or his representative, is required to travel for the purpose of increasing support and cooperation at the highest levels, among States Parties and external key partners such as the United Nations, other IGOs, and NGOs. In addition, these resources allow the Registrar to pursue his mandate with regard to victims, witnesses and defence. The travel budget for 2014 includes an increase of €19,000, or 54.9 per cent, to cover the cost of travel to New York to attend the session of the Assembly.

*Hospitality*

282. Recurrent. The Registry offers limited hospitality with the aim of increasing support and cooperation among States Parties and external key partners such as the United Nations, other IGOs, and NGOs.

**Situation-related resources**

*Travel*

283. Recurrent. The Court's increased operations in various countries, the nature of on-going conflicts, local geography and security demands far from Headquarters are different for each of the situations, requiring the Registrar to visit States Parties and local partners in the field in order to gain their support and foster cooperation.

**Table 48: Sub-programme 3110: Proposed budget for 2014**

3110 Immediate Office of the Registrar	Expenditure 2012 (thousands of euro)					Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013	
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						953.5		953.5	958.1		958.1	4.6	0.5
General Service staff						205.8		205.8	209.8		209.8	4.0	1.9
<i>Subtotal staff</i>	<i>1,055.9</i>		<i>1,055.9</i>		<i>1,055.9</i>	<i>1,159.3</i>		<i>1,159.3</i>	<i>1,167.9</i>		<i>1,167.9</i>	<i>8.6</i>	<i>0.7</i>
General temporary assistance	128.8	2.8	131.6	16.8	148.4								
Temporary assistance for meetings													
Overtime													
Consultants													
<i>Subtotal other staff</i>	<i>128.8</i>	<i>2.8</i>	<i>131.6</i>	<i>16.8</i>	<i>148.4</i>								
Travel	17.5	15.5	33.0		33.0	16.8	18.0	34.8	21.4	32.5	53.9	19.1	54.9
Hospitality	4.2	0.1	4.3		4.3	4.0		4.0	4.0		4.0		
Contractual services	225.4		225.4		225.4								
Training	1.7		1.7		1.7								
General operating expenses													
Supplies and materials													
Furniture and equipment													
<i>Subtotal non-staff</i>	<i>248.8</i>	<i>15.6</i>	<i>264.4</i>		<i>264.4</i>	<i>20.8</i>	<i>18.0</i>	<i>38.8</i>	<i>25.4</i>	<i>32.5</i>	<i>57.9</i>	<i>19.1</i>	<i>49.2</i>
<b>Total</b>	<b>1,433.5</b>	<b>18.4</b>	<b>1,451.9</b>	<b>16.8</b>	<b>1,468.7</b>	<b>1,180.1</b>	<b>18.0</b>	<b>1,198.1</b>	<b>1,193.3</b>	<b>32.5</b>	<b>1,225.8</b>	<b>27.7</b>	<b>2.3</b>
Distributed maintenance	30.3		30.3		30.3	33.3		33.3	45.9		45.9	15.6	46.9

**Table 49: Sub-programme 3110: Proposed staffing for 2014**

Immediate 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		1	2		2	1		7	1	2	3	10
	Situation-related														
	<i>Subtotal</i>		<i>1</i>		<i>1</i>	<i>2</i>		<i>2</i>	<i>1</i>		<i>7</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>10</i>
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
Redeployed/ Returned	Basic														
	Situation-related														
	<i>Subtotal</i>														
<b>Total</b>		<b>1</b>		<b>1</b>	<b>2</b>		<b>2</b>	<b>1</b>		<b>7</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>10</b>	

**(b) Sub-programme 3130: Legal Advisory Services Section**

284. The Legal Advisory Services Section (“LASS”) is the section in charge of supporting operational legal issues insofar as they are relevant to the duties assigned to the Registrar under the Rome Statute and Rules of Procedure and Evidence. In this regard, the main objective of LASS is to provide legal advice to the Registrar and the Deputy Registrar, individual sections of the Registry, and other officials of the Court on questions regarding the general legal framework which governs the work of the Court.

285. LASS’s activities and services for the fulfillment of its mandate can be summarized in the 10 following areas:

(a) *Administration of Justice*: Advice on HR-related issues and drafting the Registrar’s position in litigation proceedings (administrative review/disciplinary matters/ILOAT) and conciliation/settlement negotiations;

(b) *Staff entitlements*: Provide timely legal advice to Human Resources to ensure that staff entitlements are granted in accordance with the Staff Regulations and Rules;

(c) *Procurement review cases*: Participating in the Procurement Review Committee (PRC) and providing secretarial services to the PRC to ensure compliance of procurement proceedings with the Financial Regulations and Rules and other applicable legal instruments;

(d) *Contracts*: Drafting, reviewing and negotiating contracts with external partners, including agreements and memoranda of understanding;

(e) *Legal Consultations*: Providing the Registrar and/or individual sections and units within the Court with (i) internal informative memoranda on interpretation and application of the Court’s legal framework and (ii) legal advice/opinions on institutional and other operational modalities relating to the Court’s mandate;

(f) *Administrative issuances*: Draft and/or review administrative instructions, information circulars, presidential directives and other internal policies of the Court;

(g) *Support in judicial proceedings*: Monitor and update the Registrar and Registry sections on judicial proceedings in the different situations and cases and overview the Registry’s filings before Chambers and Presidency. Provide assistance to Registry sections by way of legal research, drafting and/or review to ensure consistency in the Registry’s positions prepared by different sections in the various cases and situations and to prevent possible conflicts of interests from impacting on the judicial work of each section;

(h) *Host State affairs*: Serve as interlocutor between the Court and the host State regarding privileges and immunities, interpretation and implementation of the host State Agreement and of the Agreement on Privileges and Immunities of the Court;

(i) *Representation of the Court in external bodies*: Serve as interlocutor/representative of the Court before the International Community Platform; and

(j) *Requests for publication*: Review publications by staff members before Registrar’s approval to ensure that their personal views and convictions do not adversely affect their official duties or the interest of the Court.

286. Expected results:

(a) Provision to the Court of timely, sound and consistent legal advice on all topics listed above;

(b) Effective cooperation regarding legal internal documents between the different pillars of the Court; and

(c) Ensure minimum legal exposure of the Court to litigation.

287. The section is headed by a Senior Legal Adviser (P-5) and is composed of two Legal Advisers (P-4), one Legal Officer (P-3), one Associate Legal Officer (P-2), one Legal Assistant (G-6) and one Administrative Assistant (G-4). As of the second quarter of 2013, the workload of the section is divided in three main pillars reporting directly to the Chief of Section:

- (a) *Administration of Justice and Administrative issuances*, comprising the activities and services listed in points (a), (b), (e) and (f) above;
- (b) *Privileges and Immunities, and support in judicial proceedings*, comprising the activities and services listed in points (e), (g), (h) and (i) above; and
- (c) *Contracts and procurement matters*, comprising the activities and services listed in points (c), (d) and (e) above.

288. The Legal Assistant reports directly to the Chief of Section and provides legal support in terms of preliminary research and drafting to all staff of the section as required. The Administrative Assistant provides secretarial/administrative support to the section.

### **Staff resources**

#### *Established posts*

289. A second Legal Officer (P-3) post, which was redeployed to LASS in 2012, has now been returned to its original section, Court Management Section. The structure of the section was also redefined in order to better reflect its functions, as they were modified by the addition of the redeployment of the second Legal Officer (P-3) position in 2012. From two units, the structure of the section has moved to three units, reporting directly to the Chief of Section: the Administration of Justice and Administrative Issuances Unit (AJAIU), which remains unchanged, the Contract and Procurement Advisory Unit (CPAU) and the Judicial, Agreements and Privileges and Immunities Unit (JAPIU). AJAIU and JAPIU are each headed by a Legal Adviser (P-4) and the CPAU by the Legal Officer (P-3). The AJAIU is supported by the Associate Legal Officer (P-2). The specific activities of the respective units are described in (i), (ii) and (iii) above. Activities and services listed in point (j) of paragraph 285 are handled according to topics and availability.

290. Both the Legal Assistant (GS-6) and the Administrative Assistant (GS-4) are under the supervision of the Chief of Section. The former provides legal support to the section in terms of preliminary research and drafting to all staff of the section as required, while the latter provides secretarial/administrative support.

291. As a result of the termination of the redeployment of the second P-3 post, it should be noted that LASS is currently providing the same services as under the preceding budget exercise with one Legal Officer (P-3) less. This reduction has significantly increased the pressure put on the section. This situation will be closely monitored during 2013 and 2014 and staffing adjustment might be required in 2015 in order to continue to preserve the timeliness and quality of the services of the section.

### **Non-staff resources**

#### *Contractual services*

292. Recurrent. Contractual services are required in order to cover consultancy and specific legal expertise needed at Headquarters and in the field. The activities of the Court generate continuous additional research and drafting work, for which the Legal Advisory Services Section may require outside legal expertise, particularly concerning matters focused on local legislation and national jurisdictions. Securing the timely, sound and accurate legal advice and assistance on those issues is of high importance in order to minimize the Court's legal exposure to any litigation and to guarantee the lawful performance of the Court's operations and activities. Overall, the amount requested under this head remains unchanged from 2013.

**Table 50: Workload indicators and statistics for the Legal Advisory Services Section (LASS)**

<i>LASS activities</i>	<i>Actual workload 2012 and % increase/decrease from 2011</i>	<i>Estimated workload 2013</i>	<i>Estimated Workload 2014</i>
1. Administration of Justice	44 cases 24% decrease	60 cases	60 cases
2. Staff entitlements	24 requests 11% decrease	37 requests	37 requests
3. Procurement review cases	56 PRC cases 7.6% increase	52 PRC cases	58 PRC cases
4. Contracts, agreements, MOU	89 14.1% increase	85	92
5. Legal consultations	201 consultations 131% increase	210 consultations	217 consultations
6. Administrative issuances	24 issuances 20% increase	30 issuances	20 issuances
7. Support in judicial proceedings	314 1327% increase	330	346
8. Host State affairs	10 16% decrease	15	24
9. Representation of the Court in external bodies	3	2 projects	3 projects
10. Requests for publication	9 publications 85% decrease	20 publications	20 publications

**Table 51: Sub-programme 3130: Proposed budget for 2014**

3130 Legal Advisory Services Section	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013		
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						585.7		585.7	592.7		592.7	7.0	1.2
General Service staff						126.5		126.5	128.9		128.9	2.4	1.9
<i>Subtotal staff</i>	556.5		556.5		556.5	712.2		712.2	721.6		721.6	9.4	1.3
General temporary assistance	22.5		22.5		22.5								
Temporary assistance for meetings													
Overtime													
Consultants													
<i>Subtotal other staff</i>	22.5		22.5		22.5								
Travel	13.6		13.6		13.6								
Hospitality													
Contractual services	0.5		0.5		0.5	17.5		17.5	17.5		17.5		
Training	2.8		2.8		2.8								
General operating expenses													
Supplies and materials													
Furniture and equipment													
<i>Subtotal non-staff</i>	16.9		16.9		16.9	17.5		17.5	17.5		17.5		
<b>Total</b>	<b>595.9</b>		<b>595.9</b>		<b>595.9</b>	<b>729.7</b>		<b>729.7</b>	<b>739.1</b>		<b>739.1</b>	<b>9.4</b>	<b>1.3</b>
Distributed maintenance	21.2		21.2		21.2	25.0		25.0	32.2		32.2	7.1	28.4

**Table 52: Sub-programme 3130: Proposed staffing for 2014**

Legal Advisory Services Section	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	1	1		5		2	2	7
Situation-related														
<i>Subtotal</i>					1	2	1	1		5		2	2	7
New/ Converted														
Basic														
Situation-related														
<i>Subtotal</i>														
Redeployed/ Reclassified/ Returned														
Basic														
Situation-related														
<i>Subtotal</i>														
<b>Total</b>					<b>1</b>	<b>2</b>	<b>1</b>	<b>1</b>		<b>5</b>		<b>2</b>	<b>2</b>	<b>7</b>

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

293. The task of the Security and Safety Section (“SSS”) is to provide a safe, secure and confidential working environment for the Court’s judges and elected officials and staff members, experts, counsel, accused persons, witnesses, visitors and others, both at Headquarters and in the field. The Section protects all persons to whom the Court owes a duty of care, as well as the tangible and intangible assets and information resources of the court.

294. At Headquarters, the section provides an uninterrupted 24/7 service to all organs of the Court, including Presidency and Chambers, the Office of the Prosecutor and the Registry, as well as the Secretariat of the Assembly of States Parties and the Secretariat of the Trust Fund for Victims, including in particular the necessary security and safety services for the safe and undisturbed conduct of Court hearings.

295. In the field, the Section supports the specific requirements of its clients from all Court departments, in particular the Office of the Prosecutor, the Registry, counsel and the Trust Fund for Victims.

296. Pursuant to the Guidelines governing the relations between the Court and intermediaries, the section has been tasked with putting in place measures to ensure the safety and security of intermediaries in the field. Specific tasks include conduct of security risk assessments, liaison with national authorities for protective measures and provision of advice and training regarding best practices.

297. The proposed increase in the section’s budget is largely linked to two factors: the new situation in Mali and the increased service requirements of the OTP.

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

298. *Twenty two Security Support Assistants, GS-OL, 12 months each. Continued.* The SSS takes this opportunity to remind the Committee and the Assembly that it continues to be concerned at the situation of its regular twenty-two GS-OL Security Support Assistants at Headquarters. These are all currently GTA positions, included in the Security and Safety Section sub-programme approved budget since 2005, and the security services which they provide will continue to be required into the foreseeable future, including at the Permanent Premises. In principle, the use of staff under general temporary assistance should only be based on temporary needs (with a clearly identified purpose), for a limited period of time. However, the section will not seek the conversion of these GTA positions to established posts in the 2014 budget, but will return to this at a future time.

*Overtime*

299. Maintenance of 24/7 security and safety services requires permanent manning of a number of security posts. According to the Court’s Staff Regulations and Rules, Security General Services Staff are entitled to financial compensation when performing night work. Overtime is regularly required, due to public holidays and official leave, mission support and staff shortages.

**Situation-related resources***Established posts*

300. The section intends to maintain its existing operational structure and resources in the field to guarantee the provision of support to ongoing activities of its clients. The section continues re-evaluating its resources and assets, efficiency and cost-effectiveness of its operations. SSS structure includes the presence of one P-3 Field Security Officer providing direction and supervision to two situation countries, with the exception of the DRC, because of its size and the concept of the Court’s activities being focused on two main locations within the country. Each situation country has one GS-OL Assistant Field

Security Officer and one locally recruited Local Security Assistant, with the exception of DRC where there is one GS-OL Assistant Field Security Officer and one locally recruited Local Security Assistant, both in Kinshasa and in Bunia, supervised by the P-3 Field Security Officer based in Kinshasa. Any activities in Libya and Sudan will be supported from existing resources.

*General temporary assistance*

301. *One Field Security Officer, P-3, One Assistant Field Security Officer, GS-OL, 12 month each.* New. General temporary assistance funding is required for one P-3 Field Security Officer and one GS-OL Assistant Field Security Officer for the new Mali situation. This GTA funding was included in the Contingency Fund request for Mali submitted in 2013 and is now requested under the programme budget for 2014.

*Overtime*

302. Overtime is required in order to cover the extended hours of Court hearings and staff shortages due to an insufficient number of security staff. Without the overtime allocation, the section is unable to provide any hearing support activities beyond regular office hours. The total amount of overtime has been based on the existing hearings schedule (215 Court days in 2014).

**Non-staff resources**

303. With the exception of travel, which has increased due to the increased number of situations and the increased level of services required from the section, all other non-staff costs, both basic and situation-related, have been kept at the level of the 2013 budget.

**Basic resources**

*Travel*

304. To attend essential briefings and coordination meetings with partners in other international organizations, such as UNDSS, the Inter-Agency Security Management Network, INTERPOL and security conferences, with a view to ensuring compliance with best practices and standards, improving capacity to monitor and address potential security and safety vulnerabilities in the most efficient and cost-effective way, and networking and facilitating information sharing.

*Contractual services*

305. Contractual services include security vetting and key-holding and response services for the residences of senior Court officials. Following audit recommendations and a risk-management exercise, the Personnel Security and Investigations Office has implemented a pre-employment screening procedure for all new personnel, interns, visiting professionals, consultants and contractors.

*Training*

306. It is mandatory that all security personnel are regularly trained in first-aid and fire and emergency response, and in the use of firearms, and that they maintain qualifications and permits in accordance with Court and host State regulations. Costs for training related to information security, security management, hostage incident management, control and restraint and close protection are included, and are considered fundamental to the overall security posture of the Court.

*General operating expenses*

307. Includes the maintenance of firearms, security screening and training equipment, the testing of information security infrastructure and the membership fee for the United Nations Security Management System. Due to the postponement of replacement of security screening equipment, an increase in costs for maintenance is expected as the equipment is old and prone to malfunctions. Fully functioning security screening equipment is essential to the security regime of the Court.

*Supplies and materials*

308. Supplies and materials include essential provisions for the Pass and ID Office, uniforms and body armour for security personnel and necessary items for firearms training and re-certification sessions.

*Furniture and equipment*

309. In order to ensure compliance with relevant host State regulations and best practices with the responsibilities of the Section, purchase and maintenance of library of information security, fire and safety and security standards and regulations.

**Situation-related resources***Travel*

310. To conduct inspections, liaison and coordination with partners in the field, such as UNDSS and local authorities, with a view to ensuring operational effectiveness and proper planning and management of security and safety risks to personnel, assets and premises and compliance with best practices and standards.

311. As part of the security risk management process, travel in relation to the conduct of security risks assessment and situation analysis by the relevant specialists. Included also is travel within situation countries in support of activities as requested by internal clients within the Court.

312. A limited amount of travel is requested to support the travel of elected officials to situation countries.

313. The proposed travel budget has undergone a significant increase of just over €50 thousand, or 14.4 per cent. This increase is essentially related to the situations in Sudan and Libya, where SSS has to use Headquarters-based resources to support OTP field activities.

*Contractual services*

314. Costs of essential local security service providers (security guarding) at Court field offices and of local law enforcement agencies (police and military) are included. The section is required to ensure safety and security in all field offices and to continue to support Court missions with the assistance of local police/military.

*Training*

315. All field security personnel require the same level of training in first-aid, fire-fighting and the use of firearms as security personnel, as well as specialized training in field-security-related matters, such as close-protection training and training in the transport of accused persons.

316. The (revised) training “Safe and Secure Approaches in Field Environments” (SSAFE) is to continue during 2014 as part of a regular and comprehensive staff awareness and safety programme. This field security training provided to Headquarters-based personnel deploying regularly to the field and to personnel permanently assigned to the field is essential to reinforce their security and safety skills. At Headquarters level, the SSAFE course is delivered in collaboration with the host State military in the Netherlands; for other field-based staff, the SSAFE is delivered by the United Nations under the direction and supervision of the Court’s field security personnel; two field locations have been identified for these courses: Kinshasa (in French) and in Kenya (in English). The course cost excludes travel and DSA, which should be covered by the participating organs/sections.

*General operating expenses*

317. As a member of the United Nations Security Management System (UNSMS), the Court is committed to bearing its share of the local cost-sharing arrangements in each area where the Court has a long-term presence.

*Supplies and materials*

318. Includes provision of essential uniforms, personal protective equipment, other necessary supplies and material required for the performance of security duties in the field or at the Court.

*Furniture and equipment*

319. Commercial security information and analysis subscriptions for the Field Security Analysis Office within the Field Security Unit.

**Table 53: Sub-programme 3140: Proposed budget for 2014**

3140 Security and Safety Section	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013		
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						585.7	458.6	1,044.3	592.7	557.2	1,149.9	105.6	10.1
General Service staff						2,165.8	1,337.7	3,503.5	2,208.4	1,423.1	3,631.5	128.0	3.7
<i>Subtotal staff</i>	<i>2,566.2</i>	<i>1,822.0</i>	<i>4,388.2</i>		<i>4,388.2</i>	<i>2,751.5</i>	<i>1,796.3</i>	<i>4,547.8</i>	<i>2,801.1</i>	<i>1,980.3</i>	<i>4,781.4</i>	<i>233.6</i>	<i>5.1</i>
General temporary assistance	1,090.7	59.7	1,150.4		1,150.4	1,082.4		1,082.4	1,082.4	208.0	1,290.4	208.0	19.2
Temporary assistance for meetings													
Overtime	140.7	24.0	164.7		164.7	124.4	50.3	174.7	124.4	50.3	174.7		
Consultants													
<i>Subtotal other staff</i>	<i>1,231.4</i>	<i>83.7</i>	<i>1,315.1</i>		<i>1,315.1</i>	<i>1,206.8</i>	<i>50.3</i>	<i>1,257.1</i>	<i>1,206.8</i>	<i>258.3</i>	<i>1,465.1</i>	<i>208.0</i>	<i>16.5</i>
Travel	10.6	285.1	295.7	1.3	297.0	13.3	336.5	349.8	9.5	390.5	400.0	50.2	14.4
Hospitality													
Contractual services	86.0	208.6	294.6		294.6	94.5	217.2	311.7	94.5	217.2	311.7		
Training	83.5	66.9	150.4		150.4	97.6	100.3	197.9	97.2	100.7	197.9		
General operating expenses	132.7	103.3	236.0		236.0	165.0	120.6	285.6	165.0	120.6	285.6		
Supplies and materials	61.3	28.2	89.5		89.5	63.3	16.2	79.5	63.3	16.2	79.5		
Furniture and equipment	0.7		0.7		0.7	1.0	1.7	2.7	0.9	1.8	2.7		
<i>Subtotal non-staff</i>	<i>374.8</i>	<i>692.1</i>	<i>1,066.9</i>	<i>1.3</i>	<i>1,068.2</i>	<i>434.7</i>	<i>792.5</i>	<i>1,227.2</i>	<i>430.4</i>	<i>847.0</i>	<i>1,277.4</i>	<i>50.2</i>	<i>4.1</i>
<b>Total</b>	<b>4,172.4</b>	<b>2,597.8</b>	<b>6,770.2</b>	<b>1.3</b>	<b>6,771.5</b>	<b>4,393.0</b>	<b>2,639.1</b>	<b>7,032.1</b>	<b>4,438.3</b>	<b>3,085.6</b>	<b>7,523.9</b>	<b>491.8</b>	<b>7.0</b>
Distributed maintenance	121.0	88.0	209.0		209.0	172.4	88.8	261.2	179.1	26.8	205.9	-55.3	-26.9

**Table 54: Sub-programme 3140: Proposed staffing for 2014**

Security and Safety Section	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					1	2	1	1		5	1	33	34	39
							1	3	1	5		19	19	24
					<i>1</i>	<i>3</i>	<i>4</i>	<i>2</i>		<i>10</i>	<i>1</i>	<i>52</i>	<i>53</i>	<i>63</i>
New/														
Redeployed/ Returned														
<b>Total</b>					<b>1</b>	<b>3</b>	<b>4</b>	<b>2</b>		<b>10</b>	<b>1</b>	<b>52</b>	<b>53</b>	<b>63</b>

**(d) Sub-programme 3180: Field Operations Section**

320. In 2013, in pursuance of its coordination mandate, the Field Operations Section continued the implementation of its field operations strategy. In 2014, in line with the judicially-driven field operations principle,<sup>53</sup> the field offices and presences will continue to be essential in the implementation of the Court's judicial proceedings. The operational needs of the Registry, Office of the Prosecutor, counsel and Trust Fund for Victims will remain the key driving factors for field-based activities in 2014 and will determine the allocation of services and resources. Registry will maintain six field presences in the eight situations before the Court. The field office in Kinshasa (DRC) and a small forward field presence in Bunia (DRC) will continue to support activities in relation to the appeals and reparations proceedings in the *Lubanga*, *Katanga* and *Ngudjolo* cases, as well as increased activities in *Ntaganda*, in particular in Kivu and Ituri Provinces. Bangui (CAR) will also continue with its activities in support of the *Bemba* case through a viable and flexible cost-efficient solution. A field presence will be maintained in Kampala (Uganda) in order to provide continued/on-going operational support services to the Office of the Prosecutor and the regional presence of the Trust Fund for Victims in relation to their work in Uganda, Kenya and the eastern part of the DRC, as well as to support a very limited number of Registry residual activities. The preparatory work for trial proceedings in the two cases in Kenya will continue to benefit from the support of the Registry Task-Force field presence in Nairobi. A field presence will also be maintained in Côte d'Ivoire and will serve the ongoing investigations in Mali planned for the whole of the year 2014.

321. Given the increases in the number of situations and requests for provision of support to OTP, and having regard to revisions to field strategy, contractual obligations and other fixed costs, and to the limited flexibility of non-staff costs, the FOS budget for 2014 in respect of the latter is positioned slightly below its optimal level (between €1 million and €1.2 million).

**Staff resources****Situation-related resources***Redeployments*

322. Continuing on from 2013 and based on judicial assumptions and forecast operational requirements for each country of situation in 2014, two posts are to be redeployed: one GS-OL Driver from CAR to KEN and one GS-OL Driver from CAR to DRC, Bunia.

*General temporary assistance*

323. *One Registry Task Force Coordinator, P-4, 12 months. Continued.* Required to oversee the Registry Task-Force field presence in Nairobi as approved by the President, and to be responsible for overall coordination and support of activities in relation to the Kenya situation. In 2014, 12 months of trial hearings in the two *Kenya* cases are foreseen, and thus the Office will be required to coordinate and support a substantial increase in activities, including coordination of all requests for judicial assistance and cooperation issued by the Chambers in the two cases.

324. *One Desk Officer/Logistics Assistant, GS-OL, 12 months. Continued.* In order to provide cover for all eight situations and six field offices, one GS-OL Desk Officer/Logistics Assistant (continued), required to perform functions related to operational support and assistance,<sup>54</sup> data/management indicators, mission planning/coordination support, implementation of operational support plans and effective management of Court activities, as well as to ensure the implementation of field-specific standard operational procedures in all six field offices.

<sup>53</sup> Report of the Court on the field operations strategy (ICC-ASP/10/26), paragraph 6 (a).

<sup>54</sup> Workload indicators show that one Desk Officer is required to cover at least two situation countries. With eight situations and six field office locations to support, at least three Desk Officers are required – the GTA requested in addition to the two already established posts. The continued requirement for this post ensures continuity and avoidance of disruption to operations of the Section in support of the activities of the Court in the field, as well as the quality of operational support and coordination between field locations and HQ.

325. *One Administrative Assistant, GS-OL, 12 months. New* (continued from Mali Contingency Fund). Required to support the on-going investigations in Mali planned for the whole year 2014, based in Côte d'Ivoire.

326. *Four Cleaners, GS-OL, 12 months each*, absorbed last year through contractual services to meet zero-per cent budget growth requirements in 2013, to be recovered in 2014. These posts are requested as GTA for purposes of continuity, rather than under SSA contracts, whose duration is limited to nine months in a year. Outsourcing has been considered, but is regarded as not feasible, due to security-related concerns and unavailability of service providers in more remote locations. It should be noted that the proposed four Cleaners (who are, moreover, familiar with the field office working environments) have already been vetted and approved by security and will work under the immediate management supervision of the Field Office Manager.

327. *One generic Driver post, GS-OL, 12 months. New*. Required to cover for SSA driver replacement during periods of driver recruitments, prolonged absences and/or in the event of ad hoc urgent immediate operational requirements throughout all field office locations.

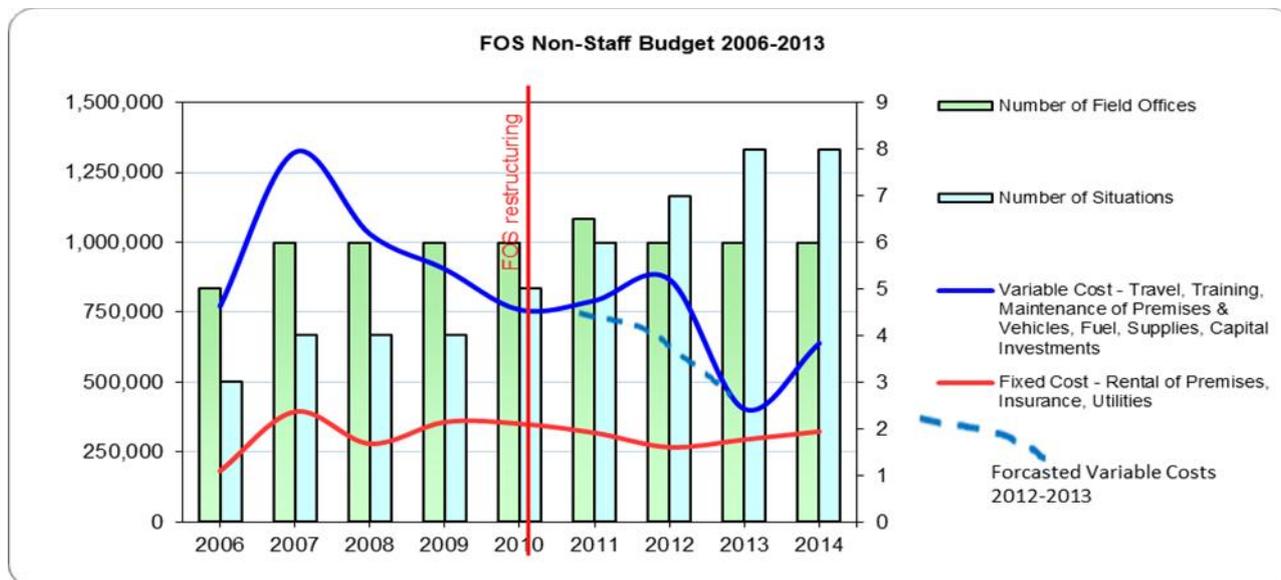
328. *One Driver post for the DRC, GS-OL, 12 months. New*. Required to cover anticipated increased mission support requirements in the *Ntaganda* case and anticipated service requests from OTP.

329. The increase in staff resources compared to 2013 reflects changes to meet provision of operational support in situation countries and an increased demand for provision of services by the OTP. Overall, it amounts to less than €100,000.

#### Non-staff resources

330. As explained in paragraph 321 above, non-staff resources will remain at the bare minimum for 2014, and below the optimum level.

Chart 2:



#### Travel

331. Recurrent, given the nature of its work, FOS will always have a travel requirement for purposes of control, coordination, supervision and support, as well as for Court-wide missions, including DSA.

332. With reference to comments already made above the increase in funds requested relates to a return to ensuring normal operational support standards, while including remote management of the Mali (which will require frequent travel from CIV and HQ); CAR situations; and increased mission support to the *Lubanga*, *Katanga*, *Ngudjolo* and *Ntaganda* cases.

*Contractual services*

333. Costs incurred will relate to UNON and MONUSCO service support requirements, as well as anti-malaria fumigation for field offices.

334. Also included for the first time MONUSCO and ONUCI vehicular support requirements to regions where the ICC has no assets; as well as mission support vehicle rental requirements for Mali specific operations and in the absence of available ICC assets/resources and OTP vehicle rental requirements for CIV as per expression of needs submissions for 2014. This will explain the elevated increase in funds requested compared to previous years.

*Training*

335. The FOS training budget remains low for the second consecutive year. This is a recurrent requirement, relating to specialized training relevant to FOS competencies. Professional training is particularly important for field staff in order to prepare them as far as possible for re-employment after field presence closure.

336. Specialized training related to crisis management capacity in support to the field also remains a requirement.

337. Similarly essential to FOS, staff safety and security specialized professional duty driver training courses (e.g. defensive and secure specialized driver training techniques and/or enhancements).

*General operating expenses*

338. Recurrent. Requirement for fixed costs such as rent, insurance and customs clearance costs for all locations, and for variable costs specific to maintenance and utilities, which are evaluated at the minimum level attributable to age, working environment and use – of particular note increased age/mileage/use of field vehicular assets.<sup>55</sup> This cost will increase until such time a comprehensive capital investments policy is available. The amounts requested are lower than the previous year.

*Supplies and materials*

339. Recurrent. Essentially to cover fuel for vehicles and generators throughout all field office locations. FOS will continue to monitor closely distance travelled and fuel consumed by its vehicular and generator assets in support of the operations of the Court in the field. The increase of just over 10 per cent includes support requirements to regions where the Court has little or no presence, as well as support for Mali operations and OTP service requirements for CIV.

*Furniture and equipment*

340. The section would emphasize its efficient use of the Court's assets. However, as regards vehicular assets, in light of age/mileage/use factors the section will require significant investment in this area in 2015, as indicated in Table 5 following paragraph 33 above.

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<sup>55</sup> To date, FOS manages 41 vehicular assets throughout a number of field locations, with the average age of the majority of the assets exceeding six (and in some cases seven years), with a total of over 3,000,000 kms. recorded in usage since the inception of the Court's field activities. Standard international practice is that vehicles used in such harsh operational working environments do not exceed more than five years usage for reasons of safety and security, as well as cost; the availability of replacement parts is also to be considered.

**Table 55: Sub-programme 3180: Proposed budget for 2014**

3180 Field Operations Section	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013		
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						775.0	775.0		854.3	854.3		79.3	10.2
General Service staff						613.0	613.0		603.3	603.3		-9.7	-1.6
<i>Subtotal staff</i>		1,390.1	1,390.1	93.2	1,483.3	1,388.0	1,388.0		1,457.6	1,457.6		69.6	5.0
General temporary assistance		260.0	260.0		260.0	208.5	208.5		306.0	306.0		97.5	46.8
Temporary assistance for meetings													
Overtime													
Consultants													
<i>Subtotal other staff</i>		260.0	260.0		260.0	208.5	208.5		306.0	306.0		97.5	46.8
Travel		110.3	110.3	4.7	115.0	72.9	72.9		137.0	137.0		64.1	87.9
Hospitality													
Contractual services		40.2	40.2	59.2	99.4	44.4	44.4		246.7	246.7		202.3	455.6
Training		87.8	87.8		87.8	7.4	7.4		7.4	7.4			
General operating expenses		626.9	626.9	124.8	751.7	452.1	452.1		441.9	441.9		-10.2	-2.3
Supplies and materials		168.0	168.0	1.6	169.6	129.8	129.8		143.6	143.6		13.8	10.6
Furniture and equipment													
<i>Subtotal non-staff</i>		1,033.2	1,033.2	190.3	1,223.5	706.6	706.6		976.6	976.6		270.0	38.2
<b>Total</b>		<b>2,683.3</b>	<b>2,683.3</b>	<b>283.5</b>	<b>2,966.8</b>	<b>2,303.1</b>	<b>2,303.1</b>		<b>2,740.2</b>	<b>2,740.2</b>		<b>437.1</b>	<b>19.0</b>
Distributed maintenance		156.0	156.0		156.0	154.4	154.4		43.5	43.5		-110.9	-71.8

**Table 56: Sub-programme 3180: Proposed staffing for 2014**

Field Operations Section		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															
	Situation-related					1	2	4	1		8	1	30	31	39	
	<i>Subtotal</i>					1	2	4	1		8	1	30	31	39	
New/ Converted	Basic															
	Situation-related															
	<i>Subtotal</i>															
Redeployed/ Reclassified/ Returned	Basic															
	Situation-related															
	<i>Subtotal</i>															
<b>Total</b>					<b>1</b>	<b>2</b>	<b>4</b>	<b>1</b>		<b>8</b>	<b>1</b>	<b>30</b>	<b>31</b>	<b>39</b>		

(e) **Sub-programme 3190: Counsel Support Section**

341. The Counsel Support Section is in charge of centralizing and coordinating all assistance provided to counsel by the Court; it serves as the Registry's focal point for the Offices of Public Counsel, which depend on the Registry solely for administrative purposes, and also provides logistical and administrative assistance. The section also manages the Court's programme of legal aid for indigent defendants and victims. Furthermore, all provisions related to the activities of the Court's Disciplinary Organs fall under Sub-programme 3190.

342. The reduction in the section's budget for 2014 has been made possible as a result of the implementation of the Court's new legal aid system and stricter monitoring and control of legal aid teams.

**Staff resources**

**Basic resources**

*General temporary assistance*

343. *One Associate Legal Officer, P-2, 12 months. New.* To cope with the increase in workload as a result of the amendments to the legal aid system decided in 2012, which require the Registry to exercise the stricter controls referred to in the previous paragraph. This will ensure that all proposed savings in the 2014 budget are fully realized.

**Non-staff resources**

**Situation-related resources**

*Legal aid for the defence*

344. The cost of legal aid for each indigent defendant has been calculated by applying the revised legal aid system approved in 2012 and in accordance with the 2014 budget assumptions. An additional sum has been provided for duty and ad hoc counsel, appointed respectively by the Registrar and Chambers under the conditions provided for in the Court's Statute, the Rules of Procedure and Evidence and the Regulations of the Court.

*Legal aid for victims*

345. The cost of legal aid for each group of victims as defined in the assumptions has been calculated on the basis of the revised legal aid system approved in 2012. An additional sum has been provided for the payment of legal assistance at the situation stage.

*Travel*

346. Travel has been budgeted for missions of the members of the disciplinary organs to attend six hearings, four missions by the financial investigator and three missions otherwise related to the mandate of the section (consultations with the legal profession, sharing experiences with other legal aid managers, etc.).

*General operating expenses*

347. The participation of the Court in an international contact network for the recovery of assets is subject to the payment of the appropriate annual contribution.

**Table 57: Sub-programme 3190: Proposed budget for 2014**

3190 Counsel Support Section	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013		
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						441.6	208.6	650.2	445.2	211.9	657.1	6.9	1.1
General Service staff						126.5	63.2	189.7	128.9	64.5	193.4	3.7	2.0
<i>Subtotal staff</i>	<i>423.2</i>	<i>297.3</i>	<i>720.5</i>		<i>720.5</i>	<i>568.1</i>	<i>271.8</i>	<i>839.9</i>	<i>574.1</i>	<i>276.4</i>	<i>850.5</i>	<i>10.6</i>	<i>1.3</i>
General temporary assistance		43.8	43.8		43.8					93.5	93.5	93.5	
Temporary assistance for meetings													
Overtime	1.8		1.8		1.8								
Consultants	14.5		14.5		14.5								
<i>Subtotal other staff</i>	<i>16.3</i>	<i>43.8</i>	<i>60.1</i>		<i>60.1</i>					<i>93.5</i>	<i>93.5</i>	<i>93.5</i>	
Travel	3.3	33.9	37.2		37.2		6.6	6.6	6.6	77.5	84.1	77.5	
Hospitality													
Contractual services		2.7	2.7		2.7								
Training													
Counsel for Defence		3,284.0	3,284.0	554.7	3,838.7		2,608.4	2,608.4		2,866.4	2,866.4	258.0	9.9
Counsel for Victims		2,174.7	2,174.7	212.5	2,387.2		3,448.2	3,448.2		3,000.7	3,000.7	-447.5	-13.0
General operating expenses		1.3	1.3		1.3		1.0	1.0		1.0	1.0		
Supplies and materials													
Furniture and equipment													
<i>Subtotal non-staff</i>	<i>3.3</i>	<i>5,496.6</i>	<i>5,499.9</i>	<i>767.2</i>	<i>6,267.1</i>		<i>6,064.2</i>	<i>6,064.2</i>	<i>6.6</i>	<i>5,945.6</i>	<i>5,952.2</i>	<i>-112.0</i>	<i>-1.8</i>
<b>Total</b>	<b>442.8</b>	<b>5,837.7</b>	<b>6,280.5</b>	<b>767.2</b>	<b>7,047.7</b>	<b>568.1</b>	<b>6,336.0</b>	<b>6,904.1</b>	<b>580.7</b>	<b>6,315.5</b>	<b>6,896.2</b>	<b>-7.9</b>	<b>-0.1</b>
Distributed maintenance	18.2	12.0	30.2		30.2	16.7	19.3	36.0	27.6	3.3	30.9	-5.1	-14.1

**Table 58: Sub-programme 3190: Proposed staffing for 2014**

Counsel Support Section		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	1	4		2	2	6
	Situation-related						1		1		2		1	1	3
	<i>Subtotal</i>					<i>1</i>	<i>2</i>		<i>2</i>	<i>1</i>	<i>6</i>		<i>3</i>	<i>3</i>	<i>9</i>
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
Redeployed/ Returned	Basic														
	Situation-related														
	<i>Subtotal</i>														
<b>Total</b>					<b>1</b>	<b>2</b>		<b>2</b>	<b>1</b>	<b>6</b>		<b>3</b>	<b>3</b>	<b>9</b>	

## 2. Programme 3200: Common Administrative Services Division

### Introduction

348. The Common Administrative Services Division (CASD) provides a diverse range of non-judicial services to support the functioning of the entire Court. This division is comprised of the Office of the Director and the Human Resources, Budget and Finance, General Services and Information and Communication Technologies sections. The functions performed by the division are driven by service requirements and provide essential coordination to ensure an optimal and effective utilization of human and financial resources throughout the entire Court.

349. The division's top priority is to deliver efficient, well-planned and cost-effective common administrative services to support the Court's judicial functions, while ensuring adequate technological support and human resources, as well as further developing the Court's systems to plan and budget strategically and efficiently. In doing so, the division continues to adhere to the strategic plan mission statement, in which the Court pledges to be "administratively transparent, efficient and accountable", in line with the division's focus pillars of people, processes, systems and policies. The 2014 budget proposal of the division is based on the Court's strategic goals and priorities, as well as on the service requirements of the different major programmes.

350. The division, in coordination with different internal stakeholders of the Court, produces and provides accurate and timely information and official documentation to oversight bodies and internal and external audiences in diverse matters such as budget, human resources and strategic planning. This information provided by the division includes Court-wide reports and papers considered by the Committee, as well as documentation provided to the Working Groups of the Bureau upon request

351. In addition, the division is responsible for managing Court-wide special projects, including the implementation of International Public Sector Accounting Standards (IPSAS) (which is due to go 'live' on 1 January 2014), the development of a pilot tool for analytical accountability and the monitoring of efficiency improvements within the Organization. The division is also heavily involved, in cooperation with the Project Director's Office, in supporting the successful delivery of the Transition Project for the permanent premises, including permanent membership of the Project Board. The division will support the Transition Project with internal resources to the extent possible, especially in terms of senior management involvement. Given the increasing workload that such involvement is likely to entail, the division will need to receive additional resources from the Project.

352. The division has made enormous efforts to bring its budget proposal for 2014 in line with the approved budget for 2013, in spite of inflationary increases in goods and services and its anticipated additional workload, as a result in particular of the increase in services to the Office of the Prosecutor. This has been made possible through a continuous effort to achieve efficiency gains, and through flexible use of resources and a continuous reprioritization of needs whenever possible.

353. Furthermore, taking into consideration the future move to the Permanent Premises and the Court's review, at the request of the States,<sup>56</sup> of its asset replacement policies, which confirms that the Court follows best practices in this regard, the division has kept its requests for capital investment replacements and acquisitions to a minimum, resulting in a proposed decrease of €86,000 in non-staff costs. With regard to staff costs, and following the recommendations of the Committee, the division will not seek new established posts or the conversion of long-standing GTAs in the 2014 budget, but will come back to these matters at a future date.

354. In light of all of the above, and having regard to the division's mandate to provide services to the entire Court, it proposes a very modest overall net increase of 0.4 per cent (or approximately €90,000) for the 2014 budget. It should be noted that this increase is largely linked to increased service requests and direct costs resulting from its increased

<sup>56</sup> *Official Records ... Eleventh session ... 2012* (ICC-ASP/11/20), vol. I, part III, ICC-ASP/11/Res. 1, section I, para. 3.

number of clients, in particular the proposed growth in needs of the Office of the Prosecutor, and to staff commitments under the common system.

355. The Budget and Finance Section will continue leading the development and implementation of IPSAS in 2014, the year in which the Court will prepare IPSAS compliant financial statements for the first time.

356. The Human Resources Section will continue the progress that has been made towards the development, implementation and monitoring of HR policies, strategies and tools; and the development of a new classification framework.

357. The General Services Section will continue to provide facilities and other services that enable the core business of the Court to function effectively and will be particularly involved in the Transition Project and the Permanent Premises Project.

358. The Information and Communication Technologies Section will also be involved in the Transition Project, as well as implementing the second stage of the ICT Strategic Plan, ensuring that the technology used at the Court remains efficient and cost-effective.

### **Strategic Goals**

#### **Goal 2: Managerial**

1. Re-examine and adapt the structure, staffing and resources of the Court in the light of practical experience, promoting efficiency and effectiveness while ensuring the capacity to deliver the Court's mandates (SO 2.1.1);
2. Effective resource management and identification and implementation of possible further efficiency measures (SO 2.1.1);
3. Ensure high standards in recruitment (SO 2.2.1);
4. Have an updated information management and IT strategy (SO 2.3.1);
5. Further improve the management of staff performance (SO 2.4.1);
6. Further improve gender balance and geographical representation through the different levels of the Court's structure (SO 2.4.2);
7. Improve the working climate by creating a transparent HR policy and addressing, in partnership with staff, the major areas of concern (SO 2.5.1);
8. Develop a career and development plan, including mobility opportunities that can be implemented in the short-term (SO 2.5.2);
9. Further improvement of Court's budget process, including further dialogue with States Parties (SO 2.6.1);
10. Refine the Court's risk management (SO 2.6.3);
11. Improve the performance measurement and evaluation of the Court (SG 2.6); and
12. Organize a smooth transition from the old to the new premises (SG 2.7).

**Table 59: Expected results, performance indicators and target for 2014**

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>
<b>Strategic Objective 2.1</b>		
1. Cross-cutting review of implications for overall Court structure.	1. Level of implementation of PricewaterhouseCoopers (PwC) recommendations or of Court-based changes	1. All PwC recommendations are addressed in Court agreed plan.
2. Implementation of improved efficiency strategy.	2. Number of major areas of efficiency strategy monitored structurally within the Court; and 2. Level of IPSAS implementation.	2. All 3 major areas of efficiency tracked systematically; and 2. Operations IPSAS 100% compliant.
3. Development of analytical accountability function.	3. Level of institutionalization of Activity Based Costing (ABC) framework.	3. 50% of ABC 'activities' tracked through court-wide system.
<b>Strategic Objective 2.2</b>		
1. Ensure high standards in recruitment.	1. Recruitment process review progress; and 1. Competency based interview guide usage.	1. Recruitment process review fully implemented; and 1. Competency based interview guide used for 90% of Court interviews.
<b>Strategic Objective 2.3</b>		
1. Comprehensive and efficient eCourt and filing system, leading to further transparency.	1. Level of Courtroom systems update.	1. Courtroom system update finalized.
2. Improved balance between user needs, security, technological possibilities and financial feasibility, in line with new IT strategy.	2. Main Equipment Room (MER) consolidation progress; 2. Level of implementation of monitoring and auditing functionality on file server; 2. Level of completion of Exchange 2010 migration; 2. Level of implementation of long term digital archiving; 2. Level of integration of management interface; 2. Level of implementation of field offices workstation encryption; and 2. Number of other technology improvements researched through.	2. MER consolidation finalized; 2. 100% implemented; 2. 100% completed; 2. 100% implemented; 2. 100% integrated; 2. 75% implemented; and 2. 5 pilot project on-going.
<b>Strategic Objective 2.4</b>		
1. Increased participation of women in recruitment through gender-neutral vacancy announcement and through increased inclusion in selection rounds.	1. Development of a competency based interview guide.	1. Participation increased to 45%.
2. Improved recruitment and advertising in countries less represented.	2. Inclusion of special provisions in the recruitment guidelines drawing the attention of the panel members to the short-listing of qualified candidates from non-represented and under-represented countries; 2. Initiation of targeted advertising, recruitment briefings and awareness recruitment campaigns for countries less represented through the relevant embassies in co-ordination with national authorities, universities and media; and	2. Increase in the number of applications and short-listed candidates from non-represented and under-represented countries by 2%; and 2. Targeted advertising, recruitment briefings and awareness recruitment campaigns increased by 5%.
3. List of Counsel reflects geographic and gender diversity	3. Increase in geographic and gender diversity of list of Counsel.	3. List of Counsel geographic diversity improved by 5%; and

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>
<b>Strategic Objective 2.5</b>		
1. Structured follow-up on staff surveys.	1. Level of assessment of the working climate project and/or level of implementation.	1. At least 50% of assessment approved and implemented.
2. Career and development plan approved .	2. Progress level in development of the plan.	2. Career and development plan 100% finished and approved by the Court.
<b>Strategic Objective 2.6</b>		
1. Enhanced transparency and predictability of the budgetary process.	1. Progress level in strategic planning review and in discussions with Hague Working Group (HWG); and 1. Progress level in implementation of budget planning and consolidation (BPC).	1. Strategic planning fully reviewed and discussions within HWG finalized; and 1. BPC business case finalized, recommendations approved and implementation started.
2. Refined budget assumptions for 2014 budget, including scenarios outlining probable future expenses.	2. Level of satisfaction, internal and external, on the detailed level of the 2014 assumptions.	2. Court officials fully satisfied with assumptions; and 2. No Assembly recommendation on the need to further refine budget assumptions.
3. Implementation of internal Court agreement on a high-level risk management system charting the most relevant strategic risks.	3. Level of implementation of high-level risk management system.	3. Five of the high-risks tracked appropriately within the system.
4. Further improvement of the Court's efficiency.	4. Progress level in the development of a Court-wide strategy and approach.	4. Efficiency strategy and implementation plan completed. Implementation 50% finalized.
<b>Strategic Objective 2.7</b>		
1. Prepare and implement an effective transition programme 2013 – 2016.	1. Level of preparation of the transition programme and level of implementation.	1. Transition Project documented and implementation started.

**Table 60: Programme 3200: Proposed budget for 2014**

3200 Common Administrative Services Division	Expenditure 2012 (thousands of euro)					Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013	
	Basic	Situation- related	Total	Cont. Fund	Total incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						3,609.3	559.3	4,168.6	3,637.5	567.0	4,204.5	35.9	0.9
General Service staff						5,217.8	1,567.7	6,785.5	5,385.2	1,534.3	6,919.5	134.0	2.0
<i>Subtotal staff</i>	<i>8,417.4</i>	<i>2,263.9</i>	<i>10,681.3</i>		<i>10,681.3</i>	<i>8,827.1</i>	<i>2,127.0</i>	<i>10,954.1</i>	<i>9,022.7</i>	<i>2,101.3</i>	<i>11,124.0</i>	<i>169.9</i>	<i>1.6</i>
General temporary assistance	754.1	146.2	900.3	27.3	927.6	750.8	95.4	846.2	812.3	330.0	1,142.3	296.1	35.0
Temporary assistance for meetings	14.9		14.9		14.9	20.0		20.0	20.0		20.0		
Overtime	115.0	0.3	115.3		115.3	90.1	30.4	120.5	98.0	32.8	130.8	10.3	8.5
Consultants	45.8		45.8		45.8	14.6		14.6	14.6		14.6		
<i>Subtotal other staff</i>	<i>929.8</i>	<i>146.5</i>	<i>1,076.3</i>	<i>27.3</i>	<i>1,103.6</i>	<i>875.5</i>	<i>125.8</i>	<i>1,001.3</i>	<i>944.9</i>	<i>362.8</i>	<i>1,307.7</i>	<i>306.4</i>	<i>30.6</i>
Travel	79.2	41.4	120.6		120.6	72.5	60.1	132.6	74.9	65.0	139.9	7.3	5.5
Hospitality													
Contractual services	1,111.5	63.3	1,174.8	5.0	1,179.8	487.0	193.0	680.0	396.8	187.0	583.8	-96.2	-14.1
Training	204.6	8.7	213.3		213.3	247.2		247.2	247.2		247.2		
General operating expenses	4,065.9	2,657.0	6,722.9	7.6	6,730.5	4,693.9	1,710.1	6,404.0	4,410.9	1,698.7	6,109.6	-294.4	-4.6
Supplies and materials	308.8	7.9	316.7		316.7	475.7		475.7	431.7		431.7	-44.0	-9.2
Furniture and equipment	1,119.9		1,119.9	62.7	1,182.6	933.0	35.0	968.0	593.0	416.1	1,009.1	41.1	4.2
<i>Subtotal non-staff</i>	<i>6,889.9</i>	<i>2,778.3</i>	<i>9,668.2</i>	<i>75.3</i>	<i>9,743.5</i>	<i>6,909.3</i>	<i>1,998.2</i>	<i>8,907.5</i>	<i>6,154.5</i>	<i>2,366.8</i>	<i>8,521.3</i>	<i>-386.2</i>	<i>-4.3</i>
<b>Total</b>	<b>16,237.1</b>	<b>5,188.7</b>	<b>21,425.8</b>	<b>102.6</b>	<b>21,528.4</b>	<b>16,611.9</b>	<b>4,251.0</b>	<b>20,862.9</b>	<b>16,122.1</b>	<b>4,830.9</b>	<b>20,953.0</b>	<b>90.1</b>	<b>0.4</b>
Distributed maintenance	-735.2	-1,508.3	-2,243.5		-2,243.5	-759.3	-1,513.3	-2,272.6	-1,125.3	-419.2	-1,544.5	728.1	-32.0

**Table 61: Programme 3200: Proposed staffing for 2014**

Common Administrative Services Division	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	Total
													GS-staff	staff
Existing	Basic			1	4	5	15	8		33	6	76	82	115
	Situation-related						2	3		5	1	24	25	30
	<i>Subtotal</i>			<i>1</i>	<i>4</i>	<i>5</i>	<i>17</i>	<i>8</i>		<i>38</i>	<i>7</i>	<i>100</i>	<i>107</i>	<i>145</i>
New/	Basic													
	Situation-related													
	<i>Subtotal</i>													
Redeployed/ Returned	Basic													
	Situation-related													
	<i>Subtotal</i>													
<b>Total</b>			<b>1</b>	<b>4</b>	<b>5</b>	<b>17</b>	<b>8</b>			<b>38</b>	<b>7</b>	<b>100</b>	<b>107</b>	<b>145</b>

**(a) Sub-programme 3210: Office of the Director (CASD)**

359. The Office of the Director provides leadership and strategic directions to the Chiefs of Sections within the Division, and oversees and coordinates the support services provided to the entire Court by the Human Resources, Budget and Finance, General Services and Information and Communications Technologies sections.

360. The Office also has wide responsibilities, in terms of strategic planning, management, coordination and communication, both to the Court as a whole and to oversight and other external bodies. In coordination with the various Court organs and major programmes, it plays an important role in the planning and preparation of the Court's budget, including the preparation and coordination of documentation on budget matters provided to the Committee and to Working Groups of the Bureau upon request; taking part in discussions in the inter-Organ Budget Working Group; and direct close cooperation with the Assembly's Budget Facilitator and the Study Group on Governance, Cluster II. It is also involved in discussion and implementation of strategic issues at the inter-Organ level in Tricomm.

361. Furthermore, the Office acts as the focal point for communication between the Court and the Committee. In particular, it is responsible for the coordination and transmission of documentation, including official Court reports to the Committee and responses to the latter's queries and comments, either prepared by the Office itself or by the relevant Court department. The Office is also responsible for processing the notifications of the Court to access the Contingency Fund and for oversight of internal and external audit recommendations related to the administration of the Court.

362. As well as the above, the Office also manages a portfolio of projects, including SAP reporting, and various ad hoc projects relating to risk management and business process redesign and improvement, with the overall aim of achieving efficiency gains. The Office is also involved in the development of analytic accountability at the Court as mentioned above, through a pilot Activity Based Costing project providing high level management information on a stand-alone platform. Depending on the outcome of the pilot, the Court may decide to embed the tool in its existing system, which would require additional resources for development and customization of the solution.

363. The Office is also actively involved in the Transition Project for the permanent premises, for which resources have not been included in this budget proposal.

364. Intensifying judicial and prosecutorial activities in recent years, and the resultant general increase in Court activities, have had a substantial impact on the workload of the Office, and in particular on its reporting, coordination and oversight responsibilities. In the absence of any corresponding increase in staffing levels, the Office has had to prioritize, favouring day-to-day operations over involvement with major projects that could lead to further significant efficiency gains. A review of this prioritization process will be conducted, and may lead to a request for changes in the staffing requirements of the Office in future proposed budgets.

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

365. Recurrent. Related to meetings and cooperation activities with States Parties and other external stakeholders and meetings with relevant UN bodies to keep abreast of the latest developments on administration matters as well as efficiency efforts of other organizations. For 2014, there is an exceptional increase of €4.6 thousand, or 30.5 per cent, which is wholly attributable to the fact that the forthcoming Assembly session is to be held in New York.

**Table 62: Sub-programme 3210: Proposed budget for 2014**

3210 Office of the Director CASD	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013		
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						375.6		375.6	379.0		379.0	3.4	0.9
General Service staff						63.2		63.2	64.5		64.5	1.3	2.1
<i>Subtotal staff</i>	<i>477.3</i>		<i>477.3</i>		<i>477.3</i>	<i>438.8</i>		<i>438.8</i>	<i>443.5</i>		<i>443.5</i>	<i>4.7</i>	<i>1.1</i>
General temporary assistance	-4.9		-4.9		-4.9								
Temporary assistance for meetings	14.9		14.9		14.9								
Overtime													
Consultants													
<i>Subtotal other staff</i>	<i>10.0</i>		<i>10.0</i>		<i>10.0</i>								
Travel	1.4		1.4		1.4	11.9	3.2	15.1	19.7		19.7	4.6	30.5
Hospitality													
Contractual services													
Training	4.5		4.5		4.5								
General operating expenses													
Supplies and materials													
Furniture and equipment													
<i>Subtotal non-staff</i>	<i>5.9</i>		<i>5.9</i>		<i>5.9</i>	<i>11.9</i>	<i>3.2</i>	<i>15.1</i>	<i>19.7</i>		<i>19.7</i>	<i>4.6</i>	<i>30.5</i>
<b>Total</b>	<b>493.2</b>		<b>493.2</b>		<b>493.2</b>	<b>450.7</b>	<b>3.2</b>	<b>453.9</b>	<b>463.2</b>		<b>463.2</b>	<b>9.3</b>	<b>2.0</b>
Distributed maintenance	11.0		11.0		11.0	12.1		12.1	18.4		18.4	6.3	51.8

**Table 63: Sub-programme 3210: Proposed staffing for 2014**

Office of the Director CASD	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	
Existing	Basic			1			2				3		1	1	4
	Situation-related														
	<i>Subtotal</i>				<i>1</i>		<i>2</i>				<i>3</i>		<i>1</i>	<i>1</i>	<i>4</i>
New/ Converted	Basic														
	Situation-related														
	<i>Subtotal</i>														
Redeployed/ Reclassified/ Returned	Basic														
	Situation-related														
	<i>Subtotal</i>														
<b>Total</b>				<b>1</b>			<b>2</b>				<b>3</b>		<b>1</b>	<b>1</b>	<b>4</b>

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

366. The Human Resources Section provides HR-related services to all major programmes of the Court. Headed by the Chief of Section, it comprises four units.

367. The *Chief of Section*, in addition to section management functions, has direct responsibility for providing strategic advice on human resources issues and initiatives; for preparing documentation and information on human resources activities and results to the Committee on Budget and Finance, the Assembly of States Parties and Court management; for human resources policy development, grievances and legal matters, and staff management collaboration in the area of human resources. The Chief is supported by an assistant and a senior HR assistant (policy-legal).

368. The *Staffing Unit* is responsible for all matters relating to recruitment, placement of staff, redeployments, post management, classifications and reclassifications, special post allowances, secondments, loans and transfers, as well as career development. The Staffing Unit team has been reduced in the past and has continued to request one approved GS-OL GTA position since 2005.

369. The *Staff Administration Unit* bears responsibility for issuing initial contracts, contract extensions, the administration of salary, benefits and entitlements, attendance record management systems and performance management, as well as conflict resolution and mediation with regard to staff performance. The Unit has responsibility for HR reporting, including the provision of geographical representation information to embassies and the Committee and Assembly, development and upgrading of HR-related IT systems, and IT support to staff on HR IT systems. Despite the fact that the number of staff in the Court have increased steadily over the years, the number of HR assistants serving the staff has remained unchanged, including two GS-OL GTA (since 2004 and 2005).

370. The *Health and Welfare Unit* is in charge of occupational health and medical issues for Headquarters and field staff, which includes pre-employment medicals, pre- and post-travel care for staff travelling on mission, sick leave certification and emergency medical care. It is also responsible for counselling and welfare issues.

371. The *Learning and Development Unit* manages the central training budget and provides advice on the utilization of the decentralized training allocations. It assists management in the preparation of annual learning plans and develops and implements training and learning programmes.

**Staff Resources****Basic resources***General Temporary Assistance*

372. *One Human Resources Assistant, GS-OL, 12 months. New.* For the operational effectiveness and responsiveness to the client's needs in view of an overall significant increase in service requests triggered by the OTP. The Human Resources Section requires additional resources to respond to recruitment needs, re-assignment and re-deployment of existing staff and all related recruitment activities required to facilitate the filling of vacancies. Other related actions will be contract issuances, briefing of candidates, processing and administration of payroll and all other applicable entitlements and benefits associated with the increased number of staff, as well as their eligible family members.

373. *One Human Resources Assistant, GS-OL, six months. Continued.* This is to complement an existing 50 per cent established post.

374. *One Staffing Assistant, GS-OL, 12 months. Continued.* To help the Court cope with all ongoing activities in the Staffing Unit.

375. *One Human Resources Assistant, GS-OL, 12 months. Continued.* This position has existed in HRS since 2004. It is a key post in the unit, assisting with contract issuances and extensions, and the accurate administration of benefits and entitlements.

376. *One HR/IT Assistant, GS-OL, 12 months. Continued.* This position has existed in HRS since 2005. It is a critical position, which assists the Senior HR/IT Assistant in the development of HR IT projects, such as the SAP HR module, e-recruitment, the Environmental and Health System and the production of HR statistics and reports to the Committee and the Assembly.

#### *Consultants*

377. Limited resources, at the same level as for 2013, are needed to assist with HR policy development, including training on new standards for reclassifications, an HR manual and a career development framework.

#### **Non-staff resources**

378. It should be noted that, thanks to efficiency gains, greater focus on prioritization and enhanced allocation of resources, requirements for all of the following items have been retained at the levels for 2013.

#### **Basic resources**

##### *Travel*

379. Recurrent. Required for participation of HR managers in relevant specialized meetings, including the Human Resources Network, the International Civil Service Commission, the Association for Human Resources Management in International Organizations, the Career Development Roundtable and the Learning Managers Forum.

##### *Contractual services*

380. Recurrent. Outsourcing for medical requirements, such as vaccinations and pre-employment examinations.

##### *Training*

381. Recurrent. To continue with the managerial leadership programme, performance management training, mandatory training in prevention of harassment and ethics/code of conduct training. Includes also Court orientation briefings for new staff, legal training and substantive skills training for non-legal staff.

##### *Supplies and materials*

382. Recurrent. Mostly medical supplies and materials, including mandatory health and safety-related equipment for travellers, so as to comply with international health and safety standards.

#### **Situation-related resources**

##### *Travel*

383. Recurrent. Missions by Medical Officer, Staff Welfare Officer and other HRS staff to the field. Required in order to comply with “high-risk” internal audit recommendations that HR should visit the field offices more often and more regularly, at appropriately high levels.

**Table 64: Sub-programme 3220: Proposed budget for 2014**

3220 Human Resources Section	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014vs 2013		
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						792.3		792.3	800.4		800.4	8.1	1.0
General Service staff						790.9	189.7	980.6	806.5	193.4	999.9	19.3	2.0
<i>Subtotal staff</i>	<i>1,660.9</i>	<i>161.0</i>	<i>1,821.9</i>		<i>1,821.9</i>	<i>1,583.2</i>	<i>189.7</i>	<i>1,772.9</i>	<i>1,606.9</i>	<i>193.4</i>	<i>1,800.3</i>	<i>27.4</i>	<i>1.5</i>
General temporary assistance	286.9	0.1	287.0		287.0	246.0		246.0	322.2		322.2	76.2	31.0
Temporary assistance for meetings													
Overtime													
Consultants	45.8		45.8		45.8	14.6		14.6	14.6		14.6		
<i>Subtotal other staff</i>	<i>332.7</i>	<i>0.1</i>	<i>332.8</i>		<i>332.8</i>	<i>260.6</i>		<i>260.6</i>	<i>336.8</i>		<i>336.8</i>	<i>76.2</i>	<i>29.2</i>
Travel	28.7		28.7		28.7	6.0	11.0	17.0	6.0	11.0	17.0		
Hospitality													
Contractual services	356.8		356.8		356.8	16.7		16.7	16.7		16.7		
Training	132.9		132.9		132.9	160.0		160.0	160.0		160.0		
General operating expenses													
Supplies and materials	1.1		1.1		1.1	45.2		45.2	45.2		45.2		
Furniture and equipment													
<i>Subtotal non-staff</i>	<i>519.5</i>		<i>519.5</i>		<i>519.5</i>	<i>227.9</i>	<i>11.0</i>	<i>238.9</i>	<i>227.9</i>	<i>11.0</i>	<i>238.9</i>		
<b>Total</b>	<b>2,513.1</b>	<b>161.1</b>	<b>2,674.2</b>		<b>2,674.2</b>	<b>2,071.7</b>	<b>200.7</b>	<b>2,272.4</b>	<b>2,171.6</b>	<b>204.4</b>	<b>2,376.0</b>	<b>103.6</b>	<b>4.6</b>
Distributed maintenance	57.5	12.0	69.5		69.5	55.6	11.6	67.2	87.3	3.3	90.6	23.4	34.8

**Table 65: Sub-programme 3220: Proposed staffing for 2014**

Human Resources Section		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	3	1		7	2	10	12	19
	Situation-related												3	3	3
	<i>Subtotal</i>					<i>1</i>	<i>2</i>	<i>3</i>	<i>1</i>		<i>7</i>	<i>2</i>	<i>13</i>	<i>15</i>	<i>22</i>
New/	Basic														
	Situation-related														
	<i>Subtotal</i>														
Redeployed/ Returned	Basic														
	Situation-related														
	<i>Subtotal</i>														
<b>Total</b>					<b>1</b>	<b>2</b>	<b>3</b>	<b>1</b>		<b>7</b>	<b>2</b>	<b>13</b>	<b>15</b>	<b>22</b>	

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

384. The Budget and Finance Section (BFS) carries out activities in support of the financial and budgetary operations of the Court as a whole. The Budget and Finance Section functions include coordinating and preparing the budget of the Court and producing financial statements for the Court and for the Trust Fund for Victims. Further to this, BFS also manages the receipt and allotment of assessed contributions and the corresponding funds for the operational and investment needs of the Court. It also effectively monitors and reports on assessed and voluntary contributions in accordance with Assembly and donor requirements on a day-to-day basis. The section is further responsible for carrying out all payroll and disbursement activities, including payment to vendors for all procured goods and services. The Budget and Accounts Units of the BFS ensure that all such transactions are accounted and reported, while keeping in focus the internal control aspects. Other key functions include treasury management, banking, investment of surplus funds, and maintenance of the Court's accounting and financial reporting within the Court's SAP systems. BFS staff are substantially involved directly or indirectly in implementing key projects in the Court, such as HR and Payroll system development, IPSAS adoption, activity-based costing (led by the Office of the Director of the division), budget reporting and other SAP enhancement projects.

385. The section interfaces financial management and financial administrative needs to the Court and its stakeholders and supports all operational areas of the Court aimed at strengthening financial management and ensuring that transactions are in compliance with the Financial Regulations and Rules, the Statute and agreed Budget priorities. The objectives of the Budget and Finance Section are aligned with the results it expects to achieve in 2014 and the resources necessary to achieve those results. On the basis of the figures for previous years and the expected increase in the Court's activities, the BFS anticipates a corresponding increase in workload volumes.

386. Consistent efforts are being made to rationalize and achieve efficiencies with a view to enhancing performance and reducing costs. Current initiatives in particular include development of new reports in SAP to reduce manual intervention, TRIM documentation improvement for archiving important financial records and automation of invoice processing.

387. *The Office of the Chief, Budget and Finance Section*, provides financial services to all major programmes of the Court, including: provision of strategic advice on financial issues and initiatives; preparation of documentation and information on financial activities and results for the Committee, the Assembly and Court management; financial policy development and legal matters. The Chief of the BFS administers procedures and practices for expenditure control and financial reporting of budgetary funds, and provides advice to the Court's management on resource monitoring, ensuring integrity of the budget monitoring system. The Chief of the BFS also represents the Court at relevant meetings of the UN system's financial network.

388. *The Budget Unit* is responsible for the preparation of the budget and subsequent supplementary budgets, monitoring of budget performance, financial forecasts, review and analyses of resource distribution and provision of information and advice on key budget matters, with a view to achieving the most economical use of resources. This unit also assists in the preparation of contingency fund notifications and various budget reports for the Committee and the Assembly.

389. *The Accounts Unit* prepares the Financial Statements of the Court and of the Trust Fund for Victims, including supporting schedules. It develops enhancements to managerial and accounting aspects of the function (including electronic data processing and reporting applications), and maintains records of contributions received and outstanding and provides related information and data to States Parties when required.

390. *The Disbursements Unit* ensures that products and service delivery conform to the required standards and procurement conditions. It settles obligations and expenditure commitments that are due for payment and ensures and verifies that service entry sheets and goods received entries that confirm services rendered and/or goods delivered are up to standard and according to purchase order terms, and forwards them for approval.

391. *The Payroll Unit* processes on behalf of the Organization salaries, allowances and benefit payments for Professional and General Service staff (HQ and field), judges, conference staff and consultants.

392. *The Treasury Unit* ensures that sufficient funds are available to meet cash needs, whilst providing cost-efficient and cost-effective payment processes. It negotiates agreements with financial institutions, and proposes investments. It processes authorized bank transfers and transmits data to the Court's banking institutions, using the most timely and cost-efficient payment methods. It prepares and maintains cash flows reports and manages the Treasury Unit Imprest Fund, as well as uploading electronic bank statements.

393. *The IPSAS Unit* develops and implements IPSAS in the current accounting and financial reporting process of the Court and contributes to the development of a centralized accounting strategy and implementation of an upgraded SAP accounting and budget system.

394. Overall, despite an increase in the travel requirement due to the Assembly session being held in New York, the Budget and Finance Section resource requirement for 2014 is reduced by 5.3 per cent compared to 2013. This is mainly due to the planned reduction in IPSAS activities and to efficiency measures in contractual services.

## **Staff resources**

### **Basic resources**

#### *General temporary assistance*

395. *One Associate Budget Officer, P-2, 12 months. New.* This post is required to support the Court's efforts to fine-tune its budgetary process and achieve efficiency gains in financial management. The incumbent will formulate, coordinate, analyze, review and finalize cost estimates, budgets and forecasts and administer and control all aspects of budgetary implementation. The post will also cover activities that arise due to additional scenarios, supplementary budgets, cost estimates for Contingency Fund notifications and corresponding coordination with operational units Court-wide and support activities related to additional requirements for performance reports due to increasing burn rates against budgeted funds. It will also provide quality requirement support for reports to managers and to the Committee and the Assembly.

396. *One Finance Assistant, GS-OL, 12 months. Continued.* This post continues to be required in order to support work volumes and transaction processing in the Disbursements Unit and the Payroll Unit in 2014. The additional workload over the years without any increase in staffing has put a severe strain on the deliverables of the BFS, in spite of the various system and business process enhancements that have been accomplished in prior years. Need is particularly high during accounting close, financial reporting, external auditing, budget preparation, preparation of performance reports and monthly payroll processing.

### **Non-staff resources**

#### **Basic resources**

#### *Travel and Training*

397. To participate in United Nations Joint Staff Pension Fund meetings and Budget and Finance Network meetings and Assembly session in New York. Travel to the field offices to monitor and maintain SAP payroll/travel module implementation training. To new field presence/missions in order to set up the finance and expenditure monitoring tools necessary to ensure internal control and accountability under the Court's Financial Regulations and Rules. To support communications skills and to cover specialist training on Advanced Excel and Access programs and SAP reports and IPSAS project. Travel and training have been kept to a minimum, bearing in mind resource constraints within the Court. Efforts will be made to impart field training through electronic and visual media for existing field presence/missions.

*Contractual services*

398. Relates to full provision of the audit fees for the new External Auditor, the *Cour des comptes*, whose appointment has been approved by the Assembly for a period of four years.<sup>57</sup>

*General operating expenses*

399. Banking costs corresponding to the expected volume of transactions. Banking costs have been kept at the same level as in 2013. They will not increase in 2014 in spite of the expected increase in transactions volume, thanks to negotiations with banks and internal efficiency initiatives.

**IPSAS project**

400. IPSAS project funding amounts to €345,300. This amount is necessary to implement IPSAS project activities in 2014, the year in which the Court will prepare IPSAS compliant financial statements for the first time. More details on the project implementation and its budget have been presented in the Report of the Court on the implementation of International Public Sector Accounting Standards presented to the Committee at its twentieth session.<sup>58</sup> In the Report of the Committee on the work of its twentieth session,<sup>59</sup> the Committee noted the proposed reallocation of the budget between years and items of expenditure due to adjustments in the timing of training activities, which were scheduled to take place closer to the actual implementation date, and during the post-implementation period.

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<sup>57</sup> *Official Records ... Tenth session ... 2011* (ICC-ASP/10/20), vol. I, part II.D, section D, para. 10.

<sup>58</sup> CBF/20/7.

<sup>59</sup> ICC-ASP/12/5.

**Table 66: Sub-programme 3240: Proposed budget for 2014**

3240 Budget and Finance Section	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)				Proposed Budget 2014 (thousands of euro)				Resource growth 2014 vs 2013		
	Basic	Situat- related	Total	Cont. Fund	Total Incl.CF	Basic	Situat- related	IPSAS	Total	Basic	Situat- related	IPSAS	Total	Amount	%
Professional staff						751.4			751.4	756.7			756.7	5.3	0.7
General Service staff						758.7	332.2		1,090.9	773.7	338.8		1,112.5	21.6	2.0
<i>Subtotal staff</i>	<i>1,442.6</i>	<i>348.7</i>	<i>1,791.3</i>		<i>1,791.3</i>	<i>1,510.1</i>	<i>332.2</i>		<i>1,842.3</i>	<i>1,530.4</i>	<i>338.8</i>		<i>1,869.2</i>	<i>26.9</i>	<i>1.5</i>
General temporary assistance	337.5	-6.0	331.5		331.5	65.3		369.2	434.5	170.0		248.5	418.5	-16.0	-3.7
Temporary assistance for meetings															
Overtime	14.0	0.1	14.1		14.1	5.1			5.1	8.0			8.0	2.9	56.9
Consultants															
<i>Subtotal other staff</i>	<i>351.5</i>	<i>-5.9</i>	<i>345.6</i>		<i>345.6</i>	<i>70.4</i>		<i>369.2</i>	<i>439.6</i>	<i>178.0</i>		<i>248.5</i>	<i>426.5</i>	<i>-13.1</i>	<i>-3.0</i>
Travel	16.2		16.2		16.2			15.0	15.0	10.2		10.0	20.2	5.2	34.7
Hospitality															
Contractual services	520.1		520.1		520.1	88.5		186.0	274.5	86.1		56.8	142.9	-131.6	-47.9
Training	3.5		3.5		3.5			30.0	30.0			30.0	30.0		
General operating expenses	110.6		110.6		110.6	65.0			65.0	43.2			43.2	-21.8	-33.5
Supplies and materials															
Furniture and equipment	8.3		8.3		8.3										
<i>Subtotal non-staff</i>	<i>658.7</i>		<i>658.7</i>		<i>658.7</i>	<i>153.5</i>		<i>231.0</i>	<i>384.5</i>	<i>139.5</i>		<i>96.8</i>	<i>236.3</i>	<i>-148.2</i>	<i>-38.5</i>
<b>Total</b>	<b>2,452.8</b>	<b>342.8</b>	<b>2,795.6</b>		<b>2,795.6</b>	<b>1,734.0</b>	<b>332.2</b>	<b>600.2</b>	<b>2,666.4</b>	<b>1,847.9</b>	<b>338.8</b>	<b>345.3</b>	<b>2,532.0</b>	<b>-134.4</b>	<b>-5.0</b>
Distributed maintenance	60.5	20.0	80.5		80.5	52.8	19.3		72.1	87.3	5.6		92.8	20.7	28.7

**Table 67: Sub-programme 3240: Proposed staffing for 2014**

Budget and Finance Section		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	3	2		7			12	12	19
	Situation-related											1		4	5	5
	<i>Subtotal</i>					<i>1</i>	<i>1</i>	<i>3</i>	<i>2</i>		<i>7</i>	<i>1</i>		<i>16</i>	<i>17</i>	<i>24</i>
New	Basic															
	Situation-related															
	<i>Subtotal</i>															
Redeployed/ Returned	Basic															
	Situation-related															
	<i>Subtotal</i>															
<b>Total</b>					<b>1</b>	<b>1</b>	<b>3</b>	<b>2</b>		<b>7</b>	<b>1</b>		<b>16</b>	<b>17</b>	<b>24</b>	

**(d) Sub-programme 3250: General Services Section**

401. The General Services Section (GSS) is headed by the Chief of Section and comprises four units: Facilities Management, Logistics and Transport, Procurement and Travel and Host State Affairs.

402. The General Services Section's main focus is the provision of facilities and other services that enable the core business of the Court to function effectively. Overall, thanks to further efficiency gains and enhanced resource allocation and prioritization, in particular in the areas of general operating expenses and supplies and materials (see paras.422 and 423 below), the section has achieved a saving of €122,900, or 2.1 per cent, over 2013.

403. In addition, the section will play a large part in the Transition Project, and much of the work will have to be carried out by existing GSS staff members. Over the transition period, many activities of the Facilities Management Unit and the section Chief will have to be reprioritized to allow for the demands of the Project. The required resources are being requested in the Project's budget.

404. The main areas of operation of the section are as follows:

405. *The Procurement Unit* is required to provide timely, fair and fully transparent procurement service with integrity; giving best value for money through effective international competition in the best interests of the Court. The unit also works to ensure that, despite a large increase in volume, all procurement activities are managed appropriately within the Court.

406. The primary workload indicator is the number of purchase orders/contracts that can be concluded per buyer. In 2014, it is anticipated that six buyers will manage 1,700 purchase orders and contracts.

407. *The Logistics and Transport Unit* is responsible for provision of services relating to receiving and inspection of goods, logistics, freight forwarding, issue of office supplies, asset management, warehousing, distribution of goods, external printing, fleet maintenance, insurance administration (non-HR), external archives, couriers, mail and digital mail forwarding, fax and diplomatic pouch. Trial-related activities are confined mostly to the movement of witnesses at Headquarters. The anticipated scheduling of consecutive trial-hearings means that resources will be in-sourced by reducing logistics and correspondence services. This is possible because of synergies gained through cross-training of logistics and correspondence personnel in driving skills. Such synergies are used during peak times and not for regular, sustained needs for local transportation. Overtime and taxi services are used to fulfill local transportation requirements.

408. *The Travel and Host State Affairs Unit* is responsible for business travel, relocation of internationally recruited staff, visas and privileges. The unit arranges official travel for staff and non-staff members, reservation of tickets for staff on assignment, repatriation travel and shipment of personal effects. The unit assists with official visa applications, UN Laissez-Passer Applications, Dutch ID cards and assistance in areas such as driving licenses, tax exemptions, motor vehicle applications, reimbursement of taxes etc. The unit does not anticipate any increase in the resources needed to provide services in 2014.

409. *The Facilities Management Unit* is responsible for the management and maintenance of the interim premises. This includes utilities, maintenance of premises, minor adjustments and repairs to premises and office furniture and equipment.

**Staff Resources****Basic***Established posts*

410. Proposed staff resources remain unchanged.

*General temporary assistance*

411. No changes are proposed in GTA positions.

412. *One Handyman, GS-OL, 12 months. Continued.* The position, established originally in 2008, is required for continued services in the foreseeable future. However, the section will not seek the conversion of this GTA position to an established post in the 2014 budget, but will return to this at a future time.

#### *Overtime*

413. Overtime in GSS is usually only paid out for on-call mission support services carried out outside core hours, for facilities technicians when systems fail outside office hours and for out-of-hours driving services. Overtime is only paid where compensatory time-off cannot be taken due to the volume of regular duties.

414. For 2014, as in 2013, €55,000 will be required for overtime for regular duties.

### **Non-Staff Resources**

#### **Basic**

##### *Travel*

415. GSS staff will travel to the field to conduct physical asset inventory inspections to ensure compliance with financial regulations and rules.

416. Facilities staff will travel to field offices to assess the conditions and standards and ascertain compliance with international facilities codes and standards.

417. GSS management will take part in inter-agency networks related to facilities management and to travel. This will help the Court to benchmark its standards in these areas against those of other international organizations.

##### *Training*

418. Obligatory training for technical staff in buildings and security management software and maintenance etc.

419. Procurement Training for accreditation to UN common system standards.

##### *Contractual services*

420. The General Services Section requires contractual services for external printing and archiving.

421. Consultancy is required for specific software implementation and to finalize the Court's insurance management strategy in compliance with internal audit recommendations.

##### *General Operating Expenses*

422. General Operating Expenses have been reduced by €154.1 thousand, or 6.2 per cent, substantially offsetting increases in staff and other costs. This has been achieved through a careful consideration of any expenditure on premises, considering the impending move to the Court's permanent premises in 2015. No further major upgrades or buildings refurbishment projects have been included in this budget proposal. All operating costs are concerned with utilities, cleaning, building user maintenance obligations and security systems maintenance.

##### *Supplies and materials*

423. The section has achieved a reduction of €44 thousand, or 17.9 per cent, in the proposed budget for supplies and materials. This is due to a reduction in the actual requirements in 2013.

##### *Furniture and equipment*

424. Two of the Court's sedan vehicles will reach 10 and 11 years of age in 2014. It is proposed that these be replaced, as maintenance costs will otherwise become significant.

425. In light of the Court's commitment to transfer as much of its furniture as possible to the permanent premises, it is proposed that current stocks are maintained to a good standard, and replaced only if repairs are no longer feasible.

426. Despite the impending move to permanent premises, certain security system components will have to be replaced in 2014 in order to protect the integrity of the security system, particularly perimeter surveillance, in part reflecting a response to the number of demonstrations held outside the Court in recent months.

### Situation-related resources

#### Overtime

427. €32,800 is proposed for driver overtime for 215 court days of witness transportation.

#### General operating expenses

428. Of the general operating expenses shown above, €14,000 is set aside for courtroom utilities for 215 days of hearings.

**Table 68: Sub-programme 3250: Proposed budget for 2014**

3250 General Services Section	Expenditure 2012 (thousands of euro)			Cont. Fund	Total Incl.CF	Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013	
	Basic	Situation- related	Total			Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						564.3		564.3	568.8		568.8	4.5	0.8
General Service staff						2,324.4		2,324.4	2,370.2		2,370.2	45.8	2.0
<i>Subtotal staff</i>	2,329.8	282.3	2,612.1		2,612.1	2,888.7		2,888.7	2,939.0		2,939.0	50.3	1.7
General temporary assistance	76.3		76.3		76.3	70.3		70.3	71.6		71.6	1.3	1.8
Temporary assistance for meetings													
Overtime	88.6	0.2	88.8		88.8	55.0	25.4	80.4	55.0	32.8	87.8	7.4	9.2
Consultants													
<i>Subtotal other staff</i>	164.9	0.2	165.1		165.1	125.3	25.4	150.7	126.6	32.8	159.4	8.7	5.8
Travel	21.2	5.4	26.6		26.6	14.8		14.8	3.1	11.7	14.8		
Hospitality													
Contractual services	38.0		38.0		38.0	25.8		25.8	42.0		42.0	16.2	62.8
Training	17.3		17.3		17.3	16.3		16.3	16.3		16.3		
General operating expenses	2,509.8	87.4	2,597.2		2,597.2	2,457.6	22.5	2,480.1	2,281.9	44.1	2,326.0	-154.1	-6.2
Supplies and materials	148.1		148.1		148.1	245.5		245.5	201.5		201.5	-44.0	-17.9
Furniture and equipment	103.8		103.8	19.1	122.9	68.0		68.0	68.0		68.0		
<i>Subtotal non-staff</i>	2,838.2	92.8	2,931.0	19.1	2,950.1	2,828.0	22.5	2,850.5	2,612.8	55.8	2,668.6	-181.9	-6.4
<b>Total</b>	<b>5,332.9</b>	<b>375.3</b>	<b>5,708.2</b>	<b>19.1</b>	<b>5,727.3</b>	<b>5,842.0</b>	<b>47.9</b>	<b>5,889.9</b>	<b>5,678.4</b>	<b>88.6</b>	<b>5,767.0</b>	<b>-122.9</b>	<b>-2.1</b>
Distributed maintenance	108.9	20.0	128.9		128.9	102.9	19.3	122.2	188.3		188.3	66.1	54.1

**Table 69: Sub-programme 3250: Proposed staffing for 2014**

General Services Section		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	2	1		5	3	33	36	41
	Situation-related														
	<i>Subtotal</i>					1	1	2	1		5	3	33	36	41
New/ Converted	Basic														
	Situation-related														
	<i>Subtotal</i>														
Redeployed/ Reclassified/ Returned	Basic														
	Situation-related														
	<i>Subtotal</i>														
<b>Total</b>					<b>1</b>	<b>1</b>	<b>2</b>	<b>1</b>		<b>5</b>	<b>3</b>	<b>33</b>	<b>36</b>	<b>41</b>	

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

429. The Information and Communication Technologies Section (ICT) continues to implement the ICT Strategic Plan that provides direction over its work. In many organizations ICT is the vehicle of change and ICT continues to ensure that the technology used at the Court is efficient and cost-effective. In preparing the 2014 proposed programme budget, the section has faced an increased number of service requirements, triggered in particular by the growth in OTP activities, as well as increases resulting from the rise in the number of situations. However the section has been able to reduce some of its costs by reviewing certain maintenance and communication contracts and renegotiating terms. In addition, the section is reaping the benefit of past investments, resulting in lower equipment maintenance costs.

430. However, despite its best efforts in this and other areas, the section finds itself obliged to request an overall increase in resources of approximately €235,000, or 2.5 per cent. This is largely accounted for by capital investment and by new security measures for the Victims and Witnesses Unit and the Office of the Prosecutor.

431. The major objective for 2014 is to implement the second stage of the ICT Strategic Plan, implement secure isolated network spaces for certain organizational units dealing with highly sensitive and confidential information and participate as a key service provider in the Transition Project for the Permanent Premises.

432. The Key Performance Objectives are:

- (a) Maintain an uptime of 99.2 per cent of all information systems;
- (b) Deliver phase-two of the pilots relating to the identified projects in the 2014 Strategic Plan;
- (c) Continue to protect the ICT network from external threats;
- (d) Simplify infrastructure to prepare for cloud computing and mobility; and
- (e) Support business initiatives in other areas that require IT expertise to support the business processes.

**Staff resources***General Temporary Assistance*

433. *One Communications Technical Administrator, GS-OL, 12 months. New.* This post is requested for the communications team in order to achieve continuous savings on all existing communication contracts at HQ and in all field locations.

434. The Communications costs are managed centrally by the ICT Section. The annual communications budget is €1.2 million, consisting of;

- (a) Headquarters mobile phone and desktop contracts;
- (b) Field mobile phone post-paid contracts;
- (c) Field pre-paid telephones;
- (d) Field satellite phones;
- (e) Field Internet contracts;
- (f) BGAN – satellite video link systems from Field to HQ and vice versa; and
- (g) United Nations fixed satellite uplink contracts in Kinshasa, Bunia and Bangui.

435. It is estimated that a new FTE focusing on cost reduction could reduce overall communication costs by 10 per cent (€120,000) on a long-term basis, thereby not only absorbing the salary costs of the new post, but also creating additional savings.

436. Attempts were made to distribute the workload for the above amongst existing staff, but this proved to be impracticable, as contract details, billing methods and cost structures differ greatly from country to country and mistakes or oversights could be costly.

437. *One Service Desk Technician GS-OL, 12 months. Continued.* The ICT Section has managed past reductions by lower service levels. Further reductions in service levels would result in unacceptable performance and have a negative impact on the Organization.

**Table 70: Workload indicators**

<i>Anticipated workload 2013</i>	<i>Number of FTE 2013</i>	<i>Anticipated workload 2014</i>	<i>Number of FTE 2014</i>	<i>Estimated capacity 2014</i>	<i>Shortfall</i>
Service Desk tickets = 17,000	5.5	19,500	5.5	15,200	4,300

438. *One Service Desk Technical Assistant, GS-OL, 12 months. New.* This post is required in order to manage the anticipated increase in the number of users within the Organization. In particular, most of these new staff belong to the OTP and will be travelling extensively in the field, where they will require more support than HQ staff. It is essential that such staff have proper support when they travel in the area of operations. This additional workload cannot be met within existing resources, which are already unable to process the current volume of tickets in a timely manner.

439. *One e-Court Technical Assistant, GS-OL, 12 months. Continued.* The table below includes the existing GTA. The number of external legal teams has again increased in 2013 as predicted, and therefore the resource requirements remain valid.

**Table 71: Workload indicators**

<i>Anticipated workload 2013</i>	<i>Number of FTE 2013</i>	<i>Anticipated workload 2014</i>	<i>Number of FTE 2014</i>	<i>Estimated capacity 2014</i>	<i>Shortfall with continued GTA</i>	<i>Shortfall without continued GTA</i>
Support hearings and eCourt participants = 5,210	3	5,500	3	3,600	1,900	3,100

440. *Two Field Support Technicians, for CIV and Mali, GS-OL, 12 months each. New.* As per standard operating practice in the field, ICT has a presence of one staff member in every situation to support staff in the Field Office. Due to the temporary nature of Field Offices, the posts will remain GTA.

#### **Non-staff resources**

441. The ICT Section currently outsources €1.2 million (or approximately 22 per cent) of its non-staff budget under contractual services and general operating expenses. Outsourced services are for areas where the knowledge to support a service is specialized and/or it would be too expensive to hire full-time staff for the services required. Examples are courtroom maintenance, the Storage Area Network support (SAN), network security services and the Court's website. These services are of a "burst" nature – i.e., they do not require a staff member throughout the year, but rather a specific type of specialized knowledge for a few months of the year. Without these services, ICT would not be able to maintain the many services currently supported. Outsourcing certain areas results in cost-savings to the Organization.

#### *Travel*

442. Despite the increased workload in the field, the budget provision for travel has been maintained at the same level as for 2013. Travel costs include travel to field office locations so as to ensure that ICT installations remain fit for purpose and comply with the relevant security standards. Also included are travel to technology and eCourt meetings for updates on changes and how these may impact the Court, as well as travel to United Nations User Group meetings for lessons learned to implement practices that have been tried in UN organizations and proven to be successful and cost-effective.

#### *Contractual services*

443. Contractual services are services where commercial off-the-shelf systems procured by the Court require changes that cannot be performed by ICT staff due to the nature of the contracts or the specific knowledge required. Of the total €82,200, the major items are as follows; €50,000 to cover the annual contract for finance, budget, travel and HR

improvements; €15,200 for the hosting of the ICC website; €74,400 for eCourt and eHearing system enhancements and transcript management system support; €30,000 for AV streaming services to the Internet and €27,600 for the secure certificate system to manage access to information in a secure and verifiable manner.

#### *Training*

444. A minimal amount (€40,900) is requested for technical training of ICT staff. Technical training is important to ensure that the investment in ICT technologies is maximized. Certain areas of training require staff to maintain their certification. Examples are Network Engineering, Security Professional Certification and System Administration. Other areas of training are required to maintain the infrastructure as new technologies are introduced.

#### *General operating expenses*

445. Despite the increased number of service requirements general operating expenses in 2014 are reduced by approximately €120,000 due to lower telephone costs and renegotiation of existing contracts. Reductions have been made possible as a result of cost cutting and prioritization and are not a year-on-year basis. General operating expenses include the following: hardware and software maintenance of the Court's telephone system, network and security tools, new PDF enterprise tools, translation management, document stamping, library system maintenance, intrusion detection system, email and archive systems, anti-virus, secure remote access, database licenses, laptop security, TRIM license maintenance, hardware maintenance for the SAN, software maintenance for backup systems, data clustering, virtualization of the SAN into two locations, Microsoft licenses, SAP software licenses, maintenance of the network and video conferencing systems and 2-way radio system maintenance. Further costs are for Citrix remote access, video conferencing systems, voice logging at the Detention Centre and for the rental of the Court's main and backup Internet lines, including all the leased lines to the various field offices and the link with the Brindisi logistics base to provide the data link between Africa connections and Court Headquarters.

446. Also included is the cost of telephone calls for mobile and fixed telephone at HQ and calls made to the field offices. Strenuous efforts are in place to reduce telephone consumption and roaming charges.

#### *Supplies and materials*

447. Unchanged from the previous year, the highest cost driver being toner cartridges for the high-volume printers. The remaining funds are for USB drives, memory chips, different language keyboards, external DVD burners, AV supplies such as beamers and headphones, network cables and laptop batteries.

#### *Furniture and equipment*

448. This budget line covers items designed to ensure that the Court's IT infrastructure investments are managed at an adequate level and stay updated to industry standards. It includes the purchase of hardware including software licenses as follows; eCourt systems and software licenses (€15,000); hardware and software required for myCourtbook initiative in the ICT Strategic Plan (€100,000); expansion disk space for the file systems on the network (€50,000); replacement programme of 150 devices per year for laptops, inkjet, printers, monitors, smartphones and AV equipment older than four years (€80,000); replacement programme for desktops older than five years (€124,200); AV equipment related to courtroom continuity (€20,000); network hardware and software (phase 2) to increase accountability of file access on the ICC network (€30,000); hardware and software split over two locations due to Disaster Recovery project (€70,800). The section ensures that all equipment is in line with the review of the Court's assets and is transferable to the permanent premises.

*Capital Investments*

449. The previously approved capital investments have significantly reduced maintenance costs, due to the fact that new equipment has lower short-term costs and has a warranty period built into the purchases. Still outstanding is the capital investment request for essential equipment to complete phase 3 of the enterprise data archive (€100,000, of which 30,000 is for consultancy and 70,000 is for hardware), so as to ensure that the legacy data is maintained in the most cost-efficient and effective manner.

*New Projects*

450. By the very nature of its work, the Court has to manage a large amount of confidential data. The IT network of the Court has direct access to the Internet, which has become at increased risk of cyber-attacks. In order to address this issue, €15,000 (of which €5,000 is for consultancy and €80,000 is for hardware and software) is requested to implement secure isolated networks for the Victims and Witnesses Unit and the OTP Evidence Unit. This will allow them to store all highly confidential data on a network that is not connected to the Internet. A further €5,000 is requested to implement a Situation Security Monitoring System (phase one of three) that will assist the OTP in securely managing the large amount of situation data that it accumulates every year.

**Table 72: Sub-programme 3260: Proposed budget for 2014**

3260 Information and Communication Technologies Section	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013		
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						1,125.7	559.3	1,685.0	1,132.6	567.0	1,699.6	14.6	0.9
General Service staff						1,280.6	1,045.8	2,326.4	1,370.3	1,002.1	2,372.4	46.0	2.0
<i>Subtotal staff</i>	<i>2,506.8</i>	<i>1,471.9</i>	<i>3,978.7</i>		<i>3,978.7</i>	<i>2,406.3</i>	<i>1,605.1</i>	<i>4,011.4</i>	<i>2,502.9</i>	<i>1,569.1</i>	<i>4,072.0</i>	<i>60.6</i>	<i>1.5</i>
General temporary assistance	58.3	152.1	210.4	27.3	237.7		95.4	95.4		330.0	330.0	234.6	245.9
Temporary assistance for meetings						20.0		20.0	20.0		20.0		
Overtime	12.4		12.4		12.4	30.0	5.0	35.0	35.0		35.0		
Consultants													
<i>Subtotal other staff</i>	<i>70.7</i>	<i>152.1</i>	<i>222.8</i>	<i>27.3</i>	<i>250.1</i>	<i>50.0</i>	<i>100.4</i>	<i>150.4</i>	<i>55.0</i>	<i>330.0</i>	<i>385.0</i>	<i>234.6</i>	<i>156.0</i>
Travel	11.7	36.0	47.7		47.7	24.8	45.9	70.7	25.9	42.3	68.2	-2.5	-3.5
Hospitality													
Contractual services	196.6	63.3	259.9	5.0	264.9	170.0	193.0	363.0	195.2	187.0	382.2	19.2	5.3
Training	46.4	8.7	55.1		55.1	40.9		40.9	40.9		40.9		
General operating expenses	1,445.5	2,569.6	4,015.1	7.6	4,022.7	2,171.3	1,687.6	3,858.9	2,085.8	1,654.6	3,740.4	-118.5	-3.1
Supplies and materials	159.6	7.9	167.5		167.5	185.0		185.0	185.0		185.0		
Furniture and equipment	1,007.8		1,007.8	43.6	1,051.4	865.0	35.0	900.0	525.0	416.1	941.1	41.1	4.6
<i>Subtotal non-staff</i>	<i>2,867.6</i>	<i>2,685.5</i>	<i>5,553.1</i>	<i>56.2</i>	<i>5,609.3</i>	<i>3,457.0</i>	<i>1,961.5</i>	<i>5,418.5</i>	<i>3,057.8</i>	<i>2,300.0</i>	<i>5,357.8</i>	<i>-60.7</i>	<i>-1.1</i>
<b>Total</b>	<b>5,445.1</b>	<b>4,309.5</b>	<b>9,754.6</b>	<b>83.5</b>	<b>9,838.1</b>	<b>5,913.3</b>	<b>3,667.0</b>	<b>9,580.3</b>	<b>5,615.7</b>	<b>4,199.1</b>	<b>9,814.8</b>	<b>234.5</b>	<b>2.4</b>
Distributed maintenance	-974.2	-1,560.3	-2,534.5		-2,534.5	-981.8	-1,563.5	-2,545.3	-1,506.5	-428.1	-1,934.6	610.7	-24.0

**Table 73: Sub-programme 3260: Proposed staffing for 2014**

Information and Communication Technologies Section	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					1	1	5	4		11	1	20	21	32
							2	3		5		17	17	22
<i>Subtotal</i>					<i>1</i>	<i>3</i>	<i>8</i>	<i>4</i>		<i>16</i>	<i>1</i>	<i>37</i>	<i>38</i>	<i>54</i>
New/ Converted														
Redeployed/ Reclassified/ Returned														
<b>Total</b>					<b>1</b>	<b>3</b>	<b>8</b>	<b>4</b>		<b>16</b>	<b>1</b>	<b>37</b>	<b>38</b>	<b>54</b>

### 3. Programme 3300: Division of Court Services

#### Introduction

451. In 2014 the Division of Court Services (DCS) will continue to focus its efforts on supporting the on-going trials, in pursuance of its core business of enabling the expeditious and swift running of trial proceedings before the Court.

452. The Division of Court Services will provide the necessary specialized services, such as high-quality eCourt provision, in particular live transcripts in both working languages, which represent an essential contribution to the conduct of fair, effective and expeditious trials. It will continue to support interpretation from and into French and English, as well as the languages spoken by witnesses and persons detained or summoned to appear. It will also be responsible for the well-being of detained persons during the critical period of trial.

453. In order to be able to provide effective and efficient support for the proceedings, the division groups together all the active components for sound and comprehensive judicial assistance: the Office of the Director DCS, the Court Management Section, the Detention Section, the Court Interpretation and Translation Section, the Victims and Witnesses Unit and the Victims Participation and Reparations Section.

454. As the Court is in the reparations phase in one of the cases before the Court, the Division of Court Services in general, and the Victims Participation and Reparations Section in particular, while continuing with the implementation of victims' strategy and the smooth processing of all applications for participation, will continue to devote specific attention to this new aspect of the Court's proceedings.

455. The Division of Court Services fully understands the current budgetary constraints. It is, however, important to be aware that certain costs will still need to be incurred, in particular in the area of the witness protection responsibility of the Victims and Witnesses Unit. However, at the same time, efforts have been made to reduce travel costs by arranging for witnesses to testify by videolink.

456. Finally, the Division of Court Services will continue to contribute to the Court's objective of conducting investigations, in cooperation with the Office of the Prosecutor, assisting in the coordination of arrest operations for persons named in arrest warrants, or the appearance of persons subject to summons to appear, by organizing operational and judicial support with States Parties, States not party to the Rome Statute and relevant institutional partners, both in the field and in The Hague.

#### Objectives

##### Priority Objectives (2013-2014)

- 2.1.2 Effective resource management and identification and implementation of possible further efficiency measures (SG 2.1);
- 2.3.1 Have an updated information management and IT strategy (SG 2.3);
- 2.8.1 Ensure security and safety measures are tailored to the circumstances and facilitate the requisite operations of the Court while being included from the outset in the planning and execution of the Court's operations (SG 2.8); and
- 3.4.1 Conclude relocation agreements (including cost-neutral agreements) and agreements for interim release/acquittal, as a priority with States in relative geographical proximity to the States of origin of witnesses and the accused.

**Table 74: Expected results, performance indicators and target for 2014**

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>
<b>Priority Objective 2.1.2</b> Effective resource management and identification and implementation of possible further efficiency measures.	Ĉ Court hearings are properly conducted.	Avoid delay and cancellation of Court hearings incidents and if incidents occur, 100 % professional handling.
<b>Priority Objective 2.3.1</b> Comprehensive and efficient eCourt and filing system, leading to further transparency.	<ul style="list-style-type: none"> <li>- Well-functioning eCourt filing system.</li> <li>- Filing systems updated.</li> </ul>	<ul style="list-style-type: none"> <li>- All systems are updated and performing.</li> </ul>
<b>Priority Objective 2.8.1</b> - A yearly review of the state of readiness of the staff and of witness protection; - Implementation of systematic security risk management process to all Court's activities at Headquarters and in the field; - No security incidents caused by a lack of prevention or management of foreseeable risks by the Court, while allowing operations to continue where justified; and - Security risk assessment updated and measures reviewed yearly or when required.	<ul style="list-style-type: none"> <li>- In-depth review of witness protection is undertaken; and</li> <li>- Number of incidents, if any.</li> </ul>	<ul style="list-style-type: none"> <li>- Review executed; and</li> <li>- Avoid incidents; and if incidents occur, 100 % professional handling.</li> </ul>
<b>Priority Objective 3.4.1</b> Conclude relocation agreements (including cost-neutral agreements) and agreements for interim release/acquittal, as a priority with States in relative geographical proximity to the States of origin of witnesses and the accused.	<ul style="list-style-type: none"> <li>- Increased negotiations and consultation with States Parties and other partners; and</li> <li>- Quality and timeliness of information provided by relevant Registry section to respective interested interlocutors.</li> </ul>	<ul style="list-style-type: none"> <li>- Additional relocation agreements are concluded; and</li> <li>- Request for further information is properly and definitely dealt with.</li> </ul>

**Table 75: Programme 3300: Proposed budget for 2014**

3300 Division of Court Services	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013		
	Basic	Situation- related	Total	Cont. Fund	Total incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						4,037.4	4,795.9	8,833.3	4,130.4	4,889.9	9,020.3	187.0	2.1
General Service staff						632.2	2,401.8	3,034.0	644.8	2,458.7	3,103.5	69.5	2.3
<i>Subtotal staff</i>	<i>4,537.3</i>	<i>7,137.7</i>	<i>11,675.0</i>		<i>11,675.0</i>	<i>4,669.6</i>	<i>7,197.7</i>	<i>11,867.3</i>	<i>4,775.2</i>	<i>7,348.6</i>	<i>12,123.8</i>	<i>256.5</i>	<i>2.2</i>
General temporary assistance	4.4	2,132.0	2,136.4	316.8	2,453.2		1,843.8	1,843.8		2,775.6	2,775.6	931.8	50.5
Temporary assistance for meetings	44.8	224.7	269.5		269.5	180.0	153.2	333.2	234.7	68.8	303.5	-29.7	-8.9
Overtime							58.1	58.1		58.5	58.5	0.4	0.7
Consultants	4.3	63.2	67.5		67.5		36.1	36.1	5.0	47.1	52.1	16.0	44.3
<i>Subtotal other staff</i>	<i>53.5</i>	<i>2,419.9</i>	<i>2,473.4</i>	<i>316.8</i>	<i>2,790.2</i>	<i>180.0</i>	<i>2,091.2</i>	<i>2,271.2</i>	<i>239.7</i>	<i>2,950.0</i>	<i>3,189.7</i>	<i>918.5</i>	<i>40.4</i>
Travel	27.4	654.3	681.7	32.4	714.1	55.4	940.1	995.5	55.6	1,357.4	1,413.0	417.5	41.9
Hospitality													
Contractual services	35.4	225.3	260.7	72.3	333.0	67.2	279.4	346.6	55.0	290.1	345.1	-1.5	-0.4
Training	6.1	46.4	52.5		52.5	13.8	68.1	81.9	16.1	64.1	80.2	-1.7	-2.1
General operating expenses	1,335.2	1,628.8	2,964.0	70.9	3,034.9	1,386.9	1,987.2	3,374.1	1,385.9	3,135.6	4,521.5	1,147.4	34.0
Supplies and materials	10.9	89.9	100.8		100.8	29.2	114.2	143.4	29.2	114.2	143.4		
Furniture and equipment		3.5	3.5		3.5								
<i>Subtotal non-staff</i>	<i>1,415.0</i>	<i>2,648.2</i>	<i>4,063.2</i>	<i>175.6</i>	<i>4,238.8</i>	<i>1,552.5</i>	<i>3,389.0</i>	<i>4,941.5</i>	<i>1,541.8</i>	<i>4,961.4</i>	<i>6,503.2</i>	<i>1,561.7</i>	<i>31.6</i>
<b>Total</b>	<b>6,005.8</b>	<b>12,205.8</b>	<b>18,211.6</b>	<b>492.4</b>	<b>18,704.0</b>	<b>6,402.1</b>	<b>12,677.9</b>	<b>19,080.0</b>	<b>6,556.7</b>	<b>15,260.0</b>	<b>21,816.7</b>	<b>2,736.7</b>	<b>14.3</b>
Distributed maintenance	139.2	416.1	555.2		555.2	130.7	440.1	570.8	215.9	114.8	330.7	-240.1	-42.1

**Table 76: Programme 3300: Proposed staffing for 2014**

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	11	12	8	2	37		10	10	47
	Situation-related						5	20	25		50	3	50	53	103
	<i>Subtotal</i>				<i>1</i>	<i>3</i>	<i>16</i>	<i>32</i>	<i>33</i>	<i>2</i>	<i>87</i>	<i>3</i>	<i>60</i>	<i>63</i>	<i>150</i>
New/	Basic														
	Situation-related														
	<i>Subtotal</i>														
Redeployed/ Returned	Basic														
	Situation-related														
	<i>Subtotal</i>														
<b>Total</b>				<b>1</b>	<b>3</b>	<b>16</b>	<b>32</b>	<b>33</b>	<b>2</b>	<b>87</b>	<b>3</b>	<b>60</b>	<b>63</b>	<b>150</b>	

**(d) Sub-programme 3310: Office of the Director (DCS)****Basic resources****Staff resources***Consultants*

457. Recurrent. A consultant with the necessary specialized knowledge in the field of human resources is required four times per year to assess applications received for inclusion on the Court's List of Experts.

**Non-staff resources***Travel*

458. Recurrent. Regular meetings with representatives of various other international organizations and NGOs to keep abreast of current developments are necessary for the proper management of the Division and require senior-level presence. These travel resources requested are necessary to execute the proper mandate of the Registry, such as but not limited to the protection of victims pursuant to article 43(6) of the Rome Statute.

*Training*

459. Recurrent. Certain aspects of the many tasks incumbent upon the Office of the Director DCS, and the DCS in general, require specific training; examples include the concept of freezing of assets and UN conditions of detention.

**Situation-related resources****Staff resources***Consultants*

460. Recurrent. Consultancy is required in order to provide the Office of the Director DCS and, to a larger extent, the Division of Court Services, with the necessary specialized knowledge with a view to executing its mandate (e.g. facilitation of operations in the field and preparation and implementation of specific aspects of that mandate, including detention-related requests, taking into account the characteristics and specifics of certain of the situations currently before the Court (Libya, Mali, CIV)).

**Non-Staff resources***Travel*

461. Recurrent. Travel is required to meet local authorities (in relation to DCS operations), prepare operations with regard to arrest and voluntary appearance, organize notification procedures and travel to potential new situations.

*General operating expenses*

462. To cover all operational aspects facilitating the appearance of person summoned to appear (e.g. travel and accommodation costs for persons summoned to appear).

**Table 77: Sub-programme 3310: Proposed budget for 2014**

3310 Office of the Director DCS	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013		
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						169.1	290.4	459.5	171.3	291.8	463.1	3.6	0.8
General Service staff						63.2		63.2	64.5		64.5	1.3	2.1
<i>Subtotal staff</i>	<i>243.6</i>	<i>304.7</i>	<i>548.3</i>		<i>548.3</i>	<i>232.3</i>	<i>290.4</i>	<i>522.7</i>	<i>235.8</i>	<i>291.8</i>	<i>527.6</i>	<i>4.9</i>	<i>0.9</i>
General temporary assistance		94.6	94.6		94.6								
Temporary assistance for meetings													
Overtime													
Consultants	4.3	11.9	16.2		16.2				5.0	15.0	20.0	20.0	
<i>Subtotal other staff</i>	<i>4.3</i>	<i>106.5</i>	<i>110.8</i>		<i>110.8</i>				<i>5.0</i>	<i>15.0</i>	<i>20.0</i>	<i>20.0</i>	
Travel	9.4	29.0	38.4	12.0	50.4	19.7	22.4	42.1	19.7	22.4	42.1		
Hospitality													
Contractual services													
Training	2.2		2.2		2.2	12.3		12.3	12.1		12.1	-0.2	-1.6
General operating expenses		2.5	2.5	2.9	5.4					61.0	61.0	61.0	
Supplies and materials													
Furniture and equipment													
<i>Subtotal non-staff</i>	<i>11.6</i>	<i>31.5</i>	<i>43.1</i>	<i>14.9</i>	<i>58.0</i>	<i>32.0</i>	<i>22.4</i>	<i>54.4</i>	<i>31.8</i>	<i>83.4</i>	<i>115.2</i>	<i>60.8</i>	<i>111.8</i>
<b>Total</b>	<b>259.5</b>	<b>442.7</b>	<b>702.2</b>	<b>14.9</b>	<b>717.1</b>	<b>264.3</b>	<b>312.8</b>	<b>577.1</b>	<b>272.6</b>	<b>390.2</b>	<b>662.8</b>	<b>85.7</b>	<b>14.9</b>
Distributed maintenance	6.1	12.0	18.1		18.1	5.6	11.6	17.2	9.2	3.3	12.5	-4.7	-27.1

**Table 78: Sub-programme 3310: Proposed staffing for 2014**

Office of the Director DCS		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							2	1					3		3
	<i>Subtotal</i>				<i>1</i>				<i>2</i>	<i>1</i>				<i>4</i>	<i>1</i>	<i>5</i>
New/ Converted	Basic															
	Situation-related															
	<i>Subtotal</i>															
Redeployed/ Reclassified/ Returned	Basic															
	Situation-related															
	<i>Subtotal</i>															
<b>Total</b>				<b>1</b>				<b>2</b>	<b>1</b>		<b>4</b>		<b>1</b>	<b>1</b>	<b>5</b>	

**(b) Sub-programme 3320: Court Management Section**

463. The Court Management Section (CMS) has a twofold mandate: to keep a record of the Court's proceedings and to ensure that hearings run smoothly. Since 2011, a new mandate has been assigned to CMS: the processing of electronic evidence seized by the Registry, which has required the acquisition of in-house knowledge in digital forensics (by training a current staff member to the level of competency and expertise required), as well as the creation of an industry-standard laboratory. Keeping an accurate judicial record requires the coordinated interaction of a number of professional disciplines. The tasks of the staff of the section are constantly evolving, reflecting the Court's processes and its unique procedural framework, as well as the need to evolve in line with technological developments in order to optimize the section's use of resources.

464. The section's responsibility for the conduct of hearings includes ensuring that courtroom proceedings are scheduled appropriately and producing both an audio-visual and a written record of what is said during the hearings in real time, in both working languages of the Court. The section serves as the communication hub for parties, participants, Chambers and relevant Registry sections, such as language services, detention and witness protection, in all matters relating to the organization of hearings. The section's courtroom officers, court clerks, audiovisual assistants, transcript coordinators and court reporters are all involved in these tasks.

465. The section's responsibility for keeping an accurate record of the Court's proceedings also includes, as well as hearing-related records, the reception, registration, distribution of all decisions, orders and documents from Chambers, parties and participants in all situations and cases. As the number of situations and cases before the Court increases, the section's responsibility in this area is incurring a growing workload, independently of hearing activity inside the courtrooms. Primary responsibility for these tasks falls on Court Records Assistants, together with the Associate Legal Officers (ALO)/Courtroom Officers, and with the support of the E-Court Systems Administration Assistant for the development, maintenance and updating of the underlying electronic database and applications.

**Situation-related resources***General temporary assistance*

466. *Two Court Reporters (one French, one English), P-2, 12 months each. Continued.* To complete the teams.

467. *One ALO/Courtroom Officer, P-2, 12 months. New.* Fifty witnesses are scheduled to testify in 2014. Since January 2013, all of the witnesses have testified using video teleconferencing (VTC). In light of this increase in the usage of VTC, it is anticipated that in 2014 the estimated proportion of witnesses testifying via VTC will increase from 15 per cent to 40 per cent. A VTC lasts on average one working week. It is estimated that 20 witnesses will testify using VTC, which amounts to 20 weeks, or five months. A VTC requires the involvement of two ALO/Courtroom Officers, one sitting in Court in The Hague, and the other at the witness location. Currently, there are only two ALO/Courtroom Officers for the support of one court in session. If one ALO/Courtroom Officer is absent, the VTC cannot be maintained and judicial activities are significantly delayed. Furthermore, frequent travel leaves a physical toll on staff members. The VTCs cannot always be planned in advance and are typically spread over the entire year. Additionally, in the *Kenya* cases Chambers envisage having the accused follow the hearings via VTC from Nairobi. This implies that, for all hearings in the *Kenya* cases, at least one VTC needs to be supported. It is also possible that VTCs will be ordered for some of the witnesses in those cases, increasing still further the need for an additional ALO/Courtroom Officer in 2014.

468. *One Court Records Assistant, GS-OL, 12 months. Continued.* Continuation of one additional Court Records Assistant. Based on the judicial activity of the Court in the previous years, it is expected that in 2014 approximately 12,650 filings, 1,265 reclassifications and 1,265 translation requests will have to be processed. The workload indicator is for 220 working days per Court Records Assistant, to file 14 court records per day, and on average 30 minutes per court record for registration and distribution, 15 minutes per reclassification/translation processing. This requires a total of 4.5 FTE. In

addition, the workload of the CMS is significantly increased by variations in practices and procedures among Chambers, notwithstanding ongoing efforts to achieve consistency. The team is composed of four FTE Court Records Assistants, who process filings, and one Senior Court Records Assistant who manages the team and controls confidentiality, access, and quality. It is particularly important for the Court to have sufficient capacity in this area of work; any delays or errors in processing Court records potentially seriously affect the proceedings, adversely impacting not only the image of the section, but also of the Registry and the Court as a whole.

#### *Overtime*

469. Occasional extended sitting hours of the Court, as well as operations relating to remote witness testimony, are approved for courtroom staff to work overtime. In addition, overtime is approved for urgent filing of records after office hours. Overtime cannot be avoided when CMS has to react to requests for immediate assistance (late filings, urgent audiovisual copy requests necessitating processing in “real time”, witness familiarization inside the courtroom estimated at 1.5 hours x 50 witnesses). Where foreseeable, CMS has consistently endeavoured to prevent and limit the amount of overtime incurred, for example by implementing shift-working.

### **Non-staff resources**

#### **Basic resources**

##### *Training*

470. Specialized training for maintaining and updating in-house capacity for forensic evidence processing, by way of one staff member attending refresher courses.

##### *General operating expenses*

471. Maintenance of the audiovisual copy facility, and of the forensic evidence processing laboratory.

##### *Supplies and materials*

472. This recurring cost includes audio-visual tapes and disks for use for the provision of audiovisual support to events other than hearings, and for the “audiovisual copy-control” facility.

### **Situation-related resources**

##### *Travel*

473. No resources for travel have been requested under this sub-programme. All travel required by the section in connection with the increased use of VTC has been included and ring-fenced in the budget of Sub-programme 3350, Victims and Witnesses Unit.

##### *Contractual services*

474. Maintenance and improvements to the eCourt operating system (ECOS). Second year of the three-year contract.

##### *Training*

475. A specialized training course for real-time Court reporting to maintain speed and accuracy is to be held at Headquarters. It is scheduled to last for 10 days.

##### *Supplies and materials*

476. Broadcast-quality video tapes, DVDs and other supplies for audio-visual support of 215 days of court hearings, and for the use of consumables for the provision and distribution of evidence used in court.

**Table 79: Sub-programme 3320: Proposed budget for 2014**

3320 Court Management Section	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013		
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						420.1	774.2	1,194.3	421.3	776.7	1,198.0	3.7	0.3
General Service staff						126.5	711.6	838.1	128.9	725.6	854.5	16.4	2.0
<i>Subtotal staff</i>	473.2	1,289.0	1,762.2		1,762.2	546.6	1,485.8	2,032.4	550.2	1,502.3	2,052.5	20.1	1.0
General temporary assistance		382.3	382.3	29.8	412.1		246.5	246.5		352.1	352.1	105.6	42.8
Temporary assistance for meetings													
Overtime							15.0	15.0		15.0	15.0		
Consultants													
<i>Subtotal other staff</i>		382.3	382.3	29.8	412.1		261.5	261.5		367.1	367.1	105.6	40.4
Travel		21.1	21.1		21.1		40.1	40.1				-40.1	-100.0
Hospitality													
Contractual services	1.8	95.8	97.6		97.6		56.3	56.3		56.3	56.3		
Training	2.3	0.5	2.8		2.8		19.0	19.0	4.0	15.0	19.0		
General operating expenses	5.6		5.6		5.6	5.9		5.9	5.9		5.9		
Supplies and materials	3.5	69.5	73.0		73.0	13.0	88.0	101.0	13.0	88.0	101.0		
Furniture and equipment													
<i>Subtotal non-staff</i>	13.2	186.9	200.1		200.1	18.9	203.4	222.3	22.9	159.3	182.2	-40.1	-18.0
<b>Total</b>	<b>486.4</b>	<b>1,858.2</b>	<b>2,344.6</b>	<b>29.8</b>	<b>2,374.4</b>	<b>565.5</b>	<b>1,950.7</b>	<b>2,516.2</b>	<b>573.1</b>	<b>2,028.7</b>	<b>2,601.8</b>	<b>85.6</b>	<b>3.4</b>
Distributed maintenance	18.2	80.0	98.2		98.2	19.5	77.2	96.7	27.6	22.3	49.9	-46.8	-48.4

**Table 80: Sub-programme 3320: Proposed staffing for 2014**

Court Management Section	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					1		1	2		4		2	2	6
							1	8		9	1	10	11	20
					1		2	10		13	1	12	13	26
New/														
Redeployed/ Returned														
<b>Total</b>					<b>1</b>		<b>2</b>	<b>10</b>		<b>13</b>	<b>1</b>	<b>12</b>	<b>13</b>	<b>26</b>

**(c) Sub-programme 3330: Detention Section****Introduction**

477. The Detention Section's aim is to provide safe, secure and humane conditions to those persons detained by the Court while awaiting trial and/or appeal. Its overall objective is to deliver a physically and mentally healthy environment to suspects and accused at every stage of the initial detention up until the person is either released on the Court's order or transferred to a State of enforcement to serve his or her sentence.

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

478. To attend the Conference of the International Prison Association.

*General operating expenses*

479. Rental of cells is based on blocks of six cells, including remand programme and staff. Also included is the cost of staff for the Court's part of shared functions at Building 4.

*Supplies and materials*

480. Uniforms (replacement staff and wear-and-tear).

**Situation-related resources****Staff resources***Consultants*

481. Psychologist and/or psychiatrist services for the well-being of the detained persons, on a case-by-case basis.

**Non-staff resources***Training*

482. Includes specific training related to detention and prison management, as well as human rights in an international context.

*General operating expenses*

483. Other miscellaneous operating costs include medical care and items specific to the well-being of detainees in relation to respect for religious and cultural background (pursuant to regulation 102 of the Regulations of the Court and regulation 199 of the Regulations of the Registry).

**Table 81: Sub-programme 3330: Proposed budget for 2014**

3330 Detention Section	Expenditure 2012 (thousands of euro)					Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013	
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						208.6	83.9	292.5	211.9	84.1	296.0	3.5	1.2
General Service staff						63.2	63.2	126.4	64.5	64.5	129.0	2.6	2.1
<i>Subtotal staff</i>	<i>266.3</i>	<i>136.3</i>	<i>402.6</i>		<i>402.6</i>	<i>271.8</i>	<i>147.1</i>	<i>418.9</i>	<i>276.4</i>	<i>148.6</i>	<i>425.0</i>	<i>6.1</i>	<i>1.5</i>
General temporary assistance													
Temporary assistance for meetings													
Overtime													
Consultants		6.4	6.4		6.4		6.0	6.0		6.0	6.0		
<i>Subtotal other staff</i>		<i>6.4</i>	<i>6.4</i>		<i>6.4</i>		<i>6.0</i>	<i>6.0</i>		<i>6.0</i>	<i>6.0</i>		
Travel	2.6	3.7	6.3		6.3	4.0		4.0	3.7		3.7	-0.3	-7.5
Hospitality													
Contractual services		3.0	3.0		3.0		2.1	2.1				-2.1	-100.0
Training	1.1	12.1	13.2		13.2	1.5	17.0	18.5		17.0	17.0	-1.5	-8.1
General operating expenses	1,329.6	117.9	1,447.5	68.0	1,515.5	1,381.0	118.4	1,499.4	1,380.0	119.4	1,499.4		
Supplies and materials	0.2	7.2	7.4		7.4	7.5		7.5	7.5		7.5		
Furniture and equipment		3.5	3.5		3.5								
<i>Subtotal non-staff</i>	<i>1,333.5</i>	<i>147.4</i>	<i>1,480.9</i>	<i>68.0</i>	<i>1,548.9</i>	<i>1,394.0</i>	<i>137.5</i>	<i>1,531.5</i>	<i>1,391.2</i>	<i>136.4</i>	<i>1,527.6</i>	<i>-3.9</i>	<i>-0.3</i>
<b>Total</b>	<b>1,599.8</b>	<b>290.1</b>	<b>1,889.9</b>	<b>68.0</b>	<b>1,957.9</b>	<b>1,665.8</b>	<b>290.6</b>	<b>1,956.4</b>	<b>1,667.6</b>	<b>291.0</b>	<b>1,958.6</b>	<b>2.2</b>	<b>0.1</b>
Distributed maintenance	9.1	8.0	17.1		17.1	8.3	7.7	16.1	13.8	2.2	16.0	-0.1	-0.5

**Table 82: Sub-programme 3330: Proposed staffing for 2014**

Detention Section	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						1		1		2		1	1	3
								1		1		1	1	2
<i>Subtotal</i>						<i>1</i>		<i>2</i>		<i>3</i>		<i>2</i>	<i>2</i>	<i>5</i>
New/ Converted														
<i>Subtotal</i>														
Redeployed/ Reclassified/ Returned														
<i>Subtotal</i>														
<b>Total</b>						<b>1</b>		<b>2</b>		<b>3</b>		<b>2</b>	<b>2</b>	<b>5</b>

**(d) Sub-programme 3340: Court Interpretation and Translation Section**

484. The Court Interpretation and Translation Section (STIC) provides language services for the efficient conduct of Court business. The section provides language services to Chambers, Presidency and Registry, including translation, revision and editing of Court documents; consecutive and simultaneous interpretation for trial hearings, press conferences, meetings and other events at the seat of the Court and elsewhere; assistance and guidance in terminology and references; management of language tools to make sure that consistent terminology is used in all the organs of the Court. The section also ensures recruitment, training and accreditation of field interpreters jointly with the Language Services Unit (LSU) of the Office of the Prosecutor. In addition to the provision of working languages French and English, and official languages as defined in Article 50 of the Statute, the section has had to train interpreters from and into languages to be used in specific cases. Many languages that the Court requires for its proceedings often do not have any qualified professional translators and interpreters. Without this tailored training, the Court would have had great difficulty in conducting its hearings over the period 2006-2013. The section will continue with its efforts to cater for any new languages required at hearings, whether spoken by the accused or by witnesses.

485. In 2014, STIC is requesting additional resources to meet the demand of scheduled proceedings set to start and/or resume in 2014. Additional GTA funds will be requested to provide language services for the *Banda/Jerbo* trial, as well as for the *Kenya 1 and 2* trials. All other requested increases correspond to the planned services by different sections of the Court in connection with its overall programme for 2014.

486. If STIC's role is compared to the role of other language services in other international courts such as the ICTY or STL, it has to be underscored that STIC translates all administrative issuances, as well as judicial documents required for the proceedings that are produced long before the trial starts and long after the trial hearings end. In terms of resources, STIC, with the multitude of languages it supports – in the region of 30 – has under 60 staff. ICTY's Conference and Language Services Section still has 122 posts, supporting a maximum of five languages, while STL's Language Services Section has 55 posts, supporting 3 languages.

**Staff resources****Basic resources***Temporary assistance for meetings*

487. Recurrent. *Freelance Interpreters* to complete teams of interpreters where there is a shortfall of staff interpreters and/or for languages other than existing in-house, for events related to the mandate of the Court, including annual meetings, diplomatic briefings, seminar of counsel, NGO round table, press conferences, disciplinary hearings, and Trust Fund for Victims meetings, for a total of 50 interpreting days.

488. Recurrent. *Short-term English-Language Editor* for checking and editing of documents for submission to the meetings of the Committee on Budget and Finance, including Court reports and the Court's proposed programme budget. The work involves ensuring that all documents are clearly written, stylistically consistent and properly referenced and structured. This cannot be done in-house due to concurrent judicial requirements for translation.

489. Recurrent. *Short-term Translators* for translation into French of the MPIII part of the proposed budget document. Since 2011 it is no longer possible to have this work done in-house due to judicial translation workload.

**Situation-related resources***General temporary assistance*

490. *One Associate Field Interpretation Coordinator, P-2, 12 months. Continued.* The incumbent performs key functions in testing and training of field interpreters, which are essential to enable timely accreditation of qualified field interpreters in the pre-trial phase

of all proceedings and for on-going support of field interpreters on the STIC roster for all situations. This post is a pre-requisite for the STIC capability to service any and all activities undertaken by Registry sections that involve face-to-face communication with situational language speakers in the field and at HQ. This post meets the requirements for conversion. However the Section will not seek this in the 2014 proposed budget, but will return to this at a future time.

491. *Four Para-Professional Interpreters for Kalenjin, P-1, six months each. Continued.* The team of four provides interpretation from and into Kalenjin for the Kenya 1 proceedings, Defence case. The team will have been trained by STIC in 2013.

492. *One Swahili Interpreter for the Kenya cases, P-3, nine months. Continued.* To complete the team of three staff interpreters.

493. *One Language Assistant for Sango, GS-PL, six months. Continued.* The Language Assistant provides linguistic support for victims and witnesses. VWU and PIDS have a continued need for these services.

494. *Four Para-Professional Interpreters for Zaghawa, P-1, eight months each. New.* The team of four provides interpretation from and into Zaghawa and Arabic for the *Banda/Jerbo* trial, scheduled to start in May 2014. The team will have been trained by STIC over different periods of time in 2011, 2012, and 2013.

495. *Four Arabic Interpreters for the Banda/Jerbo case, P-3, eight months each. New.* In view of the trial scheduled in this case, an Arabic team of GTA is far more preferable to a team of freelancers, in view of the shortage of Arabic interpreters and the continuity factor.

496. *Operational/Field Interpreters. Continued.* Requirement varies from year to year. Although the funds are in the GTA section, these are contractors engaged for short periods of time on SSA contracts (Special Service Agreements). The individual contractors are recruited from a list of accredited field interpreters. The field and operational interpreters are to provide linguistic support to meet the needs of various client sections: Victims and Witnesses Unit, Counsel Support Section, Detention Section, Victims Participation and Reparations Section, Office of Public Counsel for Defence, Office of Public Counsel for Victims, and Trust Fund for Victims. Operational interpreters are required to provide services prior to hearings for witness familiarization and at hearings for witnesses speaking languages relevant to the cases.

## **Non-staff resources**

### **Basic resources**

#### *Travel*

497. Recurrent. Travel to annual meetings of the International Annual Meeting on Language Arrangements, Documentation and Publications (IAMLADP), International Annual Meeting on Computer-Assisted Translation and Terminology (JIAMCATT) and Heads of Interpretation (HINTS). The attendance of relevant managers at annual meetings is necessary in order to keep up with changes in processes, systems and technological advances. HINTS is a biannual meeting and the STIC manager only attends one meeting per year, the one which is held in Europe.

#### *Contractual services*

498. Recurrent. Continued ECOS enhancement of the modules for translation, interpretation and field interpretation. Many enhancements cannot be done in-house.

499. Recurrent. Outsourcing translation of the approved budget document, outsourcing translations in relation to PIDS documents, outsourcing translations for the Trust Fund for Victims.

*Supplies and materials*

500. Recurrent. Resources to purchase dictionaries and reference materials in working and official languages, as well as to pay for recurrent online subscriptions to reference databases and dictionaries needed by translators, revisers, interpreters and terminologists.

**Situation-related resources***Travel*

501. Recurrent. For operational interpretation, including witness familiarization, monitoring and transcription, as well as continuing field interpretation requirements, for which there are very few qualified interpreters locally. To maintain a sufficient roster of accredited field interpreters with the relevant situation-related languages, a number of tested interpreters will be brought to HQ for training. One interpreter accreditation mission is planned for Mali-related languages.

*Training*

Recurrent. Terminology training for one staff member to attend International Terminology Summer School in 2014.

*Contractual services*

502. Recurrent. Outsourcing of translation of judicial cooperation documents mandated by Article 87 of the Statute, as well as communications to and from the States Parties, into and from relevant languages.

503. New. Outsourcing of translation of documents from and into Zaghawa in relation to the *Banda/Jerbo* trial.

504. New. Outsourcing of translation of judicial documents that cannot be absorbed by in-house capacity because of competing judicial deadlines.

505. New. Outsourcing of translation of *Katanga* judgment into Arabic, Chinese, Spanish and Russian. Under Article 50, judgments have to be translated into the official languages of the Court. The translation of these judgments cannot be absorbed into the regular outsourcing budget.

506. New. Outsourcing of translation of *Ngudjolo* judgment into Arabic, Chinese, Spanish and Russian. Under Article 50, judgments have to be translated into the official languages of the Court. The translation of these judgments cannot be absorbed into the regular outsourcing budget.

507. Recurrent. Consultants are required for a situation-related language panel that would consist of three consultants working together at HQ on contentious issues regarding terminology in order to avoid subsequent problems at trial.

*Supplies and materials*

508. These resources are requested to purchase dictionaries and reference materials in situation-related languages required by translators, revisers, interpreters and terminologists.

**Table 83: Sub-programme 3340: Proposed budget for 2014**

3340 Court Interpretation and Translation Section	Expenditure 2012 (thousands of euro)					Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013	
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						1,829.0	2,450.1	4,279.1	1,854.5	2,473.6	4,328.1	49.0	1.1
General Service staff						252.9	269.0	521.9	257.9	274.3	532.2	10.3	2.0
<i>Subtotal staff</i>	<i>2,294.8</i>	<i>2,537.1</i>	<i>4,831.9</i>		<i>4,831.9</i>	<i>2,081.9</i>	<i>2,719.1</i>	<i>4,801.0</i>	<i>2,112.4</i>	<i>2,747.9</i>	<i>4,860.3</i>	<i>59.3</i>	<i>1.2</i>
General temporary assistance		903.2	903.2	127.5	1,030.7		743.3	743.3		1,078.5	1,078.5	335.2	45.1
Temporary assistance for meetings	44.8	224.7	269.5		269.5	180.0	153.2	333.2	234.7	68.8	303.5	-29.7	-8.9
Overtime													
Consultants		0.4	0.4		0.4		20.1	20.1		16.1	16.1	-4.0	-19.9
<i>Subtotal other staff</i>	<i>44.8</i>	<i>1,128.3</i>	<i>1,173.1</i>	<i>127.5</i>	<i>1,300.6</i>	<i>180.0</i>	<i>916.6</i>	<i>1,096.6</i>	<i>234.7</i>	<i>1,163.4</i>	<i>1,398.1</i>	<i>301.5</i>	<i>27.5</i>
Travel	9.4	67.9	77.3	10.6	87.9	5.2	139.2	144.4	5.2	139.2	144.4		
Hospitality													
Contractual services	30.3	51.7	82.0	72.3	154.3	40.2	115.5	155.7	53.0	108.3	161.3	5.6	3.6
Training	0.5	7.6	8.1		8.1		2.7	2.7		2.7	2.7		
General operating expenses													
Supplies and materials	7.2	9.1	16.3		16.3	8.7	9.5	18.2	8.7	9.5	18.2		
Furniture and equipment													
<i>Subtotal non-staff</i>	<i>47.4</i>	<i>136.3</i>	<i>183.7</i>	<i>82.9</i>	<i>266.6</i>	<i>54.1</i>	<i>266.9</i>	<i>321.0</i>	<i>66.9</i>	<i>259.7</i>	<i>326.6</i>	<i>5.6</i>	<i>1.7</i>
<b>Total</b>	<b>2,387.0</b>	<b>3,801.7</b>	<b>6,188.7</b>	<b>210.4</b>	<b>6,399.1</b>	<b>2,316.0</b>	<b>3,902.6</b>	<b>6,218.6</b>	<b>2,414.0</b>	<b>4,171.0</b>	<b>6,585.0</b>	<b>366.4</b>	<b>5.9</b>
Distributed maintenance	60.5	116.0	176.5		176.5	55.6	112.0	167.6	91.9	31.2	123.1	-44.5	-26.6

**Table 84: Sub-programme 3340: Proposed staffing for 2014**

Court Interpretation and Translation Section	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					1	7	7	1		16		4	4	20
						5	12	7		24	1	3	4	28
					1	12	19	8		40	1	7	8	48
New/														
Redeployed/ Returned														
<b>Total</b>					<b>1</b>	<b>12</b>	<b>19</b>	<b>8</b>		<b>40</b>	<b>1</b>	<b>7</b>	<b>8</b>	<b>48</b>

**(e) Sub-programme 3350: Victims and Witnesses Unit**

509. The Victims and Witnesses Unit (VWU) is mandated to provide protective measures and security arrangements, counselling and other appropriate assistance to witnesses, victims who appear before the Court and others who are at risk on account of testimony given by such witnesses. As a service provider, the VWU acts on the basis of referrals from the parties and others, and calculates its annual budget according to the anticipated number of requests for services received for protection and support, or for witnesses to appear before the court to testify. The VWU provides its services to the Chambers, the parties and participants.

510. For the year 2014, the VWU presents a total budget increased by 35.1 per cent from that approved for 2013. This increase is largely to be seen in staffing, general operating expenses and consequently in staff travel. Any increase in general operating expenses, which encompasses the cost of protection and support referrals, trials and the Initial Response Systems, leads to a parallel increase in the staff travel to implement such activities.

511. The increased workload is related to the carry-over of a large number of protected witnesses who continue to be in the care of the VWU, coupled with a significant increase in the number of estimated new witness referrals for protection, relocation and assisted moves, as requested by the Office of the Prosecutor for 2014. It is also linked to the OTP-driven need to establish an Initial Response System in the new Mali situation. Ultimately, the VWU is carrying operational responsibility for the unexpected temporary relocation of 12 witnesses and their dependants (in total 40 individuals), until such time that they are moved to a final relocation country.

512. Additionally, the VWU is requesting new GTA positions as described below, in support of three consecutive trials, to handle the increase in protection referrals and case management of witnesses, the implementation of witness exit strategies, and in support of a review of VWU's business processes.

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

513. Recurrent. Mission travel is foreseen to negotiate witness relocation agreements and to attend witness protection conferences and remain abreast of international best practices in this field.

**Situation-related resources****Staff resources***General Temporary Assistance*

514. *One Psychologist/Trauma Expert, P-3, 12 months. Continued.* In the last three year's budget proposals, the VWU explained in detail its need for this post and the incumbent's functions. What was stated there continues to apply. In particular, the VWU would again take this opportunity to point out that this is a post mandated under article 43(6) of the Rome Statute, which provides that "the Unit shall include staff with expertise in trauma, including trauma related to crimes of sexual violence", and that the Unit was instructed by oral decision of Trial Chamber I to ensure that its permanent team included a professional psychologist.

515. *One Associate Psychologist, P-2, 12 months. Continued.* This GTA position was approved for the 2013 budget and the VWU is currently in the process of recruiting for it. The Associate Psychologist will provide psychological assessments and contribute to management plans and psychological services to maximize the overall well-being of victims and witnesses accepted into the ICCPP and of vulnerable witnesses and victims appearing in Court.

516. *One Assistant Legal Officer, P-1, 12 months. Continued.* Due to the increase in the Court's judicial activities, it was necessary to recruit an Assistant Legal Officer (P-1) in 2010 to assist the VWU's Associate Legal Officer in coping with the ever-increasing legal workload. Since then, the workload of the unit's legal staff has remained consistently high, and is not expected to fall in 2014.

517. *One Protection Assistant, GS-OL, 12 months. Continued.* The VWU currently has one established post of Protection Assistant and one GTA position, which was approved in the 2012 and 2013 budget and would be required in 2014. International best practice of witness protection requires staff always to work in pairs to ensure the safety and security of both staff and witnesses. In light of lessons learned in DRC this is important. This safe working practice is especially relevant to the Protection Assistant at the VWU, whose core function is the case management of witnesses in the ICCPP.

518. *One Protection Assistant, GS-OL, 10 months. New.* In addition to the currently established post of Protection Assistant at HQ and the existing GTA position of Protection Assistant, the VWU is requesting a third position of Protection Assistant to be established to assist with the workload and ensure that the VWU complies with best practices in witness protection. This additional position will also be required to facilitate the movement of protected witnesses testifying in the *Kenya* Trials.

519. *One Protection Assistant, GS-OL, 10 months. New.* This post is required mainly to assist with the implementation of the exit strategies of ICCPP witnesses in the DRC.

520. *One Associate Support Officer, P-2, 10 months. New.* The VWU currently has two Associate Support Officers (ASO), one stationed in the DRC in support of the DRC and Côte D'Ivoire situations, and another at Headquarters, assisting with on-going trial activities at Headquarters and supporting the CAR, UGA and partly DRC situations (regarding victims). To maintain flexibility and ensure the most efficient use of resources based on the requirements of the work, the approach has been to assign two situations to each ASO. However, with the workload and multiple duties assumed by the existing ASOs, a new ASO post is required for Kenya. The ASO will handle all support-related duties regarding witnesses appearing for trial, providing support to ICCPP witnesses, conducting psycho-social and vulnerability assessments as needed.

521. *Two Support Assistants, GS-OL, 10 months each. New.* Two Support Assistants are required to handle three consecutive trials in 2014 and continue providing support services to the ICCPP relocation cases. Their responsibilities include providing support to victims and witnesses appearing before the Court for testimony, and their accompanying support persons and dependants, as well as providing support and case management to ICCPP relocation cases in different situations where the Court is operational. So far, one Support Assistant has been deployed to provide services to ICCPP relocation cases in addition to trial-related tasks.

522. *One Business Analyst, P-3, six months. New.* The Business Analyst is required to assist with the strategic planning of the VWU, financial planning and case management, and to perform a thorough review of the VWU processes in terms of performance-management. This post will be used to enhance the performance-management regime and culture within the VWU. One of the crucial duties to be performed by this role is to identify practices which cost more time and money than provide added value to VWU activities. The postholder will also contribute to a more robust case-management regime for witnesses and victims being brought before various trials at the Court. It is anticipated that this tight focus on management performance will lead to fewer delays in the trials before each Chamber, thereby ensuring more effective trial proceeding at the Court.

523. *One Data Entry and Quality Assurance Clerk, GS-OL, 10 months. New.* The Data Entry and Quality Assurance Clerk will be responsible for entering all information regarding protected witnesses into IBase, ensuring records are kept up-to-date, and will perform dip sampling and quality assurance of contact between victims and witnesses and VWU staff. Currently, there is no post available to do this and the records are not being kept up to date, due to a lack of capacity within the VWU. This lack of capacity to accurately maintain up-to-date records carries organizational and unit risks.

*Overtime*

524. *Recurrent.* To compensate VWU staff at Headquarters and in the field for overtime performed in relation to case management of witnesses who are participants in the Court's Protection Programme, and in relation to assistance provided to witnesses appearing before the Court for testimony, The Court is proposing to maintain unchanged the total for overtime compensation payments to such staff.

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

525. *Recurrent.* Staff travel comprises operational travel relating to the provision of witness protection and support services, including witness escort travel to the seat of the Court for trial purposes, resettlement/assisted moves and relocation of witnesses, psycho-social assessment, support assessment, implementation of Local Protective Measures and Initial Response Systems (IRS) setup, supervision and testing. The VWU presents a travel budget with an increase of €457,900 over 2013. As explained in the following paragraph, more than half of this increase of €238,500 is due to the increased use of video-conferencing. It should be noted that travel costs related to video-conferencing will be ring-fenced, so as to ensure that these funds are not used for general VWU purposes.

526. The Court has decided to make greater use of video conferencing: costs have been budgeted with the assumption that 40 per cent of witnesses may testify by video-link, which is an uplift from last year's assumption of 15 per cent, thus reducing by €86,000 the cost involved in having VWU staff escort witnesses to the Court. Such savings are achieved assuming that video links are conducted in situation countries where the Court is operational and consequently VWU field staff is available to provide the required support to witnesses in the field. Rather than bringing individuals to the Court, with all the additional organizational work and expense that this involves, the Court has taken the view that it is more efficient to send staff from the Court Management and Information and Communications Technology sections (CMS and ICTS) to the field to operate videolinks. Travel resources are included for one ALO/Courtroom Officer and one ICT specialist to be present at each videolink location for testimonies and court hearings.

527. The other major element in the increase in the staff travel budget (€19,400) is in respect of witness protection, reflecting the heightened number of OTP referrals. Requests for ICCPP referrals have increased from seven in 2013 to 12 in 2014; for assisted moves from 19 in 2013 to 33 in 2014 and for the establishment and maintenance of the IRS from four countries in 2013 to five in 2014. This has consequently offset efficiency gains acquired through a greater use of videolink testimony.

*Training*

528. The following VWU specialized training courses are foreseen for 2014:

- (a) First Aid Training for VWU staff mandatory refresher first aid course;
- (b) French and English Language Training;
- (c) E-Learning MS Access;
- (d) Budget and Financial Management;
- (e) Case intervention and management;
- (f) Analyst Notebook (new version);
- (g) IBase training;
- (h) Cyber Collection; and
- (i) Project Management online training.

*General operating expenses*

529. *Recurrent.* Resources are required to cover the following:

(a) Trial-related costs, including travel of victims and witnesses and their accommodation in the field and at the seat of the Court, as well as of accompanying support persons, preparation of travel documents, clothing, allowances, health insurance, and witness allowances. Under the Court's assumptions, 55 victims and witnesses are anticipated to appear before the Court for testimony in 2014. As described under Travel above, costs have been budgeted with the assumption that 40 per cent of witnesses may testify by videolink. This represent a significant increase which will allow cost savings across other VWU budget lines, whilst reducing other prohibitively resource-intensive difficulties encountered across the Court with visas, permissions and issues relating to asylum claims;

(b) Support referrals and medical contingency for witnesses;

(c) Establishment of Initial Response Systems (IRS), to respond to immediate threat to victims and witnesses, in six situations where the Court is operational, including the new situation in Mali;

(d) Witness relocation expenses;

(e) Witness resettlement and assisted move expenses; and

(f) Protection advice and Local Protection Measures.

*Supplies and Materials*

530. *Recurrent.* This covers cost of supplies and materials for the needs of VWU witness waiting rooms at Headquarters and the renewal of annual subscriptions to electronic newsletters used by the VWU Analyst.

**Table 85: Sub-programme 3350: Proposed budget for 2014**

3350 Victims and Witnesses Unit	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013		
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff					660.0	1,014.9	1,674.9	715.4	1,076.6	1,792.0	117.1	7.0	
General Service staff					63.2	1,176.6	1,239.8	64.5	1,208.8	1,273.3	33.5	2.7	
<i>Subtotal staff</i>	<i>647.7</i>	<i>2,466.4</i>	<i>3,114.1</i>		<i>3,114.1</i>	<i>723.2</i>	<i>2,191.5</i>	<i>2,914.7</i>	<i>779.9</i>	<i>2,285.4</i>	<i>3,065.3</i>	<i>150.6</i>	<i>5.2</i>
General temporary assistance		382.5	382.5		382.5	413.9	413.9		783.6	783.6	369.7	89.3	
Temporary assistance for meetings													
Overtime						43.1	43.1		43.5	43.5	0.4	0.9	
Consultants													
<i>Subtotal other staff</i>		<i>382.5</i>	<i>382.5</i>		<i>382.5</i>	<i>457.0</i>	<i>457.0</i>		<i>827.1</i>	<i>827.1</i>	<i>370.1</i>	<i>81.0</i>	
Travel	3.2	388.3	391.5		391.5	26.5	581.0	607.5	27.0	1,038.4	1,065.4	457.9	75.4
Hospitality													
Contractual services													
Training		21.4	21.4		21.4		25.1	25.1		25.1	25.1		
General operating expenses		1,508.4	1,508.4		1,508.4		1,868.8	1,868.8		2,955.2	2,955.2	1,086.4	58.1
Supplies and materials		4.1	4.1		4.1		5.7	5.7		5.7	5.7		
Furniture and equipment													
<i>Subtotal non-staff</i>	<i>3.2</i>	<i>1,922.2</i>	<i>1,925.4</i>		<i>1,925.4</i>	<i>26.5</i>	<i>2,480.6</i>	<i>2,507.1</i>	<i>27.0</i>	<i>4,024.4</i>	<i>4,051.4</i>	<i>1,544.3</i>	<i>61.6</i>
<b>Total</b>	<b>650.9</b>	<b>4,771.1</b>	<b>5,422.0</b>		<b>5,422.0</b>	<b>749.7</b>	<b>5,129.1</b>	<b>5,878.8</b>	<b>806.9</b>	<b>7,136.9</b>	<b>7,943.8</b>	<b>2,065.0</b>	<b>35.1</b>
Distributed maintenance	21.2	172.0	193.2		193.2	19.5	166.0	185.5	32.2	47.9	80.1	-105.4	-56.8

**Table 86: Sub-programme 3350: Proposed staffing for 2014**

Victims and Witnesses Unit		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	1		6		1	1	7
	Situation-related							5	6		11	1	31	32	43
	<i>Subtotal</i>					<i>1</i>	<i>2</i>	<i>7</i>	<i>7</i>		<i>17</i>	<i>1</i>	<i>32</i>	<i>33</i>	<i>50</i>
New/ Converted	Basic														
	Situation-related														
	<i>Subtotal</i>														
Redeployed/ Reclassified/ Returned	Basic														
	Situation-related														
	<i>Subtotal</i>														
<b>Total</b>					<b>1</b>	<b>2</b>	<b>7</b>	<b>7</b>		<b>17</b>	<b>1</b>	<b>32</b>	<b>33</b>	<b>50</b>	

**(f) Sub-programme 3360: Victims Participation and Reparations Section**

531. The Victims Participation and Reparations Section (VPRS) is the specialized unit within the Registry envisaged in regulation 86(9) of the Regulations of the Court, charged with assisting victims in participating in different phases of the proceedings and reparations in accordance, *inter alia*, with rules 16 and 89 to 96 of the Rules of Procedure and Evidence. The section undertakes operations both in the field, to enable victims to make their applications, to be legally represented and to participate in proceedings effectively, and at the seat of the Court, to manage applications for participation and reparations and all other related documents received from victims, to transmit them to those involved in the relevant proceedings, and to assist Chambers by analyzing the applications according to judicially determined criteria and preparing reports thereon.

532. The first stage of the section's work is in the field. An early and maintained field presence in any situation where there are judicial proceedings in which victims might seek to participate is essential for the following purposes: to ensure that accurate information about victim participation and reparation is provided, and thereby to prevent the Court being flooded with applications that are not linked to the proceedings or incomplete; to select, train and monitor intermediaries and guard against abuse; to enable victims who are linked to proceedings to make informed decisions and to submit their applications; to consult with victims on legal representation and to manage expectations, particularly as regards reparations.

533. When applications are received in The Hague, they are reviewed to establish which proceedings they relate to, and whether they need to be prepared for immediate filing or processed and retained for possible filing at a later date, which will depend on instructions from the relevant Chamber. All applications are scanned and registered; data that may later need to be extracted in reports for Chambers or for other purposes is entered in the database and redacted versions are prepared. This work is done by Data Processing Assistants (DPAs). As a result of continuous efforts to increase the efficiency and productivity of DPAs and the upgrade of systems to permit greater automatization, one DPA can now process 150 applications per month (compared to 120 previously). Such efforts enable the section to keep the staff resources requested for the Database Unit to a minimum despite the expanding number of judicial proceedings and the current variety of systems for dealing with victims' applications. Before applications are filed with the relevant Chamber, the Legal Unit checks them for completeness, makes an analysis, and prepares reports on the applications transmitted, based on instructions from each Chamber. The staff of the Legal Unit also respond to the numerous communications and requests received from legal representatives of victims, Chambers and others, prepare periodic and ad hoc reports on the various matters under the VPRS responsibility for Chambers, review redacted versions of applications and organize selection processes for common legal representatives.

534. The workload of the section depends on the number of situations, the stage of proceedings and the number of applications for participation and reparations that need to be processed and filed with Chambers. Peaks in workload tend to occur during the months preceding a confirmation of charges hearing or trial, when victims' applications to participate in that phase of proceedings need to be processed in a timely manner in order to enable Chambers to decide on victims' applications in advance of the relevant procedure in which they wish to participate. In some cases, such as the *Bemba* case, processing of victims' applications will continue even after the trial has started. New applications can be considered at any stage of the proceedings, including appeals.

535. This fluctuation linked to the timing of different phases of the judicial proceedings has implications for the workload and planning of the section. On the one hand, the section must plan for a basic capacity to manage the regular flow of incoming applications, respond to various developments in the proceedings that require the section to act, whether it relates to legal representation, providing information on applicants or victims, or responding to a variety of judicial orders including substantive reports. The table below provides some data concerning this aspect of the Section's work, in addition to the processing of individual and collective applications.

**Table 87: Filings with Chambers, memoranda for transmission of applications, and communications in relation to proceedings**

year	2012	2013	2014
	Actual	*Forecast	**Estimated
Number of filings with Chambers	88	92 (47 actual+45)	90
Number of memoranda for the transmission of applications	40	23 (13 actual + 10)	30
Number of communications to Legal Representatives of Victims, Chambers and others, in relation to proceedings	172	188 (94 actual+ 94)	180

\*Expected based on actual figures from January to June 2013 and planned activities for rest of the year.

\*\*Expected based on average between 2012 and 2013 and budget assumptions for 2014.

536. On the other hand, the section also has to be able to quickly put in place additional resources when it is necessary to process large numbers of applications within a short timeframe. As explained in the preceding paragraph, this normally tends to occur in the months immediately preceding a confirmation of charges hearing or trial. This presents a major challenge for the section, which has been severely understaffed now for several years. In order to carry out the two functions of Associate Legal Officer (ALO) and Data Processing Assistant (DPA), not only at peak times but also in order to cover basic functions, the Section has had to obtain additional resources from a variety of sources.

537. Efforts are currently being made by different Chambers to review the system for victim applications. Varying types of application form and application process have been adopted by different Chambers. Responding to these is, in the short term, having an impact on the workload of the section as it involves designing different forms and processes and modifying the database and reporting system each time. In the longer term, and in accordance with the request by the Assembly at its eleventh session,<sup>60</sup> it is hoped that this will lead to greater efficiency, sustainability and effectiveness in the victims' application system. However, this is not expected to significantly affect the staffing needs of the section to handle the basic workload. The minimal increases in staff costs requested for 2014 go some way towards bringing the section up to the minimum level required to meet this basic workload. If staffing levels are allowed to remain at the 2013 level, the VPRS will yet again need to request additional resources from outside the section, which, due to the budget constraints the division is facing as a whole, may no longer be available.

#### **Basic resources**

##### **Non-staff resources**

###### *Contractual services*

538. Recurrent: External printing of standard application forms for participation in proceedings, as well as of an accompanying explanatory booklet and other informational materials, to be made available in new situations and cases and generally for information and training purposes.

##### **Situation-related resources**

###### **Staff resources**

###### *General temporary assistance*

539. *Two Data Processing Assistants, GS-OL, 12 months each. Continued.* The capacity continues to be required to meet the need for data-processing capacity arising from the budget assumptions. The main functions of data-processing staff are as follows: registering and scanning applications for participation, reparations and registration received from victims; entering data from applications into a database, as well as data received separately; updating records with new information received; extracting data from the database for

<sup>60</sup> *Official Records ... Eleventh session ... 2012 (ICC-ASP/11/20)*, vol. I, part III, ICC-ASP/11/Res. 7, para. 4.

inclusion in reports to Chambers; preparing draft redactions; checking for quality and preparing documents for filing; maintaining physical records and other administrative tasks.

540. *Two Associate Legal Officers, P-2, 12 months each. Continued.* This capacity will be required for the entire year to help meet the need for legal capacity arising from the budget assumptions, and specifically to perform the following tasks: carry out legal analysis and processing of applications and review redacted versions of applications; prepare individual assessments of applications and draft reports on applications for Chambers; respond to requests and orders of Chambers; liaise with field staff for follow-up of applications, organize common legal representation and implement any other orders of Chambers; provide input on policy issues including operating procedures, and carry out legal research and drafting. To manage this workload, the amount requested has increased slightly to a total of 24 months for the two posts, instead of 17 months as in 2013.

541. *One Field Administrative Assistant, GS-OL, 12 months. Continued.* This capacity at HQ is requested again in order to support the section's operations in the field and to support field activities in all situations, including mission planning, preparing and monitoring budget and finances, and generally supporting all field staff of the section. To reflect the actual needs based on experience in 2012 and 2013, funds are requested for twelve months rather than six.

542. *One Field Officer for Kenya, P-2, 12 months. Continued.* A continued field presence for VPRS in Kenya will be essential as the trials proceed. The Field Officer will plan and implement activities to implement the Trial Chamber's decisions on participation of victims in the trial, in which the Registry is required to work with common legal representatives of victims to identify and report to the Chamber on victims linked to the cases, and to enable victims who wish to do so to register. This includes identifying, selecting, training, supporting and monitoring intermediaries, making available and collecting registration forms, preparing key messages for victims and intermediaries reflecting developments in the proceedings, and implementing any other orders of the Chamber.

543. *Two Field Assistants for Kenya, GS-OL, 12 months each. Continued.* (One assistant per case). Two locally hired Field Assistants continue to be required to support the above VPRS activities in the field during the trial phase. These are persons familiar with the languages, culture and society of the country in order to bring knowledge of local context and enable VPRS to interact with the affected population. They will support the Field Officer in relation to all field activities.

544. *One Field Assistant for Cote d'Ivoire, GS-OL, six months. New.* To enable VPRS to continue to have a locally hired Field Assistant to support VPRS basic activities in the field through the pre-trial stage in the *Gbagbo* case. The Field Assistant is a person familiar with the languages, culture and society of the country in order to bring knowledge of the local context and enable VPRS to interact with the affected population. This continued minimal presence in CIV is required to monitor and support intermediaries, pass key messages, facilitate missions of other VPRS staff and implement any tasks arising out of judicial proceedings.

#### *Consultants*

545. Recurrent. Experience has shown that hiring consultants to carry out detailed mapping of victim communities and potential intermediaries is necessary and cost-effective, enabling unique expertise to be tapped in a timely manner, on the basis of which the field activities of the section can be built. Funds are therefore requested for consultants for mapping victims.

#### **Non-staff resources**

##### *Travel*

546. To cover costs of travel of staff to and from the field, and missions of field staff within the relevant countries (e.g. from field office to areas where victims are located). The section makes stringent efforts to minimize travel to and from Headquarters, and the vast majority of trips are by field staff conducting their activities within the country concerned. As in previous years, one visit by all field staff to Headquarters in the year is provided for,

which is essential for annual planning and training as well as to enhance their understanding of the Court.

*Contractual services*

547. Data-processing. Reduced. By the end of 2013 the first three phases of development of the VPRS victims' applications database project will be completed. In 2014, the phase of field integration will be further developed, making it feasible, where other elements are in place - such as stable internet connections and adequate equipment - to carry out more steps in processing victims' applications in the field. As this phase of development will require fewer funds than the previous phases, the amount requested for data processing services has been reduced accordingly by €5,000.

548. Recurrent. External printing of standard application forms for participation in proceedings as well as of an accompanying explanatory booklet and other informational materials to assist applicants, to be made available in new situations and cases and generally for information and training purposes.

549. Recurrent. Funds to enable VPRS to carry out activities in the field for the purpose of implementing the Registry's duty to facilitate participation of victims in the proceedings and provide notifications to victims. This includes printing of standard application forms for participation in proceedings for individuals and organizations, for reparations and (for use in the Kenya context) victim registration, as well as of an accompanying explanatory booklet and other informational materials to assist applicants. Funds are also required to cover costs of activities of VPRS field staff for meeting and communicating with victims and for identifying, assessing, selecting, training and monitoring intermediaries. Costs associated with these activities include reimbursement of local travel, meeting costs, etc. In 2014, in light of the budget assumptions, such activities are expected to be focused mainly on DRC, Kenya, CAR and CIV, and countries where victims of the *Banda/Jerbo* case are located. Despite the fact that resources are stretched in order to cover the increase since 2013 in the number of situations where activities may be required, all requests are at the same level as 2013.

*Training*

550. Recurrent. VPRS staff members interact with victims and intermediaries in highly sensitive environments and require ongoing training and support from qualified experts to enable them to manage such interaction in such a way as to promote wellbeing and avoid causing harm, for themselves as well as victims. To maximize the benefit, most of the funds will be used for a single training activity to be organized at the annual meeting, when all VPRS staff will be able to benefit.

*Supplies and materials*

551. Recurrent. To equip selected intermediaries with tools such as secure usb sticks and sealable envelopes, to enable them to secure confidential documents and information, and to conduct their activities safely. Most intermediaries lack such capacity, creating the risk of data relating to victims being compromised. This practice, begun in 2012, is consistent with the Court-wide Guidelines on Intermediaries, with a view to providing passive protection capacity to selected intermediaries and monitoring their activities, in order to avoid putting victims and intermediaries engaging with the Court at risk. These tools will be used where most needed in function of activities of intermediaries linked to judicial proceedings; in 2014 they are expected to be required in DRC, Kenya, CAR and CIV in particular.

**Table 88: Sub-programme 3360: Proposed budget for 2014**

3360 Victims Participation and Reparation Section	Expenditure 2012 (thousands of euro)					Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013	
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						750.6	182.4	933.0	756.0	187.1	943.1	10.1	1.1
General Service staff						63.2	181.4	244.6	64.5	185.5	250.0	5.4	2.2
<i>Subtotal staff</i>	<i>611.7</i>	<i>404.2</i>	<i>1,015.9</i>		<i>1,015.9</i>	<i>813.8</i>	<i>363.8</i>	<i>1,177.6</i>	<i>820.5</i>	<i>372.6</i>	<i>1,193.1</i>	<i>15.5</i>	<i>1.3</i>
General temporary assistance	4.4	369.4	373.8	159.5	533.3		440.1	440.1		561.4	561.4	121.3	27.6
Temporary assistance for meetings													
Overtime													
Consultants		44.5	44.5		44.5		10.0	10.0		10.0	10.0		
<i>Subtotal other staff</i>	<i>4.4</i>	<i>413.9</i>	<i>418.3</i>	<i>159.5</i>	<i>577.8</i>		<i>450.1</i>	<i>450.1</i>		<i>571.4</i>	<i>571.4</i>	<i>121.3</i>	<i>26.9</i>
Travel	2.8	144.3	147.1	9.8	156.9		157.4	157.4		157.4	157.4		
Hospitality													
Contractual services	3.3	74.8	78.1		78.1	27.0	105.5	132.5	2.0	125.5	127.5	-5.0	-3.8
Training		4.8	4.8		4.8		4.3	4.3		4.3	4.3		
General operating expenses													
Supplies and materials							11.0	11.0		11.0	11.0		
Furniture and equipment													
<i>Subtotal non-staff</i>	<i>6.1</i>	<i>223.9</i>	<i>230.0</i>	<i>9.8</i>	<i>239.8</i>	<i>27.0</i>	<i>278.2</i>	<i>305.2</i>	<i>2.0</i>	<i>298.2</i>	<i>300.2</i>	<i>-5.0</i>	<i>-1.6</i>
<b>Total</b>	<b>622.2</b>	<b>1,042.0</b>	<b>1,664.2</b>	<b>169.3</b>	<b>1,833.5</b>	<b>840.8</b>	<b>1,092.1</b>	<b>1,932.9</b>	<b>822.5</b>	<b>1,242.2</b>	<b>2,064.7</b>	<b>131.8</b>	<b>6.8</b>
Distributed maintenance	24.2	28.0	52.2		52.2	22.3	65.6	87.9	41.3	7.8	49.1	-38.8	-44.1

**Table 89: Sub-programme 3360: Proposed staffing for 2014**

Victims Participation and Reparations Section	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	3	2	8		1	1	9
	Situation-related							2		2		5	5	7
	<i>Subtotal</i>					<i>1</i>	<i>2</i>	<i>5</i>	<i>2</i>	<i>10</i>		<i>6</i>	<i>6</i>	<i>16</i>
New														
	Basic													
	Situation-related													
	<i>Subtotal</i>													
Redeployed/ Returned														
	Basic													
	Situation-related													
	<i>Subtotal</i>													
<b>Total</b>						<b>1</b>	<b>2</b>	<b>5</b>	<b>2</b>	<b>10</b>		<b>6</b>	<b>6</b>	<b>16</b>

#### 4. Programme 3400: Public Information and Documentation Section

##### Introduction

552. The Public Information and Documentation Section (PIDS) seeks to broaden understanding of and support for the mandate and work of the Court, primarily among victims and affected communities from situations and cases before it. PIDS also engages with key stakeholders such as legal communities, academics and non-governmental organizations, journalists and global audiences, with the ultimate objective of increasing international support for the Court. Its work is guided by the Public Information Strategy and the Outreach Strategy.

553. PIDS consists of the Office of the Chief, the Library and Documentation Unit, the Public Affairs Unit, the Protocol and Events Unit and the Outreach Unit.

554. While PIDS will continue giving priority to making judicial proceedings accessible to the affected communities in situations before the Court, greater efforts will also be made towards broadening international support through specific programmes implemented by the different units. The section has had no variation in its budget.

555. The Outreach Unit is responsible for ensuring that those communities most affected by the crimes in cases before the Court understand and have access to neutral information about the judicial proceedings at all stages of the process. The unit's experience has shown that effective and sustainable outreach led by the Court can contribute to preventing misperceptions and countering biased information.

556. Based on experience and lessons learnt, the Outreach Unit is revising approaches and reprioritizing operations. In 2014, activities will mainly focus on Kenya, Côte d'Ivoire, and the Democratic Republic of the Congo, while operations with regard to Sudan and Uganda will remain very limited, because of the lack of developments in cases as a result of the failure to execute outstanding warrants of arrest. Moreover, security conditions in the Central African Republic and Libya are making it very difficult to access local populations using traditional outreach tools. Emphasis will thus be placed on producing and disseminating the Court's audio-visual materials, working more with and through the media, and when and where possible through intermediaries.

557. The Public Affairs Unit (PAU) makes the judicial proceedings in the eight situations public and accessible to global audiences. It also enhances understanding of the Court, its mandate and activities among the general public and key target groups, with the ultimate objective of gaining broader support.

558. In 2014, PAU will maintain a strong focus on traditional means of communications, radio, television and print, while at the same time, making every effort to capitalize on the opportunities presented by the internet and new media platforms, including social networking, e-books, podcasts and mobile devices. By enhancing the website and expanding the use of new information and communication technologies and social media, the unit will be able to reach a wider audience worldwide in a more cost-effective and user-friendly manner. This approach will also be key to targeting the populations of situation-related countries with security constraints.

559. Furthermore, PAU will continue to strengthen international support for the role and activities of the Court by engaging in an interactive dialogue with its global constituencies, including civil society and non-governmental organizations, and expanding its partnership with the academic community and NGOs.

560. With the same objectives but using different tools, the Protocol and Events Unit (PEU) will continue facilitating increased public access to hearings by staffing the information desk in the public area of the Court and dealing with queries and requests from visitors attending the hearings. The unit will also support VIP/high-level visits to Court officials and increased stakeholder visits to the Court, as well as general information visits. Overall, requests for visits have grown in recent years, doubtless due to the importance that the Court is gaining at an international level. The Court is currently having to refuse visits, despite the efforts of the unit to constantly review processes so as to be able to provide optimum services in the most cost-effective way. Furthermore, the unit will continue

organizing and supporting judicial ceremonies and other relevant Court-wide events, ensuring coordination amongst the organs and avoiding duplication of work.

561. The Library and Documentation Unit (LDU) maintains records of the Court's history, as well as a collection that supports the information needs of the constituents of the four organs of the Court and independent Court-related bodies, such as victim and defence counsel teams. When possible within its resources, the Library currently also provides services by appointment to researchers and allows Eurojust on-site access and membership of the Library.

### Objectives

1. Conduct effective outreach to and communication with victims and affected communities in accordance with the Court's relevant strategic documents (SO1.7.1); and
2. Promote confidence-building processes with States, international and regional organizations, NGO's and other key partners and stakeholders in the Court through information-sharing during seminars, conferences, and at any other occasion (SO 3.2.1).

**Table 90: Expected results, performance indicators and target for 2014**

<i>Expected Results</i>	<i>Performance indicators</i>	<i>Target 2014</i>
<b>Objective 1.7.1</b> Increased understanding of Court's proceedings amongst victims and affected communities; and  Increased capacity amongst the local population to follow judicial developments.	<b>In countries concerned:</b> > Percentage of questions showing that the level of understanding has become more sophisticated; and > Percentage of participants stating that they have learned something new in their responses to surveys carried out at the end of each outreach session.	20% more than in 2013.
<b>Objective 3.2.1</b> Strengthened trust and commitment of the Court's external stakeholders "through increasing access to the Court's judicial developments".	> Increased level of visitors to the Court's website; > Increased level of subscribers to the Court's mailing list; and > Number of visitors attending hearings.	10% more than in 2013. 10% more than in 2013. 50% more visitors than in 2013.
<b>Objective 3.2.1</b> Strengthened trust and commitment of the Court's external stakeholders "through increasing access to the Court's judicial developments".	> Number of VIP/high-level visits to Court officials; > Number of stakeholder visits; and > Number of events.	55, same number as in 2013. 120, increase of 60% compared to assumption for 2013. 18 events, including welcoming ceremonies for new States Parties, symbolic event to commemorate 17 July, International Criminal Justice Day, final rounds of ICC Trial Competitions, as well as regular Court meetings such as diplomatic briefings, NGO round tables, and other relevant seminars.
	> Number of general information visits to be received.	400 general information visits, with 7,000 visitors in total.
<b>Objective 3.2.1</b> Strengthened trust and commitment of the Court's external stakeholders "through increasing access to the Court's judicial developments".	> Increased number of op-eds published in different countries; > Increased number of interviews given by Court officials; > Increased number of twitter followers; > Increased number of informational interactive sessions with journalists; and > Increased visitors and photos shared on flickr (covering Court activities at HQ and in the field, as well as VIP visits).	20% more than 2013. 10% more than 2013. 10% more than 2013. Five sessions and study visits expected for 20 journalists each. 10% more than 2013.

## Staff resources

### Basic resources

#### *General temporary assistance*

562. *One Protocol and Events Assistant, GS-OL, 11 months. New.* The number of stakeholder visits is expected to increase by 60 per cent in 2014, and the number of hearings will increase. The incumbent will ensure that the unit can staff the information desk in the public area while continuing to support all ceremonies, events, high-profile and stakeholder visits to the Court. The need for the continuation of this position will be reviewed at the time of the move to the new premises.

563. *One Associate Public Affairs Officer, P-2, six months. New.* This position is needed as a result of the reshaping of the section's activities, with priority being given to digital tools and social media, while the traditional media need remains key in some countries. The incumbent would be responsible for production of podcasts, developing projects for the legal and academic community, developing guidelines and generating concepts and plans to ensure a Court presence in social media and blogs.

564. *One Website and Media Developer Assistant, GS-OL, six months. Continued.* This position is required because of the increased number of Court records that need to be regularly uploaded on the website (up to 300 a month). Currently the high profile of the current cases, as well as the increased judicial activity, requires 1.5 FTE. Furthermore, there are new tasks as a result of the reprioritization of tasks in the section, the increased online presence and the use of new technologies, including audio-visual gallery, e-books and mobile apps.

### Situation related resources

#### *Established posts*

565. In 2014, subject to final approval and pending the revision of the general Strategic Plan for Outreach and situation-related plans, as well as the conclusion of the reorganization of the Registry, it is proposed that the posts of *Associate Legal Officer (P-2)* and *Field Associate Legal Outreach Coordinator for Sudan (P-2)* should remain temporarily unfunded.

#### *General Temporary Assistance*

566. *One Administrative and Financial Assistant, GS-OL, 12 months. Continued.* Operations in the field involve a large number of administrative and financial tasks. The incumbent provides general administrative and logistical support, including mission-plans preparation, transfers of funds, accounting reports and monitoring implementation of the section's budget.

### Non-staff resources

#### Basic

##### *Travel*

567. Limited travel for the Chief of Section to network with stakeholders and for the Spokesperson to participate in meetings and information meetings with media is required. As in previous years, the Chief Librarian will attend the annual meeting of the UN Library and Information network for Knowledge Sharing.

##### *Contractual services*

568. These include publication of press releases and op-eds in newspapers and radio and television in non-situation-related countries, media monitoring, information sessions for journalists and satellite services for press conferences. Reducing the printing of information materials will allow PIDS to introduce QR "Smartphone" barcodes to make electronic versions of texts more readily available.

569. The budget also includes satellite usage for one Court-wide press conference and four OTP press conferences (one hour each), as requested by OTP. Costs continue to be kept low by organizing press conferences of less than 1 hour and maintaining a better price for the service achieved, thanks to the good relationship developed with the provider.

570. Also included are inter-library loans, binding and the services of the multilingual cataloguer. The cost of all these services is increasing each year, resulting in a reduction in binding, and in the number of working days of the multilingual cataloguer. To absorb the increase, authority processing services will be cancelled for 2014. Binding is reduced. Purchasing of fewer books will result in fewer hours of cataloguing. Nevertheless, electronic resources, Court publications and donations will also need to be catalogued. Furthermore, the Library receives service requests from the sections to process their office-copy purchases within one week of arrival; some of these titles are in Arabic.

571. Resources are also required for the organization of events such as the final rounds of the ICC Trial Competitions and rental of flagpoles to commemorate International Criminal Justice Day.

#### *Training*

572. This includes a one-day training course on protocol for the staff members of the Protocol and Events Unit, which is also open to other participants from the section and other organs who deal regularly with VIP visitors/delegation, both at and outside the Court, such as the External Relations Officers in the immediate offices of the Heads of Organs. It also includes training in photography, with a view to savings in the cost of using professional photographers for website use and publications, as well as specific training for PIDS staff to improve skills in dealing with the media.

#### *General operating expenses*

573. A barebone database collection is now purchased, which also increases in price annually. Products are purchased through the UN Consortium where possible, and the Chief Librarian suggests the inclusion of new products to the Consortium in order to save costs.

#### *Supplies and materials*

574. Includes books and serials. Book purchases will have to be reduced. Preferably the number of serials should remain at the same level because of their relevance to researchers of all organs. The budget has to cover annual serial price increases and inflation (10 per cent each year). If this is not possible, then cuts to serials will have to be made.

575. A small budget is necessary to buy equipment for podcasts, and to replace old equipment for photography, USB duplicators, and other necessary equipment.

### **Situation-related resources**

#### *Travel*

576. Funds are needed to enable staff to organize outreach sessions in areas outside their duty stations, mainly in Kenya, DRC, Côte d'Ivoire and, to a very limited extent, in Uganda. Meetings with victims and affected communities residing in remote areas require long-distance trips, either by air or overland, including sometimes by boat. During these outreach sessions, explanations of the stage reached in the proceedings are provided, and summaries of hearings and other relevant videos are projected. Outreach teams respond to questions and address concerns of participants, thus increasing their understanding of the work of the Court and bringing their expectations to a realistic level.

577. At least once a year field outreach coordinators need to travel from situation-related countries to Headquarters for planning, coordination and training purposes.

#### *Contractual services*

578. A moderate number of printing materials is required to be distributed amongst key target groups in the field. Outreach tools such as "Understanding the ICC" and Q-and-A

papers are disseminated among medium- and high-level educated audiences during activities.

579. Contractual services are also required in connection with the organization of outreach sessions with victims and affected communities, including rental of venues, promotional efforts to mobilize participants, and purchase of local radio and television broadcasting time to enhance the Court's impact and inform those who are not directly involved. Contracts with local media also include translation of Court productions into local languages, testing of messages and reports of audiences. To optimize outreach, mapping of key groups and the conduct of general surveys for strategic planning and evaluation purposes is required. For important judicial developments, a one-hour satellite broadcast is requested, so that local media can be provided with summaries of the proceedings on the same day that they occur.

#### General operating expenses

580. Maintenance of editing and filming equipment, purchase of small items and spare parts.

**Table 91: Programme 3400: Proposed budget for 2014**

3400 Public Information and Documentation Section	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013		
	Basic	Situation- related	Total	Cont. Fund	Total incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff					1,045.9	424.6	1,470.5	1,057.0	368.2	1,425.2	-45.3	-3.1	
General Service staff					585.1	229.7	814.8	596.7	239.5	836.2	21.4	2.6	
<i>Subtotal staff</i>	1,331.8	678.4	2,010.2		2,010.2	1,631.0	654.3	2,285.3	1,653.7	607.7	2,261.4	-23.9	-1.0
General temporary assistance	2.2	204.3	206.5		206.5		149.4	149.4	148.2	71.6	219.8	70.4	47.1
Temporary assistance for meetings													
Overtime													
Consultants													
<i>Subtotal other staff</i>	2.2	204.3	206.5		206.5		149.4	149.4	148.2	71.6	219.8	70.4	47.1
Travel	42.1	67.6	109.7		109.7	12.2	97.2	109.4	19.8	86.6	106.4	-3.0	-2.7
Hospitality													
Contractual services	197.8	571.1	768.9		768.9	255.2	742.9	998.1	271.5	726.6	998.1		
Training	4.6		4.6		4.6	7.0		7.0	7.0		7.0		
General operating expenses	50.5	10.0	60.5		60.5	67.0	13.5	80.5	67.0	13.5	80.5		
Supplies and materials	134.3	6.8	141.1		141.1	125.0		125.0	125.0		125.0		
Furniture and equipment	-1.0		-1.0		-1.0								
<i>Subtotal non-staff</i>	428.3	655.5	1,083.8		1,083.8	466.4	853.6	1,320.0	490.3	826.7	1,317.0	-3.0	-0.2
<b>Total</b>	<b>1,762.3</b>	<b>1,538.2</b>	<b>3,300.5</b>		<b>3,300.5</b>	<b>2,097.4</b>	<b>1,657.3</b>	<b>3,754.7</b>	<b>2,292.2</b>	<b>1,506.0</b>	<b>3,798.2</b>	<b>43.5</b>	<b>1.2</b>
Distributed maintenance	51.4	68.0	119.4		119.4	47.3	69.5	116.8	87.3	17.8	105.1	-11.7	-10.0

**Table 92: Programme 3400: Proposed staffing for 2014**

Public Information and Documentation Section		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	1	5		10	1	8	9	19
	Situation-related								6		6	2	8	10	16
	<i>Subtotal</i>					1	3	1	11		16	3	16	19	35
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
Redeployed/ Returned	Basic														
	Situation-related														
	<i>Subtotal</i>														
<b>Total</b>					<b>1</b>	<b>3</b>	<b>1</b>	<b>11</b>		<b>16</b>	<b>3</b>	<b>16</b>	<b>19</b>	<b>35</b>	

## 5. Programme 3700: Independent Offices and Special Projects

### Introduction

581. A further reorganization of this Programme has been carried out by incorporating Sub-programme 3770, the Registry's Permanent Premises Office, into Major Programme VII-1, the Permanent Premises Project Director's Office, where its staff will work under the direct supervision of the Project Director.<sup>61</sup> The following sub-programmes will remain within Programme 3700: Office of Public Counsel for the Defence; Office of Public Counsel for Victims and the Office of Internal Audit. In addition, and in line with the approved programme budget for 2013, the post of the Staff Council Officer will also remain within this Programme. The Office of Public Counsel for the Defence represents the interests of the defence and provides legal advice and research to defence teams and defendants. Similarly, the Office of Public Counsel for Victims provides legal support and assistance to victims and legal representatives of victims, and its counsel appear before the Court on matters related to the participation of victims in proceedings. The Office of Internal Audit performs risk analysis and creates and undertakes audit plans. The Staff Union Council represents the collective interests of Court staff by promoting staff welfare and rights.

582. While the subject-matter of these sub-programmes is diverse, and they are all *sui generis*, they nonetheless have certain similarities in terms of their operational status. Specifically, the Offices of Public Counsel for the Defence and for Victims and the Office of Internal Audit have been grouped together within Programme 3700 because they function independently, despite being linked administratively to the Registry.

583. In accordance with Staff Regulation 8.1(b), a staff representative body has been established, consisting of a single P-3 post: the elected Staff Council Officer. While the post is placed — for budgetary purposes — in Programme 3700, this position does not serve the Registry. It should be noted that no funds have been allocated for this position; its costs are shared by all organs.<sup>62</sup>

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<sup>61</sup> See further below, MP VII-1, para. 644.

<sup>62</sup> This position is included in the staffing table shown in annex I.

**Table 93: Programme 3700: Proposed budget for 2014**

3700 Registry Independent Offices	Expenditure 2012 (thousands of euro)					Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013	
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						1,012.2	1,000.1	2,012.3	785.6	1,011.5	1,797.1	-215.2	-10.7
General Service staff						189.6		189.6	193.5		193.5	3.9	2.1
<i>Subtotal staff</i>	<i>1,041.2</i>	<i>897.5</i>	<i>1,938.7</i>		<i>1,938.7</i>	<i>1,201.8</i>	<i>1,000.1</i>	<i>2,201.9</i>	<i>979.1</i>	<i>1,011.5</i>	<i>1,990.6</i>	<i>-211.3</i>	<i>-9.6</i>
General temporary assistance	63.2	29.7	92.9	57.4	150.3	76.5		76.5	115.4	115.4	230.8	154.3	201.7
Temporary assistance for meetings													
Overtime													
Consultants	54.7		54.7		54.7	72.0		72.0				-72.0	-100.0
<i>Subtotal other staff</i>	<i>117.9</i>	<i>29.7</i>	<i>147.6</i>	<i>57.4</i>	<i>205.0</i>	<i>148.5</i>		<i>148.5</i>	<i>115.4</i>	<i>115.4</i>	<i>230.8</i>	<i>82.3</i>	<i>55.4</i>
Travel	10.5	42.1	52.6	13.7	66.3	14.3	105.5	119.8	8.2	105.8	114.0	-5.8	-4.8
Hospitality													
Contractual services	190.2	35.6	225.8		225.8	100.0	50.0	150.0		50.0	50.0	-100.0	-66.7
Training	17.5		17.5		17.5	21.8	2.2	24.0	21.8	2.2	24.0		
Counsel for Defence													
Counsel for Victims													
General operating expenses	4.4	3.6	8.0	0.4	8.4	3.0	9.0	12.0		9.0	9.0	-3.0	-25.0
Supplies and materials	3.2		3.2		3.2								
Furniture and equipment													
<i>Subtotal non-staff</i>	<i>225.8</i>	<i>81.3</i>	<i>307.1</i>	<i>14.1</i>	<i>321.2</i>	<i>139.1</i>	<i>166.7</i>	<i>305.8</i>	<i>30.0</i>	<i>167.0</i>	<i>197.0</i>	<i>-108.8</i>	<i>-35.6</i>
<b>Total</b>	<b>1,384.9</b>	<b>1,008.5</b>	<b>2,393.4</b>	<b>71.5</b>	<b>2,464.9</b>	<b>1,489.4</b>	<b>1,166.8</b>	<b>2,656.2</b>	<b>1,124.5</b>	<b>1,293.9</b>	<b>2,418.4</b>	<b>-237.8</b>	<b>-9.0</b>
Distributed maintenance	33.4	40.0	73.4		73.4	60.4	12.8	73.2	45.9	11.1	57.1	-16.1	-126.0

**Table 94: Programme 3700: Proposed staffing for 2014**

Registry Independent Offices		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	1	2	1		7		3	3	10
	Situation-related						3	2	2	3	10				10
	<i>Subtotal</i>				<i>1</i>	<i>2</i>	<i>4</i>	<i>4</i>	<i>3</i>	<i>3</i>	<i>17</i>		<i>3</i>	<i>3</i>	<i>20</i>
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
Redeployed/ Returned	Basic														
	Situation-related														
	<i>Subtotal</i>														
<b>Total</b>					<b>1</b>	<b>2</b>	<b>4</b>	<b>4</b>	<b>3</b>	<b>3</b>	<b>17</b>		<b>3</b>	<b>3</b>	<b>20</b>

**(a) Sub-programme 3740: Office of Public Counsel for the Defence**

584. The Office of Public Counsel for the Defence (OPCD) provides legal research and assistance to all defence teams, duty counsel and ad hoc counsel, to enhance their ability to comply with judicial deadlines and focus on relevant legal issues, thus saving legal aid resources by ensuring the efficiency and expeditiousness of the proceedings. In order to meet its workload of assisting thirteen defendants, it is necessary for the OPCD to maintain the existing level of resources. The conduct of three trials in 2014 is likely to result in a significant shortfall in terms of the ability of the OPCD to provide timely legal assistance and advice. Given that the pre-trial and trial stages are more intensive than the appeal stage, the OPCD will seek to achieve efficiency by redeploying its resources from focusing on teams which will be in the appeal stage to focusing on the five teams which will be involved in trials.

**Table 95: Workload indicators for the Office of Public Counsel for the Defence**

<i>Anticipated workload 2013</i>	<i>Anticipated</i>		<i>Estimated</i>	<i>Shortfall</i>	
	<i>Number of workload FTE 2013</i>	<i>Number of workload FTE 2014</i>			<i>capacity 2014</i>
Number of researches and legal advice for defence teams = 900	2.5	900	3.2	448	552
Attendance/Assistance at court hearings = 95	.3	215	.6	190	120
Production of legal materials and outreach presentations concerning current defence issues before ICC = 12	.5	12	.5	10	2
Electronic registration and classification of court documentation (court filings, victim applications) and organization of legal references = 3500 pages	.8	3500	1.2	2760	740
Management tasks = .3	.3	.3	.3	.3	0
Administrative tasks = .2	.2	.2	.2	.2	0

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

585. Recurrent. This item is required in particular to ensure the OPCD's participation at a key conference concerning the rights of the Defence before the Court.

*Training*

586. Recurrent. Training is required to enable the limited resources of the OPCD to be employed effectively, so as to ensure competence in relation to all aspects of judicial proceedings which are potentially relevant to defence preparation and the mandate of the OPCD, in particular by providing on-going support in these areas to all present and future defence teams. Failure to obtain the requested resources would create additional resource requirements, as the Court would be forced to rely on external trainers to provide a similar level of expertise to defence teams.

**Situation-related resources***Travel*

587. Recurrent. Situation-related travel 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 an article 56 unique investigative opportunity in the field. The OPCD will also conduct training exercises in the field for list counsel and potential duty counsel and others in two situation countries, in order to increase awareness of the relevant procedures of the Court, and to ensure that potential counsel are able to immediately

assume their responsibilities for protecting the interests of the defendant should they be appointed to represent a suspect in the field.

*Contractual services*

588. Recurrent. The OPCD requires funds to implement the costs associated with defence training seminars in affected countries for potential counsel/duty counsel, which will be run in conjunction with other sections.

*Training*

589. Recurrent. The OPCD provides specialized assistance to defence teams on disclosure and evidence analysis. Specialized training in advanced case management techniques is required in order to optimize this capacity, so as to ensure that all defence teams are trained to the same level.

*General operating expenses*

590. Recurrent: When the OPCD meets with a suspect in the field, or acts as counsel in connection with a unique investigative opportunity, it will be necessary for the OPCD to procure a secure location and facilities for such a meeting.

**Table 96: Sub-programme 3740: Proposed budget for 2014**

3740 Office of Public Counsel for Defense	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013		
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff					149.1	292.5	441.6	149.3	296.0	445.3	3.7	0.8	
General Service staff					63.2		63.2	64.5		64.5	1.3	2.1	
<i>Subtotal staff</i>	217.1	281.1	498.2		498.2	212.3	292.5	504.8	213.8	296.0	509.8	5.0	1.0
General temporary assistance	25.9		25.9	57.4	83.3								
Temporary assistance for meetings													
Overtime													
Consultants	11.5		11.5		11.5								
<i>Subtotal other staff</i>	37.4		37.4	57.4	94.8								
Travel		9.9	9.9	6.0	15.9	2.5	14.5	17.0	2.5	14.5	17.0		
Hospitality													
Contractual services							20.0	20.0		20.0	20.0		
Training						2.5	2.2	4.7	2.5	2.2	4.7		
General operating expenses							3.0	3.0		3.0	3.0		
Supplies and materials													
Furniture and equipment													
<i>Subtotal non-staff</i>		9.9	9.9	6.0	15.9	5.0	39.7	44.7	5.0	39.7	44.7		
<b>Total</b>	<b>254.5</b>	<b>291.0</b>	<b>545.5</b>	<b>63.4</b>	<b>608.9</b>	<b>217.3</b>	<b>332.2</b>	<b>549.5</b>	<b>218.8</b>	<b>335.7</b>	<b>554.5</b>	<b>5.0</b>	<b>0.9</b>
Distributed maintenance	6.1	12.0	18.1		18.1	5.6	11.6	17.1	9.2	3.3	12.5	-4.6	-26.9

**Table 97: Sub-programme 3740: Proposed staffing for 2014**

Office of Public Counsel for the Defence	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					1								1	1	2
						1		1	1						3
<i>Subtotal</i>					1	1		1	1				1	1	5
New/ Converted															
Redeployed/ Reclassified/ Returned															
<i>Subtotal</i>															
<b>Total</b>					<b>1</b>	<b>1</b>		<b>1</b>	<b>1</b>	<b>4</b>			<b>1</b>	<b>1</b>	<b>5</b>

**(b) Sub-programme 3750: Office of Public Counsel for Victims**

591. In accordance with regulations 80 and 81 of the Regulations of the Court, as consistently interpreted in the practice of the Chambers, the Office of Public Counsel for Victims acts as legal representative of victims in proceedings before the Court; supports and assists external legal representatives as appropriate; and appears before Chambers in respect of specific issues. Moreover, the Office is also entrusted with the possibility of making representations to the Chamber on behalf of victims applying to participate in the proceedings in accordance with amended regulation 81 of the Regulations of the Court.

592. As at early May 2013, the Office of Public Counsel for Victims has been appointed as legal representative of around 3,000 victims in the different situations and cases before the Court. Moreover, the Office is generally entrusted by Chambers with the task of providing legal assistance and legal representation to victims for specific proceedings such as article 19 proceedings (latterly in the *Gaddafi et al.* case), and more recently in reparations proceedings to represent the interests of victims who have not submitted applications but who may fall within the scope of an order for collective reparations. In these latter cases, the number of victims to be represented is particularly high, since, in the first case, not only victims already authorized to participate in the proceedings can submit observations, but more generally “victims having communicated with the Court”; while, in the second case, victims may include a community of individuals. Finally, an increasing number of victims are also choosing the Office as their legal representative. To the above number, must be added the number of individuals - around 100 – who have contacted the Office from countries under preliminary examination. As a consequence of all the above mentioned factors, the number of victims represented by the Office, at one stage or another of proceedings, has continued to increase in 2012 and the first months of 2013. The Office also supports and assists 42 external legal representatives in all situations and cases before the Court through the provision of legal advice and research. In the first months of 2013 the OPCV has provided 400 such services.

**Table 98: Workload indicators for the Office of Public Counsel for the Victims**

<i>Anticipated workload 2013</i>	<i>Number of FTE 2013</i>	<i>Anticipated workload 2014</i>	<i>Number of FTE 2014</i>	<i>Estimated capacity 2014</i>	<i>Shortfall with additional resources</i>	<i>Shortfall without additional resources</i>
Number of researches and advices provided to legal representatives = 700	3	900	3 <sup>(1)</sup>	700	0	200
Number of advices provided to victims = 200	3	400	3 <sup>(1)</sup>	200	0	200
Attendance/assistance to court hearings = 297	5	330	5 <sup>(1)</sup>	230	0	100
Number of victims represented=5,000	3	8,000	3 <sup>(1)</sup>	4,500	3,500	3,500
Electronic and paper registration and classification of documents <sup>(2)</sup> related to victims and court records =30.000	2	55,000	2	30,000	25,000	25,000

(1) Excluding the 2 P-3s seconded to the external common legal representatives' teams in the two Kenyan cases, since they are not performing the functions due to the secondment.

(2) The average number of pages per document is 30.

**Staff resources***General temporary assistance*

593. *One Legal Officer, P-3, 12 months. New.* This post continues to be needed due to the significant increase in the number of represented victims in recent months as described in the preceding paragraph, at a time when the Office has lost two staff members, who are permanently assigned to the common legal representatives appointed in the Kenyan cases. Moreover, this number is likely to grow still further as a result of developments in the *Bosco* proceedings, where the Office is already assisting external counsel. The Office currently represents more than 3,000 victims in the *Lubanga*, *Gbagbo*, *Bemba*, *Gaddafi*, *Kony et al.* and *Ntaganda* cases, and has been appointed as legal representative of victims in the admissibility proceedings in the *Al-Senussi* case, as well as legal representative of applicants in the appeal against the *Lubanga* judgment. Due to unforeseen developments,

this post was funded out of the Contingency Fund in 2013 and is now included in the programme budget for 2014. It is essential, if the Office is to continue satisfactorily to carry out its mandate, that this post be renewed.

### **Non-staff resources**

#### **Situation-related resources**

##### *Travel*

594. Recurrent. Travel for missions in the field is an essential element of the Office's tasks. Face-to-face meetings with victims are indispensable in order to provide meaningful assistance, support and representation, whatever the stage of the proceedings. Despite the fact that developments in existing and anticipated cases/situations indicate that the need for face-to-face meetings and fieldwork may increase, in particular in connection with the admissibility and reparations proceedings, the travel budget is currently maintained at the existing level.

##### *Contractual services*

595. Recurrent. Finalization and testing of the victim database project are ongoing, and contractual services will continue to be required in order to adjust its functionality to the needs of the Office (in particular for the integration of TRIM and Ringtail, which are essential tools to enable users to follow the proceedings).

596. Contractual services are also needed to cover the Office's twice-yearly updates of its Manual for Legal Representatives.

##### *General operating expenses*

597. Recurrent. This item includes in particular costs in respect of premises where victims can be met safely, in a way which preserves the privileged relationship between counsel and client.

**Table 99: Sub-programme 3750: Proposed budget for 2014**

3750 Office of Public Counsel for Victims	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013		
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						233.0	707.6	940.6	233.4	715.5	948.9	8.3	0.9
General Service staff						63.2		63.2	64.5		64.5	1.3	2.1
<i>Subtotal staff</i>	226.6	616.4	843.0		843.0	296.2	707.6	1,003.8	297.9	715.5	1,013.4	9.6	1.0
General temporary assistance		29.7	29.7		29.7					115.4	115.4	115.4	
Temporary assistance for meetings													
Overtime													
Consultants													
<i>Subtotal other staff</i>		29.7	29.7		29.7					115.4	115.4	115.4	
Travel		27.6	27.6	7.7	35.3	4.6	80.5	85.1	4.6	80.5	85.1		
Hospitality													
Contractual services		35.6	35.6		35.6		30.0	30.0		30.0	30.0		
Training													
General operating expenses		3.6	3.6	0.4	4.0		6.0	6.0		6.0	6.0		
Supplies and materials	3.1		3.1		3.1								
Furniture and equipment													
<i>Subtotal non-staff</i>	3.1	66.8	69.9	8.1	78.0	4.6	116.5	121.1	4.6	116.5	121.1		
<b>Total</b>	<b>229.7</b>	<b>712.9</b>	<b>942.6</b>	<b>8.1</b>	<b>950.7</b>	<b>300.8</b>	<b>824.1</b>	<b>1,124.9</b>	<b>302.5</b>	<b>947.4</b>	<b>1,249.9</b>	<b>125.0</b>	<b>11.1</b>
Distributed maintenance	9.1	28.0	37.1		37.1	8.3	27.0	35.3	13.8	7.8	21.6	-13.7	-38.9

**Table 100: Sub-programme 3750: Proposed staffing for 2014**

Office of Public Counsel for Victims	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					1			1		2		1	1	3
						2	2	1	2	7				7
<i>Subtotal</i>					1	2	2	2	2	9		1	1	10
New/ Converted														
<i>Subtotal</i>														
Redeployed/ Reclassified/ Returned														
<i>Subtotal</i>														
<b>Total</b>					<b>1</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>9</b>		<b>1</b>	<b>1</b>	<b>10</b>

**(c) Sub-programme 3760: Office of Internal Audit**

598. The Office develops its audit plan after performing a risk assessment of the main processes, sub-processes and entities of the Organization. This risk assessment is carried out taking into account the Organization's strategic plan and activities under development.

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

599. *One IT Auditor, P-3, 12 months. Continued.* The IT Auditor's main task will be to implement the IT audit plan developed in 2013, including missions to the field offices. He will also provide support to the Office's other auditors in addressing IT aspects of the yearly audit plan.

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

600. Recurrent. Provision for one trip within Europe for a visit to auditors from another international organization, with a view to sharing knowledge and experiences.

*Training*

601. Recurrent. Training expenses planned for 2014 are in the same range as those for 2013. They include one course per staff member within Europe on an audit-related topic, according to the audit plan and auditors' development needs. Prices for courses range from €2500 to €5000 per person, depending on the topic and the number of days involved (three days is an average).

602. Projected expenses also include the two-day seminars, organized by RIAS (International Organizations Auditors' Network) and European International Organizations that the Director of the OIA attends each year. Continuous professional development is a requirement for internal auditors: under Institute of Internal Auditors Standard 1230 '*Internal auditors should enhance their knowledge, skills and other competencies through continuing professional development*'. Certified auditors have to attend 40 hours of training per year in order for their certificates to remain valid.

**Situation-related resources***Travel*

603. Recurrent. Travel plans to the field offices are established so as to ensure one or two missions to the most important offices according to current Court activities (Kinshasa, Bangui, Nairobi and Abidjan) for one or two auditors. The format of these missions varies according to the audit plan, which is usually developed after the budget has been settled. Precise details are thus not available at this stage.

**Table 101: Sub-programme 3760: Proposed budget for 2014**

3760 Office of Internal Audit	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013		
	Basic	Situation- related	Total	Cont. Fund	Total Incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						397.1		397.1	402.9		402.9	5.8	1.5
General Service staff						63.2		63.2	64.5		64.5	1.3	2.1
<i>Subtotal staff</i>	<i>375.8</i>		<i>375.8</i>		<i>375.8</i>	<i>460.3</i>		<i>460.3</i>	<i>467.4</i>		<i>467.4</i>	<i>7.1</i>	<i>1.5</i>
General temporary assistance	37.3		37.3		37.3	76.5		76.5	115.4		115.4	38.9	50.8
Temporary assistance for meetings													
Overtime													
Consultants	43.2		43.2		43.2	72.0		72.0				-72.0	-100.0
<i>Subtotal other staff</i>	<i>80.5</i>		<i>80.5</i>		<i>80.5</i>	<i>148.5</i>		<i>148.5</i>	<i>115.4</i>		<i>115.4</i>	<i>-33.1</i>	<i>-22.3</i>
Travel	10.0	4.6	14.6		14.6	1.4	10.5	11.9	1.1	10.8	11.9		
Hospitality													
Contractual services	0.3		0.3		0.3								
Training	17.5		17.5		17.5	19.3		19.3	19.3		19.3		
General operating expenses	2.7		2.7		2.7								
Supplies and materials													
Furniture and equipment													
<i>Subtotal non-staff</i>	<i>30.5</i>	<i>4.6</i>	<i>35.1</i>		<i>35.1</i>	<i>20.7</i>	<i>10.5</i>	<i>31.2</i>	<i>20.4</i>	<i>10.8</i>	<i>31.2</i>		
<b>Total</b>	<b>486.8</b>	<b>4.6</b>	<b>491.4</b>		<b>491.4</b>	<b>629.5</b>	<b>10.5</b>	<b>640.0</b>	<b>603.2</b>	<b>10.8</b>	<b>614.0</b>	<b>-26.0</b>	<b>-4.1</b>
Distributed maintenance	12.1		12.1		12.1	13.9		13.9	18.4		18.4	4.5	32.2

**Table 102: Sub-programme 3760: Proposed staffing for 2014**

Office of Internal Audit	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			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/ Converted	Basic													
	Situation-related													
	<i>Subtotal</i>													
Redeployed/ Reclassified/ Returned	Basic													
	Situation-related													
	<i>Subtotal</i>													
<b>Total</b>				<b>1</b>		<b>1</b>	<b>1</b>			<b>3</b>		<b>1</b>	<b>1</b>	<b>4</b>

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

### Introduction

604. The Secretariat provides the Assembly 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 bodies, and receiving, translating, reproducing and distributing their documents, reports and decisions.

605. 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.

606. The 2014 proposed budget for Major Programme IV foresees an overall decrease of 3.9 per cent, primarily due to lower costs incurred by the annual session of the Assembly, which is due to be held at United Nations Headquarters in New York. The Secretariat will continue to strive to reduce its overall costs through further efficiency measures, especially in the area of translation and reproduction of documentation, and by making use of the flexibility granted by the Assembly in its use of GTA posts to service short-term needs.

607. In the report of the Advisory Committee on Nominations of Judges on the work of its first meeting<sup>63</sup> the Advisory Committee recommended that all costs relating to its meetings should be borne by the Assembly as of 2014. The tentative costs for convening a one-day meeting in The Hague is estimated at an amount of €22,834, which would cover the travel costs of the Advisory Committee members to The Hague. The Advisory Committee is expected to submit a more elaborate detailed budget after its 18 October 2013 meeting. Pending the submission of that detailed budget, the provisional estimate of the costs of the Advisory Committee meeting are reflected in annex VIII and are thus not part of the proposed budget for Major Programme IV until the Assembly makes a decision to that effect.

### Objectives

1. Organize quality conferences for the thirteenth session of the Assembly in New York, 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, meetings of The Hague Working Group of the Bureau, the Oversight Committee for the permanent premises and of the Advisory Committee on Nominations of Judges.

2. Enable the Assembly and its subsidiary bodies to carry out their mandate more effectively by: providing them 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. The Secretariat is also entrusted with assisting the Assembly in attaining the objectives set out in its Plan of action.

3. Research and prepare analytical studies on the application and interpretation of the provisions of the Statute relating to the Assembly and its subsidiary bodies.

4. Enable effective dissemination of documentation and information to States Parties and other interested organizations, inter alia via the Internet.

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<sup>63</sup> ICC-ASP/12/23.

**Table 103: Expected results, performance indicators and target 2014**

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>
<b>Objective 1</b> Conference held as planned.	<ul style="list-style-type: none"> <li>- Meetings run smoothly, end on time and adopt reports;</li> <li>- All agenda items are considered;</li> <li>- Participants are supported substantively and logistically at meetings, including with registration, provision of documentation and language services; and</li> <li>- Session participants are satisfied with the arrangements and information provided.</li> </ul>	n/a
<b>Objective 2</b> Quality edited and translated documents released for processing, production and distribution in a timely manner.	<ul style="list-style-type: none"> <li>- States are provided and satisfied with quality conference services and with the editing, translation and timely issuance of documents, in four official languages,<sup>64</sup> which fully support them in their functions; and</li> <li>- States are assisted as required, in particular with the provision of information and documentation regarding the Assembly and Court.</li> </ul>	n/a
<b>Objective 3</b> Quality legal advice provided to the Assembly and its subsidiary bodies.	<ul style="list-style-type: none"> <li>- States are provided with substantive legal services, especially in the form of documentation, which facilitate and support their work; and</li> <li>- Members of the Assembly and relevant bodies are satisfied with the sessions.</li> </ul>	n/a
<b>Objective 4</b> Effective dissemination of documentation and information to States Parties via, inter alia, the Internet.	<ul style="list-style-type: none"> <li>- Website and Assembly, CBF and Oversight Committee Extranets are used frequently; and</li> <li>- Information and documentation can be accessed without delays.</li> </ul>	n/a

### **Staff resources**

#### **Basic resources**

##### *General temporary assistance*

608. One P-2 Associate Legal Officer (recurrent; continued from last year). The workload of substantive servicing of the Assembly and its subsidiary bodies has increased considerably since the Secretariat was established in 2004. There are new bodies, never envisioned in the original framework considered by the Preparatory Commission in 2003, and the number of meetings of these bodies has increased considerably beyond what had been expected. Such bodies include the Bureau, and its Hague and New York Working Groups, the Oversight Committee on permanent premises, and as of 2013, the Advisory Committee on the Nominations of Judges. The length of the sessions of the Committee on Budget and Finance has also increased by one day compared with 2013. It should be noted that, although it is based in The Hague, the Secretariat provides substantive servicing of the Presidency of the Assembly, the Bureau and its New York Working Group, via the preparation of pre-session and post-session documentation. This post allows the Secretariat to provide better support to the Assembly and its subsidiary bodies.

609. One GS-OL Web Developer Assistant (recurrent; continued from last year). The Web Developer Assistant post will allow the Secretariat to continue to post documents, papers and publications on the web, and to maintain an Extranet for the Assembly, the Committee on Budget and Finance, and the Oversight Committee, as well as to ensure timely posting of information regarding elections, complementarity developments, press releases, etc.

610. One P-2 Special Assistant to the President (recurrent; continued from last year). This post helps to support the increased activities of the President of the Assembly and the need to support the President and the Bureau for the triennium 2011-2014, as the President cannot rely on the resources of her United Nations Mission. The Special Assistant assists

<sup>64</sup> As of 2009 official documents for the Assembly are issued in four official languages: Arabic, English, French and Spanish only.

the President with, inter alia, the preparation of official communications such as notes verbales, letters, memoranda, speaking notes, background papers, etc..., coverage of Assembly-related issues at United Nations Headquarters; and continuous engagement with observer States to promote the universality of the Rome Statute. Furthermore, the staff member provides substantive servicing to the Bureau and the New York Working Group, as well as to sessions of the Assembly, under the direction of the Secretariat of the Assembly. Technical servicing of the Bureau and New York-based subsidiary bodies of the Assembly will continue to be undertaken by the Liaison Office.

611. Special Assistants (recurrent, continued from last year). The Secretariat will require Special Assistants during the months leading up to and including the annual session of the Assembly. Special Assistants will assist the Director with all the logistical aspects of the meetings of the Assembly, including determining space requirements and equipment needs, registration of delegations and NGO representatives and communicating with delegates.

612. IT support staff (recurrent, continued from last year). GS-OL support covers the IT needs for the translation teams servicing the Assembly's session, and ensures that the annual session of the Assembly is properly serviced in terms of the Court's IT equipment and software, which has to be installed at the venue of the session, as well as ensuring that there are personnel on call to resolve any problem which may arise.

613. Legal Officers (recurrent, continued from last year). Substantive servicing of the Assembly and its working groups (preparation of pre-session and in-session documentation/papers and draft reports) is provided for a limited number of days by a Senior Legal Officer (P-5) and a Legal Officer (P-4); these additional officers supplement the two legal officers in the Secretariat's core staff.

614. The Secretariat of the Assembly of States Parties expects the same amount of documents in 2014 as in 2013. The preparation of the documentation will require the editing, translation and revision of official documents for the Assembly and the Committee on Budget and Finance.<sup>65</sup> The number of FTE for translation and editing per language is two (one translator and one reviser).<sup>66</sup> The Secretariat will continue its endeavour to increase efficiencies, inter alia through the outsourcing of translations.

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<sup>65</sup> *Official Records ... Seventh session ... 2008* (ICC-ASP/7/20), vol. II, part B.2, para. 96.

<sup>66</sup> 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 104: Workload indicators for the Secretariat of the Assembly of States Parties**

<i>Item</i>	<i>Number of pages in 2012<sup>(1)</sup></i>	<i>Expected workload 2013</i>	<i>Expected % increase in 2013</i>	<i>Anticipated workload 2014</i>	<i>Expected % increase in 2014</i>	<i>Number of FTE<sup>(2)</sup> 2013</i>	<i>Number of FTE<sup>(2)</sup> 2014</i>
Official documents and informal papers (English) received for editing, translation and/or revision	3,704	4,521	-	4,521	-	-	-
Official documents and papers edited, revised and/or translated into three other official languages (Arabic, French, Spanish) <sup>(3)</sup>	6,042	6,603	-	6,603	-	8	8
Other publications <sup>(4)</sup> (English) edited, translated and/or revised	184	184	-	184	-	-	-
Other publications <sup>(4)</sup> edited, revised and/or translated into three languages (Arabic, French, Spanish)	552	552	-	552	-	-	-
<b>Total</b>	<b>10,482</b>	<b>11,860</b>	<b>-</b>	<b>11,860</b>	<b>-</b>	<b>8</b>	<b>8</b>

<sup>(1)</sup> Number of words per page is 300.

<sup>(2)</sup> Translator and reviser per language - commencing full time in July/August and in November/December each year. During the other months the Secretariat relies on outsourcing.

<sup>(3)</sup> As of 2009 official documents are translated into Arabic, French and Spanish only.<sup>67</sup>

<sup>(4)</sup> In addition to the session documents and official records, a number of publications have been planned and produced: plan of action seminar booklets; the updated Selected Basic Documents related to the International Criminal Court, the Assembly Newsletter; and the Assembly Fact Sheet.

#### *Temporary assistance for meetings*

615. There is a decrease of 52.2 per cent in temporary assistance for meetings in comparison to the 2013 approved budget, resulting from transferring part of this requirement to contractual services, which gives the Secretariat greater flexibility in providing resources to service, enabling significant efficiency gains. Temporary assistance is required in particular for the translation of official documentation of the Assembly and its subsidiary bodies, as well as registration of delegates, issuance of passes, photocopying of documents on a large scale and their distribution, etc., and generally facilitating delegates' attendance at the session in New York.

#### *Overtime*

616. Overtime is paid to General Service staff hired on a short-term basis who are required to provide the assistance mentioned in paragraphs 611 and 612 above and must necessarily work beyond the normal working hours, including weekends, during and in relation to the session of the Assembly and the sessions of the Committee on Budget and Finance.

#### **Non-staff resources**

##### **Basic resources**

#### *Travel*

617. The travel budget reflects the cost of travel of members of the Committee on Budget and Finance to their sessions, the trips envisioned for the Committee's members to attend sessions with The Hague Working Group and Court officials. This budget item also covers the cost of travel of the Office of the President of the Assembly, including regular visits to the seat of the Court and trips to Addis Ababa and other African destinations. An increase of 23.9 per cent or €70,000 is mainly due to the travel of the Secretariat staff to service the thirteenth session of the Assembly in New York, and the travel of a few members of the Committee to the field offices.

<sup>67</sup> *Official Records ... Seventh session ... 2008* (ICC-ASP/7/20), vol. I, part III, ICC-ASP/7/Res.6 and ICC-ASP/7/Res.7.

*Hospitality*

618. Hospitality has a minimal increase of €1,000 in comparison to the 2013 approved budget.

*Contractual services*

619. Despite the additional resources required as a result of the partial transfer of requirements of €240,000 from temporary assistance for meetings, as described in paragraph 615 above, there is a net decrease of 1.4 per cent in contractual services by comparison with the 2013 approved budget, as a result of efficiency gains and the saving of some €250,000 by holding the Assembly's thirteenth session at United Nations Headquarters in New York.

620. This budget line also includes the cost of translation and printing of documentation.

*Training*

621. Training is used to keep staff members updated in their specific fields of work, and remains at the same level as in the 2013 approved budget.

*General operating expenses*

622. This covers the expenditures for mailing documents, notes verbales and publications to States Parties, to the members of the Committee on Budget and Finance as well as members of the Advisory Committee on Nominations of Judges and occasionally to seminars to promote universality of the Rome Statute, either using regular post, registered mail or courier services.

*Supplies and materials*

623. The supplies and materials cover cost of office supplies, including stationery used by the staff of the Secretariat (paper, toners, pens, memo pads, folders etc.). This includes stationery for the two sessions of the Committee on Budget and Finance, for the meetings of the Advisory Committee on Nominations of Judges and the annual session of the Assembly, as well as for the regular meetings of The Hague Working Group.

*Furniture and equipment*

624. The Secretariat has managed to increase efficiency through the use of USB flash drives, which are distributed to delegates attending the Assembly session. These contain pre-session official documents in the official languages, resulting in the saving of some €60,000 in the cost of printing, transporting, storing and distributing paper copies of such documents.

**Table 105: Major Programme IV: Proposed budget for 2014**

Major Programme IV Secretariat of the Assembly of States Parties	Expenditure 2012 (thousands of euro)			Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013			
	Basic	Situation- related	Total	Cont. Fund	Total incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						605.7		605.7	636.2		636.2	30.5	5.0
General Service staff						285.1		285.1	290.7		290.7	5.6	2.0
<i>Subtotal staff</i>	<i>768.2</i>		<i>768.2</i>		<i>768.2</i>	<i>890.8</i>		<i>890.8</i>	<i>926.9</i>		<i>926.9</i>	<i>36.1</i>	<i>4.1</i>
General temporary assistance	306.3		306.3		306.3	517.1		517.1	544.5		544.5	27.4	5.3
Temporary assistance for meetings	277.5		277.5		277.5	460.0		460.0	220.0		220.0	-240.0	-52.2
Overtime	61.0		61.0		61.0	38.0		38.0	38.0		38.0		
Consultants													
<i>Subtotal other staff</i>	<i>644.8</i>		<i>644.8</i>		<i>644.8</i>	<i>1,015.1</i>		<i>1,015.1</i>	<i>802.5</i>		<i>802.5</i>	<i>-212.6</i>	<i>-20.9</i>
Travel	282.1		282.1		282.1	293.8		293.8	363.9		363.9	70.1	23.9
Hospitality	6.2		6.2		6.2	5.0		5.0	6.0		6.0	1.0	20.0
Contractual services	894.0		894.0		894.0	693.0		693.0	683.0		683.0	-10.0	-1.4
Training						9.9		9.9	9.9		9.9		
General operating expenses	24.7		24.7		24.7	24.4		24.4	24.4		24.4		
Supplies and materials	13.7		13.7		13.7	14.7		14.7	14.7		14.7		
Furniture and equipment	1.8		1.8		1.8	5.0		5.0	5.0		5.0		
<i>Subtotal non-staff</i>	<i>1,222.5</i>		<i>1,222.5</i>		<i>1,222.5</i>	<i>1,045.8</i>		<i>1,045.8</i>	<i>1,106.9</i>		<i>1,106.9</i>	<i>61.1</i>	<i>5.8</i>
<b>Total</b>	<b>2,635.5</b>		<b>2,635.5</b>		<b>2,635.5</b>	<b>2,951.7</b>		<b>2,951.7</b>	<b>2,836.3</b>		<b>2,836.3</b>	<b>-115.4</b>	<b>-3.9</b>
Distributed maintenance	27.2		27.2		27.2	33.4		33.4	9.2	5.6	9.2	-24.2	-72.5

**Table 106: Major Programme IV: Proposed staffing for 2014**

Secretariat of the Assembly of States Parties	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				1	1	1	1	1		5	2	2	4	9
				1	1	1	1	1		5	2	2	4	9
New/ Converted														
Redeployed/ Reclassified/ Returned														
<b>Total</b>				<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>		<b>5</b>	<b>2</b>	<b>2</b>	<b>4</b>	<b>9</b>

**Table 107: Sub-programme 4100: Conference**

4100 Conference	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013		
	Basic	Situation- related	Total	Cont. Fund	Total incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff													
General Service staff													
<i>Subtotal staff</i>	4.9		4.9		4.9								
General temporary assistance	157.9		157.9		157.9	270.7	270.7	274.5		274.5	3.8	1.4	
Temporary assistance for meetings	277.5		277.5		277.5	460.0	460.0	160.0		160.0	-300.0	-65.2	
Overtime	23.6		23.6		23.6	20.0	20.0	20.0		20.0			
Consultants													
<i>Subtotal other staff</i>	459.0		459.0		459.0	750.7	750.7	454.5		454.5	-296.2	-39.5	
Travel	192.7		192.7		192.7	180.4	180.4				-180.4	-100.0	
Hospitality													
Contractual services	894.0		894.0		894.0	681.0	681.0	591.0		591.0	-90.0	-13.2	
Training													
General operating expenses	24.7		24.7		24.7	24.4	24.4	24.4		24.4			
Supplies and materials	6.1		6.1		6.1	10.0	10.0	10.0		10.0			
Furniture and equipment													
<i>Subtotal non-staff</i>	1,117.5		1,117.5		1,117.5	895.8	895.8	625.4		625.4	-270.4	-30.2	
<b>Total</b>	<b>1,581.4</b>		<b>1,581.4</b>		<b>1,581.4</b>	<b>1,646.5</b>	<b>1,646.5</b>	<b>1,079.9</b>		<b>1,079.9</b>	<b>-566.6</b>	<b>-34.4</b>	

625. Sub-programme 4100 (Conference) shows conference costs, inter alia for the Assembly, the two sessions of the Committee on Budget and Finance except those major costs reflected in Sub-programme 4300, and costs for the meetings of the Advisory Committee on Nominations of Judges, as well as for the regular meetings of The Hague Working Group. Such costs also include temporary assistance for meetings and travel costs.

**Table 108: Sub-programme 4200: Secretariat of the Assembly**

4200 Secretariat of the Assembly	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013	
	Basic	Situation- related	Total	Cont. Fund	Total incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount
Professional staff	763.3		763.3		763.3	605.7	605.7	486.9		486.9	-118.8	-19.6
General Service staff						285.1	285.1	290.7		290.7	5.6	2.0
<i>Subtotal staff</i>	763.3		763.3		763.3	890.8	890.8	777.6		777.6	-113.2	-12.7
General temporary assistance	148.4		148.4		148.4	246.4	246.4	165.1		165.1	-81.3	-33.0
Temporary assistance for meetings												
Overtime	37.4		37.4		37.4	18.0	18.0	18.0		18.0		
Consultants												
<i>Subtotal other staff</i>	185.8		185.8		185.8	264.4	264.4	183.1		183.1	-81.3	-30.7
Travel	89.4		89.4		89.4	113.4	113.4	67.2		67.2	-46.2	-40.7
Hospitality	6.2		6.2		6.2	5.0	5.0	6.0		6.0	1.0	20.0
Contractual services						12.0	12.0				-12.0	-100.0
Training						9.9	9.9	9.9		9.9		
General operating expenses												
Supplies and materials	7.6		7.6		7.6	4.7	4.7	4.7		4.7		
Furniture and equipment	1.8		1.8		1.8	5.0	5.0	5.0		5.0		
<i>Subtotal non-staff</i>	105.0		105.0		105.0	150.0	150.0	92.8		92.8	-57.2	-38.1
<b>Total</b>	<b>1,054.1</b>		<b>1,054.1</b>		<b>1,054.1</b>	<b>1,305.2</b>	<b>1,305.2</b>	<b>1,053.5</b>		<b>1,053.5</b>	<b>-251.7</b>	<b>-19.3</b>

626. Sub-programme 4200 (Secretariat of the Assembly), reflects the resources for the Secretariat including those for the office of the President of the Assembly, costs relating to services and work on behalf of the Assembly's Bureau, the Working Groups of the Bureau (The Hague Working Group and New York Working Group), the Oversight Committee on permanent premises, the Advisory Committee on Nominations of Judges and the Committee on Budget and Finance, except those major costs reflected in Sub-programme 4300.

**Table 109: Sub-programme 4300: Committee on Budget and Finance**

4300 Committee on Budget and Finance	Expenditure 2012 (thousands of euro)			Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013			
	Situation- Basic	Situation- related	Total	Cont. Fund	Total incl.CF	Situation- Basic	Situation- related	Total	Situation- Basic	Situation- related	Total	Amount	%
Professional staff								149.3			149.3	149.3	
General Service staff													
<i>Subtotal staff</i>								<i>149.3</i>			<i>149.3</i>	<i>149.3</i>	
General temporary assistance													
Temporary assistance for meetings								60.0			60.0	60.0	
Overtime													
Consultants													
<i>Subtotal other staff</i>								<i>60.0</i>			<i>60.0</i>	<i>60.0</i>	
Travel								262.6			262.6	262.6	
Hospitality													
Contractual services								80.0			80.0	80.0	
Training													
General operating expenses													
Supplies and materials													
Furniture and equipment													
<i>Subtotal non-staff</i>								<i>342.6</i>			<i>342.6</i>	<i>342.6</i>	
<b>Total</b>								<b>551.9</b>			<b>551.9</b>	<b>551.9</b>	

627. Sub-programme 4300 (Committee on Budget and Finance) includes the direct costs related to the Committee on Budget and Finance, such as interpretation costs, which is reflected under temporary assistance for meetings, the translation costs, which is reflected under contractual services, travel costs of the members of the Committee and the post of the Executive Secretary to the Committee. However, other related costs such as temporary staff hired to assist during the sessions, printing and mailing costs and others are reflected under Sub-programmes 4100 and 4200.

**Table 110: Sub-programme 4400: Office of the President of the Assembly**

4400 Office of the President of the Assembly	Expenditure 2012 (thousands of euro)			Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013			
	Basic	Situation- related	Total	Cont. Fund	Total incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff													
General Service staff													
<i>Subtotal staff</i>													
General temporary assistance									104.9		104.9	104.9	
Temporary assistance for meetings													
Overtime													
Consultants													
<i>Subtotal other staff</i>									104.9		104.9	104.9	
Travel									34.1		34.1	34.1	
Hospitality													
Contractual services									12.0		12.0	12.0	
Training													
General operating expenses													
Supplies and materials													
Furniture and equipment													
<i>Subtotal non-staff</i>									46.1		46.1	46.1	
<b>Total</b>									<b>151.0</b>		<b>151.0</b>	<b>151.0</b>	

628. Sub-programme 4400 (Office of the President of the Assembly) includes the direct costs related to the Office of the President of the Assembly, such as the travel costs of the President to The Hague, Europe and Africa, the post of the Special Assistant to the President and contractual services to cover meetings with diplomats and high officials.

## E. Major Programme V: Interim Premises

629. Since 2013, Major Programme V Interim Premises has been reinstated in the proposed programme budget of the Court to provide stakeholders with a clear overview of the Court's resource requirements with regards to the costs of rental and maintenance of its interim premises in The Hague until the Court moves to its permanent premises.

630. The total budget proposal for this major programme is €5,900,700. Of the proposed total cost the host State will contribute to the rent of the interim premises of the Court in the amount of 50 per cent, up to a maximum of €3 million per year, for the years 2013, 2014 and 2015.<sup>68</sup>

### Programme 5100: Interim Premises

#### Introduction

631. Without suitable premises, the Court cannot function properly. The Interim Premises programme is thus linked to, and has an important influence on, all of the Court's strategic objectives.

#### Objectives

1. Effective resources management and identification and implementation of possible further efficiency measures (SO 2.1.1).

**Table 111: Expected results, performance indicators and target for 2014**

<i>Expected Results</i>	<i>Performance Indicators</i>	<i>Target 2014</i>
<b>Objective 1</b>		
Implementation of improved efficiency strategy.	Offices in accordance with standard international organization practices: number of staff working in conditions corresponding to international standards, divided by total number of staff; and	100%.
	New housing needs are addressed within agreed time frame and budget: number of supported new housing needs, divided by the number of housing requests.	95%.

### Basic Resources

#### *General operating expenses*

632. The rental costs presented in this budget proposal are based on those negotiated with the various owners of the interim premises and include an estimated two per cent CPI. The maintenance costs are based on known, 2013 costs as of mid-2013 and also include a CPI increase of two per cent.

**Table 112: Breakdown of estimated 2014 costs**

Rental of Haagse Arc	2,855,439
Rental of Haagseveste	1,550,111
Rental of Saturnusstraat 20	270,016
Rental of sundry land	93,491
ApparaatskostenRgd (RGD margin)	226,254
Owner's asset service costs @ €10/sq.m. LFA	278,835
Maintenance of Premises by RGD	626,552
<b>Total Cost under this Major Programme</b>	<b>5,900,700</b>

<sup>68</sup> *Official Records ... Eleventh session ... 2012* (ICC-ASP/11/20), vol. I, part III.A, Resolution ICC-ASP/11/Res.1, Section C.

**Table 113: Major Programme V: Proposed budget for 2014**

5100 Rent and Maintenance (Interim Premises)	Expenditure 2012 (thousands of euro)			Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014vs 2013			
	Situation- Basic	Situation- related	Total	Cont. Fund	Total incl.CF	Situation- Basic	Situation- related	Total	Situation- Basic	Situation- related	Total	Amount	%
Professional staff													
General Service staff													
<i>Subtotal staff</i>													
General temporary assistance													
Temporary assistance for meetings													
Overtime													
Consultants													
<i>Subtotal other staff</i>													
Travel													
Hospitality													
Contractual services													
Training													
General operating expenses						5,901.5		5,901.5	5,900.7		5,900.7	-0.8	0.0
Supplies and materials													
Furniture and equipment													
<i>Subtotal non-staff</i>						5,901.5		5,901.5	5,900.7		5,900.7	-0.8	0.0
<b>Total</b>						<b>5,901.5</b>		<b>5,901.5</b>	<b>5,900.7</b>		<b>5,900.7</b>	<b>-0.8</b>	<b>0.0</b>

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

### Introduction and Objectives

633. The Trust Fund for Victims (“the Fund” or “TFV”) supports activities which address the harm resulting from crimes under the jurisdiction of the Court by assisting victims to return to a dignified and contributory life within their communities. The Fund fulfills two mandates: (1) administering reparations ordered by the Court against a convicted person,<sup>69</sup> and (2) using other resources for the benefit of victims in accordance with the provisions of article 79 of the Rome Statute.<sup>70</sup> Both mandates provide support to victims of genocide, crimes against humanity and war crimes committed since 1 July 2002.<sup>71</sup>

634. The budget assumptions in respect of the Fund’s activities in 2014 have been included in annex III to the Proposed Programme Budget setting out the Court’s assumptions. The main priorities of the Fund in 2014 include: improving resource-mobilization and fund-raising results; strengthening and extending activities under the Fund’s assistance mandate in the Democratic Republic of the Congo, northern Uganda and the Central African Republic, as part of its development of the global programme framework; undertaking a follow-up survey of the 2010 victim impact assessment; preparing for and implementing reparations if ordered by the Court; and carrying out assessment studies for activities in other situation-countries, including Kenya and possibly Côte d’Ivoire, depending on the availability of programme resources. On 26 March 2013, the Fund decided to suspend, until further notice, its activities in CAR due to the deterioration of the security situation in that country. Pending the above-mentioned assessment studies and considering the current uncertainties concerning the security situation in CAR, the Fund is not in a position to confirm whether it is able to carry out its assistance project in this country at the date of the current submission.

635. These activities are likely to result in an increased workload for the Fund’s small Secretariat, and it is essential that it be given the necessary resources to ensure sufficient capacity to manage and implement these priorities, and to maintain programme impact and effectiveness across multiple situations.

636. As regards implementation of Court-ordered reparations, the precise resource needs of the Fund’s Secretariat remain to be assessed, pending the outcome of the reparations phase in the *Lubanga* case. It should be noted that in the decision of Trial Chamber I in this case on the principles and procedures for reparations,<sup>72</sup> the Court assigned to the Trust Fund significant roles and responsibilities in the development and implementation of appropriate reparations awards. Pending the outcome of the appeals proceedings in the case, the costs for the Fund Secretariat associated with its mandate to implement Court-ordered reparations awards cannot yet be addressed or quantified.

637. At its Annual Meeting in March 2013, the Fund’s Board of Directors approved the extension of the Fund’s 2009-2012 Strategic Plan through to the end of 2013, as well as the process for developing a new Strategic Plan covering the period 2014-2017. This Plan will be presented for approval to the Board at their meeting in March 2014. The Fund’s goals for 2014 as outlined below are thus indicative only, while remaining closely related to the budgetary goals formulated for 2013 and to the outcomes to be discussed at the Board’s annual meeting in March 2014. The goals include: (i) mandate-driven impact and results; (ii) improved institutional visibility and (iii) effective governance and well-balanced organizational development; and (iv) financial sustainability (assessed and voluntary contributions). They can also be related to the Court’s strategic goals (2013-2017) as follows:

<sup>69</sup> Rule 98(2), (3) and (4) of the Rules of Procedure and Evidence.

<sup>70</sup> Rule 98(5) of the Rules of Procedure and Evidence. For more information on the Fund’s legal basis, see <http://trustfundforvictims.org/legal-basis>.

<sup>71</sup> As defined in articles 6, 7 and 8 of the Rome Statute.

<sup>72</sup> See Decision of Trial Chamber I of 7 August 2012 establishing the principles and procedures to be applied to reparations.

**Table 114: TFCV Goals**

<i>TFCV goals (MP VI budget 2014)</i>	<i>Court's strategic goals 2013-2017</i>
Mandate-driven impact and results (assistance and reparations).	Meaningful reparations, successful implementation of reparations orders (1.6).
Improved institutional visibility and recognition.	Further develop world-wide support by strengthening the trust, cooperation and commitment of States, international and regional organizations, NGOs and others (3.2).
Effective governance and well-balanced organizational development.	Coherent governance and efficient, responsive management practice (2.1); Integrity, professionalism and diversity (2.2); Adequate human resources; (2.4) and a healthy and enabling human resource development environment (2.5); and Adequate security for staff and other stakeholders (2.8).
Financial sustainability (Secretariat; voluntary contributions; awards, fines and forfeitures).	Further develop systems to plan and budget strategically, including management of risk and performance (2.6).

638. The goals of the Fund highlight the strategic importance that the TFCV Board attaches to programme and management performance, visibility and recognition, effective and efficient organizational development, and financial sustainability in order to ensure that the Fund matures as envisaged by the States Parties.

639. While the strategies of the Court and the Fund are directly related, the Fund's goals are specific to its dual mandate of delivering assistance and reparations to victims under the jurisdiction of the Court and within a particular governance framework. Furthermore, the Fund's victim support projects are not financed out of assessed contributions, but primarily through voluntary contributions and private donations; and in the case of reparations, by such awards, fines and forfeitures as may be ordered by the Court.

640. The following table presents the expected results and performance indicators for the Fund and its Secretariat ("STFCV") in 2014.

**Table 115: Expected Results and Performance Indicators**

<i>TFV Goal</i>	<i>Expected results</i>	<i>Performance indicators / targets</i>	<i>Observations</i>
Mandate-driven impact and results (assistance and reparations).	Assistance mandate: replicating, scaling-up and strengthening of TFV interventions.	TFV effectively implements assistance programmes in 3-4 ICC situation countries, supporting approx. 100,000 direct victim beneficiaries.	Expansion dependent on strengthening of STFV and on revenue from voluntary contributions.
	Reparations mandate: initiation and effective design and implementation of reparations awards.	TFV develops and implements reparation plans related to 1-2 ICC cases.	Dependent on outcome of judicial proceedings, including reparations phase and possible appeals.
Improved institutional visibility and recognition.	TFV stands out and is recognized as an effective instrument of reparative justice in the context of international criminal law.	TFV is referenced in public domain (media, conferences) in a positive and constructive manner [qualitative target].	TFV outreach capability is limited, and the TFV is not formally integrated into the Court's outreach strategy.
		Impact survey results (assistance and reparations mandates) demonstrate positive appreciation by victims and communities [qualitative target].	Dependent on availability of resources to carry out impact surveys.
		TFV benefits from matching resources and partnerships (public, civil society, private sector) to support visibility and fundraising.	
Effective governance and well-balanced organizational development.	TFV Board is fully and transparently accountable to the Assembly, donors and victim beneficiaries for the management of the Fund and its resources; as well as to the Court for the management and use of reparations awards, fines and forfeitures.	TFV Strategic Plan (2014-2017) is in place; SOP(s) with the Court on implementation of reparations awards.	
		STFV is adequately financed through assessed contributions, and its structure and composition reflect organizational needs.	TFV is responsive to requirements of both the assistance and reparations mandates.
			Positions adequately reflect responsibilities. GTA conversions to established posts and review of staff levels as needed. Performance management system in place at organizational and staff levels.
Financial sustainability	Voluntary contributions: revenue from States is consolidated; diversification to private donors	States (Parties) and other donors will contribute €million or more, in voluntary contributions	Dependent on economic and financial outlook of key donors
		TFV receives private donations from both institutional and individual donors.	Dependent on capacity of STFV to develop marketing and fundraising capacity outside of existing core capacity, vetting procedure for donations over USD 5,000 is in place, including due diligence policy approved by the Board.
		TFV benefits from matching contributions and partnerships (public, civil society, private sector) to support marketing and fund-raising.	
		Maximized results from awards, fines, forfeitures for use in the implementation of Court-ordered reparations.	This type of revenue is established as core element of financing Court-ordered reparations; and TFV is included in Court protocol regarding seizure and freezing of assets.

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

641. One Legal Adviser (P-4, recurrent): to provide the Fund Board and Secretariat with expert legal advice regarding the development and implementation of the Fund's assistance and reparations mandates. This includes, but is not limited to, the preparation of legal filings with the Court, external representation of the Fund in legal matters and advice on the legal dimension of implementing Court-ordered reparations awards.

642. One Administrative Assistant (The Hague, recurrent). This position serves to strengthen the support capacity within the Secretariat in relation to the increased workload related to the Fund's programme administration and field operational support needs.

**Situation-related resources***General temporary assistance*

643. Field Programme Assistants (DRC, CAR). These positions ensure the field-based monitoring and guidance of the Fund's implementing partners and are of importance to guarantee the quality and appropriateness of activities implemented on behalf of the Fund. The positions are recurrent.

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

644. Recurrent. Including Board-member travel, fund-raising activities, meetings with donors, partners, UN agencies and other stakeholders and attendance at sessions of the Assembly.

*Hospitality*

645. Recurrent. For events, receptions and donor meetings aimed at increasing the visibility of the fund, and for resource-mobilization initiatives.

*Contractual services*

646. The following contractual services are foreseen:

- (a) External Auditors;
- (b) Fund Board meeting (venue, events, services);
- (c) Support to the further development of the Fund's SAP Grants Management module, including in view of adaptation to modifying SAP GM according to IPSAS requirements, and facilitating resources and asset management related to the implementation of Court-ordered reparations awards; and
- (d) Development of tools and media to support and increase the Fund's public visibility and outreach capacity.

647. The following consultancy services are foreseen: Assistance with communication and marketing activities related to the resource development of the Fund, including the diversification of revenues towards private donations and the engagement of Goodwill Ambassadors.

*Training*

648. Recurrent. For training of staff in programme and project reporting, including monitoring and evaluation (M&E).

*General operating expenses*

649. Recurrent. To cover communications and miscellaneous expenses.

*Supplies and materials*

650. Recurrent. For basic office supplies and other expendable office materials.

*Furniture and equipment*

651. Recurrent. Equipment required for meetings and workshops, including for the annual Board meeting.

**Situation-related resources***Travel*

652. Recurrent. Including Board-member travel, fund-raising activities, meetings with donors, partners, UN agencies and other stakeholders, attendance at sessions of the Assembly.

653. Recurrent. For mandate-related travel by both Headquarters and field staff, including visiting projects and partners to support project planning, monitoring, evaluation and reporting, as well as staff meetings in the field, and annually at Headquarters.

*Contractual services*

654. The following contractual services are foreseen:

(a) Follow-up survey on the Fund victims impact research study (2010), to assess changes and developments in perceptions of justice, assistance and reparations amongst the original survey's target group; and

(b) Vehicle rentals in CAR, Kenya, Uganda and DRC.

655. The following consultancy services are foreseen:

(a) Specialized technical assistance with programme development in existing (DRC, Uganda, CAR) and new (Kenya) Fund programmes.

*Training*

656. Recurrent. For training of staff in programme and project reporting, including monitoring and evaluation (M&E).

*General operating expenses*

657. To cover logistical expenditures, as the Fund's staff is operating in remote, high-risk locations, where basic infrastructure is absent or deficient.

*Supplies and materials*

658. Recurrent. For basic office supplies and other expendable office materials.

*Furniture and equipment*

659. Recurrent. Equipment required for meetings and workshops in the field.

**Table 116: Major Programme VI: Proposed budget for 2014**

6100 Secretariat of the Trust Fund for Victims	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013		
	Basic	Situation- related	Total	Cont. Fund	Total incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff					169.1	445.9	615.0	171.3	437.5	608.8	-6.2	-1.0	
General Service staff					63.2	63.2	126.4	64.5	64.5	129.0	2.6	2.1	
<i>Subtotal staff</i>	<i>217.6</i>	<i>588.0</i>	<i>805.6</i>		<i>805.6</i>	<i>232.3</i>	<i>509.1</i>	<i>741.4</i>	<i>235.8</i>	<i>502.0</i>	<i>737.8</i>	<i>-3.6</i>	<i>-0.5</i>
General temporary assistance	128.0	58.8	186.8		186.8	208.9	68.3	277.2	213.6	69.1	282.7	5.5	2.0
Temporary assistance for meetings													
Overtime													
Consultants		12.9	12.9		12.9	40.0	60.0	100.0		110.0	110.0	10.0	10.0
<i>Subtotal other staff</i>	<i>128.0</i>	<i>71.7</i>	<i>199.7</i>		<i>199.7</i>	<i>248.9</i>	<i>128.3</i>	<i>377.2</i>	<i>213.6</i>	<i>179.1</i>	<i>392.7</i>	<i>15.5</i>	<i>4.1</i>
Travel	38.1	38.7	76.8		76.8	97.8	130.7	228.5	106.6	126.0	232.6	4.1	1.8
Hospitality	2.2		2.2		2.2	2.5		2.5	2.5		2.5		
Contractual services	167.4	73.2	240.6		240.6	118.0	50.0	168.0	100.0	80.0	180.0	12.0	7.1
Training	1.3	1.1	2.4		2.4	4.5	22.9	27.4	6.0	15.6	21.6	-5.8	-21.2
General operating expenses						5.0	17.0	22.0	5.0	10.0	15.0	-7.0	-31.8
Supplies and materials	0.5		0.5		0.5	3.0		3.0	3.0		3.0		
Furniture and equipment							10.0	10.0	5.0	5.0	10.0		
<i>Subtotal non-staff</i>	<i>209.5</i>	<i>113.0</i>	<i>322.5</i>		<i>322.5</i>	<i>230.8</i>	<i>230.6</i>	<i>461.4</i>	<i>228.1</i>	<i>236.6</i>	<i>464.7</i>	<i>3.3</i>	<i>0.7</i>
<b>Total</b>	<b>555.1</b>	<b>772.7</b>	<b>1,327.8</b>		<b>1,327.8</b>	<b>712.0</b>	<b>868.0</b>	<b>1,580.0</b>	<b>677.5</b>	<b>917.7</b>	<b>1,595.2</b>	<b>15.2</b>	<b>1.0</b>
Distributed maintenance	6.1	20.0	26.1		26.1	5.6	19.3	24.9	9.2	5.6	14.8	-10.1	-40.6

**Table 117: Major Programme VI: Proposed staffing for 2014**

Secretariat of the Trust Fund for Victims	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				1										
					1		3							
<i>Subtotal</i>				<i>1</i>	<i>1</i>		<i>3</i>						<i>2</i>	<i>7</i>
New														
<i>Subtotal</i>														
Redeployed/ Returned														
<i>Subtotal</i>														
<b>Total</b>				<b>1</b>	<b>1</b>		<b>3</b>						<b>2</b>	<b>7</b>

## **G. Major Programme VII-1 and VII-2: Permanent premises project**

660. Major Programme VII-1 consists of two sub-programmes, namely 7110 and 7120. Sub-programme 7130 has been removed from the annual budget.

661. Sub-programme 7110 comprises the Project Director's Office and will during 2014 continue to focus on the administration and management of the general contractor's contract and related tasks. The project will continue in the construction phase throughout 2014.

662. In 2014, following the joint decision of the Registrar and the Oversight Committee of 5 July 2013 on revised governance, a unified project now includes both construction and transition activities under the leadership of the Project Director. The Project Director's Office has been expanded to incorporate the staff of the former Registry Permanent Premises Office (RPPO formerly POPP), which has been removed from the Registry budget (MPIII-3770, formerly 3160) in order to simplify both the management structure and reporting lines of the project and the transparency of the financial impact for States Parties, as well as providing efficiency savings by removing any possible duplication of resources and costs and ensuring maximum coordination.

663. Sub-programme 7120 relates to crucial support provided to the project by sections of the Court. The Project Director makes funds available to those sections heavily involved in supporting the Permanent Premises Project, in order to enhance their support capacity. In 2014 this support has been expanded to incorporate the necessary requirements of the Transition Project, and similar agreements have been put in place to cover this increase in activities as efficiently as possible.

664. Major Programme VII-2 manages the payment of interest on the host State loan, which in 2014 is required to be received and paid to the host State no later than 1 February 2014.

665. The Project Director is also responsible for control of the construction budget, being tasked with ensuring that in total it does not exceed €190 million. It is proposed that this multi-year budget (including 2gv) be expanded to €195 million to incorporate the transition activities, thus enabling savings made on the construction project to partially offset the costs of those activities. The financing of this additional €5 million is subject to further decision of the Oversight Committee and the Assembly through the Committee on Budget and Finance. The combined construction and transition budget is reported on separately in the Court's Financial Statements.

## 1. Major Programme VII-1: Project Director's Office (permanent premises)

**Table 118: Major Programme VII-1: Proposed budget for 2014**

7100 Project Office of the Permanent Premises	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013	
	Situation- related		Total	Cont. Fund	Total incl.CF	Situation- related		Situation- related		Total	Amount	%
	Basic					Basic		Basic				
Professional staff					293.8		293.8	532.4		532.4	238.6	81.2
General Service staff					63.2		63.2	64.5		64.5	1.3	2.1
<i>Subtotal staff</i>	<i>352.3</i>		<i>352.3</i>		<i>352.3</i>		<i>357.0</i>	<i>596.9</i>		<i>596.9</i>	<i>239.9</i>	<i>67.2</i>
General temporary assistance	34.2		34.2									
Temporary assistance for meetings												
Overtime	3.1		3.1									
Consultants												
<i>Subtotal other staff</i>	<i>37.3</i>		<i>37.3</i>		<i>37.3</i>							
Travel	6.4		6.4		6.4	9.7	9.7	18.0		18.0	8.3	85.6
Hospitality	4.2		4.2		4.2	2.5	2.5	2.5		2.5		
Contractual services	148.0		148.0		148.0	616.3	616.3	661.0		661.0	44.7	7.3
Training	36.5		36.5		36.5	3.2	3.2	3.2		3.2		
General operating expenses						2.5	2.5	4.0		4.0	1.5	60.0
Supplies and materials						1.5	1.5	1.5		1.5		
Furniture and equipment	1.9		1.9		1.9	4.0	4.0	2.0		2.0	-2.0	-50.0
<i>Subtotal non-staff</i>	<i>197.0</i>		<i>197.0</i>		<i>197.0</i>	<i>639.7</i>	<i>639.7</i>	<i>692.2</i>		<i>692.2</i>	<i>52.5</i>	<i>8.2</i>
<b>Total</b>	<b>586.6</b>		<b>586.6</b>		<b>586.6</b>	<b>996.7</b>	<b>996.7</b>	<b>1,289.1</b>		<b>1,289.1</b>	<b>292.4</b>	<b>29.3</b>
Distributed maintenance	15.2		15.2		15.2	14.9	14.9	23.0		23.0	8.1	54.1

**Table 119: Major Programme VII-1: Proposed staffing for 2014**

7100 Project Office of the Permanent Premises	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		1		4		1	1	5
Situation-related														
<i>Subtotal</i>				<i>1</i>	<i>1</i>	<i>1</i>		<i>1</i>		<i>4</i>		<i>1</i>	<i>1</i>	<i>5</i>
New/ Converted														
Basic														
Situation-related														
<i>Subtotal</i>														
Redeployed/ Reclassified/ Returned														
Basic														
Situation-related														
<i>Subtotal</i>														
<b>Total</b>				<b>1</b>	<b>1</b>	<b>1</b>		<b>1</b>		<b>4</b>		<b>1</b>	<b>1</b>	<b>5</b>

**(a) Sub-programme 7110: Project Director's Office****Introduction**

666. The objective of the Project Director's Office (PDO) is to provide the Court with the necessary permanent premises, fully complete and operational. In 2009, the activities of the PDO started with the architectural design competition and selection. The final design was completed on 1 November 2011. The year 2012 focused on the successful completion of the tendering procedure for the general contractor and the start of the construction works, which have been continued in 2013. The year 2014 will also focus on the continuation of the construction works. 2014 will for the first time include the integration of all the necessary transition activities to ensure the smooth transition to full operation of the permanent premises by the end of 2015.

**Table 120: Expected results, performance indicators and target for 2014**

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>
<b>Objective 1</b> To provide the Court with the necessary permanent premises to meet the Organization's strategic goals and objectives.	Project performs in line with the agreed budget and outperforming where possible.	100%.
	Project in line with agreed timeline.	100%.
	Construction of the permanent premises continued and on schedule.	100%.
<b>Objective 2</b> To ensure the smooth, efficient and timely transition of the Court from the interim premises to the permanent premises.	Project incorporates all of the necessary activities to ensure the achievement of the objectives.	100%.
	Project in line with agreed timeline.	100%.
	Ensure new operating policies and procedures are all identified and all necessary preparation work is in progress.	100%.
<b>Objective 3</b> To ensure the most cost-effective, efficient and timely return of the interim premises to the host State.	Ensure the transfer from the interim premises to the permanent premises is aligned as cost-effectively as possible, with minimum overlap.	100%.

**Basic assumption**

667. The assumption is a zero nominal growth budget compared to the 2013 approved budget. The 2013 budget serves as the baseline. Where certain 2014 proposed budget lines show an increase against the 2013 approved budget, the increase is offset by efficiency savings in other budget lines.

668. This assumption applies also to the incorporation of the former Registry Office of the Permanent Premises (MPIII-3770) into MP VII and the expansion of Court staff support activities to include those necessary for the transition.

**Table 121: Project Director's Office-Comparative budgets**

Budget line	Approved 2011 budget (€000)	Approved 2012 budget (€000)	Approved 2013 budget (baseline), zero nominal growth (€000)	Proposed 2014 budget (€000)	Difference (€000)	Intended outcome of the difference
Professional staff (PDO)	274.8	274.8	293.8	299.0	+ 5.2	.
<i>Professional staff (RPPO)</i>	<i>220.4</i>	<i>220.4</i>	<i>233.0</i>	<i>233.4</i>	<i>+ 0.4</i>	
General Services staff	60.6	60.6	63.2	64.5	+ 1.3	
General temporary assistance	16.8	15.5	0.0	0.0	0.0	NA
Travel (PDO)	26.2	9.6	9.7	15.2	+ 5.5	Difference due to location of Assembly being New York and not The Hague.
<i>Travel (RPPO)</i>	<i>12.4</i>	<i>5.2</i>	<i>5.8</i>	<i>2.8</i>	<i>- 3.0</i>	
Hospitality	5.0	2.5	2.5	2.5	0.0	NA
Contractual services (PDO)	81.0	110.0	80.0	65.5	-14.5	Saving
<i>Contractual services (RPPO)</i>	<i>171.8</i>	<i>194.3</i>	<i>100.0</i>	<i>0.0</i>	<i>- 100.0</i>	<i>Saving</i>
Training	6.2	3.2	3.2	3.2	0.0	NA
General operating expenses (PDO)	9.8	10.0	2.5	2.5	0.0	NA
<i>General operating expenses (RPPO)</i>	<i>5.0</i>	<i>5.0</i>	<i>3.0</i>	<i>1.5</i>	<i>- 1.5</i>	<i>Saving</i>
Supplies and materials (PDO)	1.9	1.9	1.5	1.5	0.0	NA
Furniture and equipment	10.0	5.0	4.0	2.0	-2.0	Saving
<i>Furniture and equipment (RPPO)</i>	<i>10.0</i>					
<b>Total / (PDO / RPPO) Difference compared to baseline</b>	<b>492.2</b>	<b>493.1</b>	<b>Baseline: 460.4</b>	<b>455.9</b>	<b>-4.5</b>	<b>Saving</b>
	<b>419.6</b>	<b>424.9</b>	<b>Baseline: 341.8</b>	<b>237.7</b>	<b>- 104.1</b>	<b>Saving</b>
<b>Total</b>	<b>911.8</b>	<b>918.0</b>	<b>Baseline: 802.2</b>	<b>693.6</b>	<b>- 108.6</b>	<b>Saving (13.5%)</b>

\*Includes figures from former MP III-3770 for comparative purposes.

### Basic resources

#### Staff resources

##### Established posts

669. The functions of the Project Director's Office were defined in resolution ICC-ASP/6/Res.1 annex IV.<sup>73</sup> Its mandate is to ensure that the permanent premises of the Court

<sup>73</sup> Official Records ... Sixth session ... 2007 (ICC-ASP/6/20), vol. I, part III.

are built on time, within cost and to specifications and quality. The Project Director has final responsibility for the overall management of the project and is responsible for meeting the project's goals, timelines and costs and quality requirements.

670. The staff resources of the Project Director's Office are further detailed in annex V to the aforesaid resolution. They consist of one Project Director D-1, one Deputy Project Director P-4 and one GS-OL Office Assistant.

671. For 2014, following the decision of the Registrar and the Oversight Committee in July 2013 (see paragraph 662 above) to modify the project governance structure, the two Professional staff members of the former Permanent Premises Office (MPIII-3770), namely one P-5 and one P-2, have been reassigned to the Project Director's Office under the direct leadership of the Project Director. This is to ensure the close management and full integration of all the transition activities necessary to ensure that the Court's move to the new premises is conducted with maximum speed, coordination and efficiency, and that the new premises are fully operational by the end of 2015.

672. The Project Director's Office will remain in place until after completion of the construction project, and the Court's successful transition to the new premises in late 2015, and the full establishment of its new operations in early 2016.

673. Prior to this addition of Professional staff, a re-organization of the Project Director's office was implemented during 2012 to better shape the team to the challenges ahead. The details of this re-organization and the staffing consequences were further covered in annex VII to the "Approved Programme Budget for 2013 of the International Criminal Court".<sup>74</sup> One post is still pending re-classification following implementation of the revised Court re-classification policy. The financial consequence of this is not included in this budget submission.

674. The established posts that were formerly part of the Registry Permanent Premises Office and reallocated to the Project Director's Office will inter alia provide the crucial support necessary to ensure that the move from the interim premises and ICT migration and, generally, all policies and procedures for permanent premises operations, are fully developed, co-ordinated and agreed with all necessary sections within the timelines required.

#### **Non-staff resources**

##### *Travel*

675. Recurrent. On the assumption that the Assembly session in 2014 will take place in New York, the cost of travel to New York is incorporated in the budget. The proposed travel budget is significantly lower than the approved travel budget in 2011, when the Assembly session was also held in New York.

676. The travel budget is also intended to cover visits to the general contractor and visits to reference projects, which create the potential for significant savings. As an illustration, the Project Director's Office undertook a one-day visit to Paris in order to find solutions for the Court's proposed tower façade. The result of the visit was a saving for the project of €1 million.

677. The PDO also intends to visit materials and service vendors in order to assure an appropriate selection of materials (façades, floor finishes, tiles, etc.) for the new premises and select suitable service vendors. A breakdown of costs is shown in the table below. Costs are conditioned by number of visits and destination.

<sup>74</sup> *Official Records ... Eleventh session ... 2012* (ICC-ASP/11/20), vol. II, part A.

**Table 122: Breakdown of PDO travel costs**

Purpose	Destination	Number of visits/ persons travelling	Cost (thousands of euros)
Assembly session in New York	New York	2 x 7 days	8.4
Reference projects	Europe	3 x 1 day	3.4
Materials/ service vendors	Europe	3 x 1 day	3.4
Materials/ service vendors (transition activities)	Europe	2 x 1 day	2.8
<b>Total</b>			<b>18.0</b>

*Hospitality*

678. Recurrent. The hospitality budget is a requirement for the Project Director's Office. The Project Director and the project team meet regularly with external partners, including on-site, and thus need to be in a position, as a matter of courtesy, to offer basic refreshments. For this service, the in-house caterer of the Court is used.

*Contractual services*

679. Recurrent. A reduced budget provision for contractual services is required to cover the following essential services:

- Translation: Since the Court's in-house translation capacity is not sufficient to cover the PDO's translation requirements, external translation services are to be procured. These services are for the purpose of translating letters from the host State and other project documents from Dutch into English and translating certain documents (such as newsletters, Internet texts and Intranet texts) from English into French. Vendors are chosen from those recommended by the Court's Interpretation and Translation Section.

**Table 123: Translation of documents**

Type of document	Source language	Target language	Pages	Cost (thousands of euros)
Technical documents (ground survey reports, soil investigation reports, reports i.r.t. permit requirements, etc.).	Dutch	English	350	21.0
	English	Dutch		
Newsletter, information leaflets, Internet and Intranet texts, press releases, etc.	English	French	25	1.5
Official correspondence from host State.	Dutch	English	50	3.0
<b>Total</b>				<b>25.5</b>

- External printing services: in order to assess and review contractor's technical drawings and documents, hard copies are required. Due to the size and format of the materials, external services are to be procured.
- Representational material: to ensure appropriate communication on the project and its progress, visual material is required. This consists of updates of existing material and new material (e.g. time lapse movie, progress movie, etc.).
- Telephone services: during the construction period, the PDO will also have a small-capacity office on the construction site. In order for the office to be able to function remotely, internet access is a prerequisite. Mobile data contracts therefore need to be procured.

*Training*

680. Recurrent. Staff need to have the proper knowledge and tools to adapt to the construction industry's particularly fast-changing environment, Costs include a course to further develop NEC contracting methodology, a course in project management for building projects and a course in managerial leadership.

*General operating expenses*

681. Recurrent. This budget line includes costs related to exhibition of the design, and transport costs related to external communication events.

*Supplies and materials*

682. Recurrent. This concerns costs related to the purchase of technical books, publications and subscriptions such as NEC subscription and construction information services subscription. This covers both print material as well as electronic subscriptions.

*Furniture and equipment*

683. Recurrent. This cost covers specialist project management software such as Autocad, Indesign, Vector works, Photoshop, etc. The remote office on-site and the need for the PDO staff to be partly located there also requires software and other miscellaneous equipment as necessary to meet the demands of the project.

**Table 124: Major Programme VII-1: Proposed budget for 2014**

7110 Project Director's Office for Permanent Premises	Expenditure 2012 (thousands of euro)			Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013	
	Basic	Situation- related	Total	Cont. Fund	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff						293.8			293.8	238.6	81.2
General Service staff						63.2			63.2	1.3	2.1
<i>Subtotal staff</i>	<i>352.3</i>		<i>352.3</i>			<i>352.3</i>			<i>357.0</i>	<i>239.9</i>	<i>67.2</i>
General temporary assistance	12.7		12.7								
Temporary assistance for meetings											
Overtime											
Consultants											
<i>Subtotal other staff</i>	<i>12.7</i>		<i>12.7</i>			<i>12.7</i>					
Travel	5.0		5.0			5.0	9.7		9.7	8.3	85.6
Hospitality	4.2		4.2			4.2	2.5		2.5		
Contractual services	45.7		45.7			45.7	80.0		80.0	-14.5	-18.1
Training							3.2		3.2		
General operating expenses							2.5		2.5	1.5	60.0
Supplies and materials							1.5		1.5		
Furniture and equipment	1.9		1.9			1.9	4.0		4.0	-2.0	-50.0
<i>Subtotal non-staff</i>	<i>56.8</i>		<i>56.8</i>			<i>56.8</i>	<i>103.4</i>		<i>103.4</i>	<i>-6.7</i>	<i>-6.5</i>
<b>Total</b>	<b>421.8</b>		<b>421.8</b>			<b>421.8</b>	<b>460.4</b>		<b>460.4</b>	<b>233.2</b>	<b>50.7</b>
Distributed maintenance	15.2		15.2			15.2	14.9		14.9	8.1	54.1

**(b) Sub-programme 7120: Court Staff Resources****Introduction**

684. Sub-programme 7120 relates to the crucial support functions required by the project from the Court's sections. In 2012 this concerned mainly support for procurement of a general contractor for the largest and most complex contract ever entered into by the Court. In 2013 ongoing support is required for management of the contract. The need for that support will continue through 2014 and beyond, over the lifespan of the project.

685. This sub-programme has been crucial to the successful achievement of all milestones of the project over the last few years. For 2014, it has been expanded to cover the crucial transition activities necessary for the Court to prepare the new premises for full operational use and to return the interim premises to the host State.

686. Service agreements with the key sections of the Court involved in both the construction project and the transition activities have been formalized by the PDO, outlining what is expected from them with regard to input into the project and specifying the payment they are to receive from the programme for their services, while leaving the sections involved free to decide on how to use these funds to cover the staff time required. Normal practice is for the sections concerned to create a temporary post to cover day-to-day activities, enabling a key experienced member of staff to work full-time on the project. This provides the expertise necessary to ensure that the new premises are designed for future operation in the most functional and efficient way possible.

687. Court staff resources will be required for the duration of the Permanent Premises Project and for the transition of the Court to the new premises. The current estimated cash flow over the next three years is as follows:

**Table 125: Court staff resources**

<i>€ million</i>	<i>2013 (current Year)</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>Total</i>
Sub-programme 7120	0.4	0.6	0.6	0.3	1.9

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2014</i>
<b>Objective 1</b> To provide the Permanent Premises Project with the necessary crucial support functions to meet its strategic goals and objectives.	Permanent Premises Project receives from the Court good quality input in a timely manner; and  Permanent Premises Project benefits to the greatest extent possible from expertise and experience existing within the Court.	100%.  100%.
<b>Objective 2</b> To provide the necessary crucial support functions to the transition activities required to successfully move the Court to the new premises and make them fully operational.	Permanent Premises Project receives from the Court good quality input for transition activities in a timely manner; and  The transition activities benefit to the greatest extent possible from expertise and experience existing within the Court.	100%.  100%.

**Staff resources****Basic resources***Contractual services*

688. Following the establishment of service agreements with the relevant sections of the Court, a fixed fee for the services rendered has been agreed for the next three years. This fixed fee will be used by each of the relevant sections as they see fit. For clarity of reporting, the amounts have been taken out from the GTA line and the reference to a

financial equivalent of a post has been omitted. The fixed fee appears in the contractual services budget line.

689. The specific budgeted costs for 2014 for each of the service agreements indicated are detailed in the table below.

**Table 126: Service agreements costs**

<i>Elements</i>	<i>2014 budget requested</i>
Service agreement FMU	€183,600
Service agreement SSS	€1,800
Service agreement ICTS	€183,600
Services from other sections (e.g. Audit, Procurement, etc.)	€36,500
<b>Court staff total</b>	<b>€595,500</b>

690. The support from the Court's sections is crucial to both the construction project and the transition activities. In order to give the sections concerned enough flexibility to organize their responsibility in the project, while continuing the delivery of services in support of the Court's operations, they are provided with fixed financial support, which they are free to use, at their own discretion, to contract services or to establish temporary support posts to cover the staff time required.

**Table 127: Sub-programme 7120: Proposed budget for 2014**

7120 ICC Staff Resource and Management Support for the Permanent Premises	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013		
	Basic	Situation- related	Total	Cont. Fund	Total incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff													
General Service staff													
<i>Subtotal staff</i>													
General temporary assistance	21.5		21.5		21.5								
Temporary assistance for meetings													
Overtime	3.1		3.1		3.1								
Consultants													
<i>Subtotal other staff</i>	<i>24.6</i>		<i>24.6</i>		<i>24.6</i>								
Travel	1.4		1.4		1.4								
Hospitality													
Contractual services	87.9		87.9		87.9	386.3		386.3	595.5		595.5	209.2	54.2
Training													
General operating expenses													
Supplies and materials													
Furniture and equipment													
<i>Subtotal non-staff</i>	<i>89.3</i>		<i>89.3</i>		<i>89.3</i>	<i>386.3</i>		<i>386.3</i>	<i>595.5</i>		<i>595.5</i>	<i>209.2</i>	<i>54.2</i>
<b>Total</b>	<b>113.9</b>		<b>113.9</b>		<b>113.9</b>	<b>386.3</b>		<b>386.3</b>	<b>595.5</b>		<b>595.5</b>	<b>209.2</b>	<b>54.2</b>

## 2. Major Programme VII-2: Permanent Premises Project - Interest

### Introduction

691. In 2008, the Assembly accepted the host State's offer of a loan for the Permanent Premises Project of up to a maximum of €200 million, to be repaid over a period of 30 years at an interest rate of 2.5 per cent.<sup>75</sup>

692. In response to requests from the Committee and the Assembly, in its proposed budget for 2011 the Court established Major Programme VII-2 to report on the interest expected to be paid on the loan amounts received by the Court for the Permanent Premises Project.<sup>76</sup>

693. The financial implications of Major Programme VII-2 are only applicable to those States Parties that did not opt for a one-time payment.<sup>77</sup>

694. The loan agreement signed between the host State and the Court stipulates that the interest due from the Court to the State over a particular calendar year is to be paid by the Court on the due date (namely on or before 1 February of the following calendar year).<sup>78</sup>

695. In 2013, the Court estimates it will need to access €8.2 million from the loan. Interest on the outstanding loan for 2013 will amount to approximately €170,300, which is due on 1 February 2014 under the host State loan agreement.

696. In 2014, the Court estimates that a further amount of €3.2 million will be drawn from the loan. Interest on the outstanding loan for 2014 will amount to approximately €2,075,000, which will be due in January 2015.

697. With the assistance of the host State, the project has been able to negotiate an agreement with the Dutch tax office waiving the project from VAT on purchases from the major Dutch vendors for the project. Given the fact that the selected general contractor is a Dutch firm, the project will save approximately €160,000 in loan interest payments, as the loan does not need to be accessed to pre-finance the VAT.

698. To minimize the interest paid by States Parties who did not opt for a one-time payment, the draw-down of the loan is done on a monthly basis. At the latest on the tenth day of each calendar month the Court informs each State in writing of its financing requirements under the loan for the following calendar month. A careful estimation of cash-flow needs will minimize the number of days interest is accrued.

699. A further reduction to the accrued interest is being obtained by extending the possibility for States Parties to opt for a one-time payment throughout the construction period until mid-2015.

700. The project intends to continue to draw down from the host State loan up to August 2015, so that interest will continue to be due from the Court to the host State until that time.

<sup>75</sup> Resolution ICC-ASP/7/Res. 1, para. 2 and annex II.

<sup>76</sup> *Official Records ... Ninth session ... 2010* (ICC/ASP/9/20), vol. II, part A, section G.

<sup>77</sup> Resolution ICC-ASP/7/Res. 1, annex III.

<sup>78</sup> Loan agreement between State of the Netherlands (Ministry of Foreign Affairs) and International Criminal Court, dated 23 March 2009, para. 6.1.

**Table 128: Accrual and payment impact over the next years**

<i>In euros (*)</i>	2013	2014	2015	2016	2017 (**)	...	2046
<b>1. Interest</b>							
1a. Accrual	170,257	2,075,015	3,589,626	916,562	-		
1b. Payment (latest 1 Feb)	-	170,257	2,075,015	3,589,626	916,562		
<b>2. Repayment of the loan</b>							
2a. Accrual	-	-	-	5,008,948	6,678,598	6,678,598	6,678,598
2b. Payment (latest 1 Feb each year)	-	-	-	-	5,008,948	6,678,598	6,678,598
<b>Total accrual</b>	170,257	2,075,015	3,589,626	5,925,510	6,678,598	6,678,598	6,678,598
<b>Total payment (latest 1 February)</b>	-	170,257	2,075,015	3,589,626	5,925,510	6,678,598	6,678,598

(\*) estimated figures– subject to change.

(\*\*) From 2017 and onwards (30 years).

701. To fulfill its legal obligations vis-à-vis the host State the Court is due to pay the interest following the access to the loan. On the advice of the Committee, it was decided that the interest was to be zero funding for 2013. The funding will follow the cash flow, which determines that the funds are payable to the host State by latest 1 February 2014. On the same logic, the interest accrued in 2014 is payable by latest 1 February 2015.

702. A Note Verbale is intended to go out in November 2013 to each State Party indicating its contribution to the interest accrued in 2013, with a payment date of 20 January 2014. The Working Capital Fund will be required in case the contributions are not received in time to pay the host State by 1 February 2014. The same will apply to the interest accrued in 2014.

**Table 129: Programme 7200: Proposed budget for 2014**

7200 Accrued Interest, Host State	Expenditure 2012 (thousands of euro)			Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013			
	Basic	Situation- related	Total	Cont. Fund	Total incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Professional staff													
General Service staff													
<i>Subtotal staff</i>													
General temporary assistance													
Temporary assistance for meetings													
Overtime													
Consultants													
<i>Subtotal other staff</i>													
Travel													
Hospitality													
Contractual services													
Training													
General operating expenses								170.3		170.3		170.3	
Supplies and materials													
Furniture and equipment													
<i>Subtotal non-staff</i>								170.3		170.3		170.3	
<b>Total</b>								<b>170.3</b>		<b>170.3</b>		<b>170.3</b>	

## H. Major Programme VII-5: Independent Oversight Mechanism

### Introduction

703. Major Programme VII-5, the Independent Oversight Mechanism (IOM), was established by the Assembly at its eighth session in accordance with article 112, paragraph 4, of the Rome Statute to provide independent, effective and meaningful oversight of the Court. The envisioned scope of the IOM's activities includes investigation, evaluation and inspection. The Assembly decided at its eleventh session that it would consider these mandates comprehensively at its twelfth session.<sup>79</sup>

704. At present, pursuant to ICC-ASP/9/Res.5, the staffing of the office only reflects that required for its investigative mandate.<sup>80</sup> As explained above, the issue of whether the IOM will also be mandated to perform inspections and/or evaluations will be determined at the Assembly's twelfth Session. In line with the Assembly's conclusion in ICC-ASP/9/Res.5 that additional staffing would be reviewed in light of additions to the IOM's mandate, this budget reflects only those posts which have been established to carry out the IOM's investigative mandate and the operating expenses anticipated to support the investigative activities of the office. Proposals relating to the additional staff and operating budget required should the Assembly resolve to establish the inspection and/or evaluation functions of the IOM are set out separately in annex VII.

705. Due to the delay in bringing the IOM into full operation, resources currently allocated under the line items of contractual services and furniture and equipment have not been spent. It is anticipated that they will be required in 2014 when the office becomes fully operational, with its full complement of staff.

### Staff resources

706. The Independent Oversight Mechanism currently envisages two posts, both Professional staff (one P-4 and one P-2). The P-4 post (Head) is temporarily held by a staff member of the United Nations Secretariat on the basis of a reimbursable loan. Due to the delay in operationalizing the IOM's investigative functions, the P-2 has not yet been recruited and was not budgeted for in 2013. There are no General Service posts to provide administrative support to the office.

### Non-staff resources

#### *Contractual services*

707. Contractual expenses are required to support specific investigation activities requiring the use of external resources. It is further envisioned that additional contractual expenses might be incurred during the initial phases of the IOM's operations in developing secured work-flow and content management systems and electronic case archives.

#### *Travel*

708. The funds provide for travel to field offices to conduct investigations as requested by the Court and to undertake programme evaluation activities relating to field services. Travel expenses are also required to permit the Head of the IOM to travel to participate in the session of the Assembly, which is due to take place in New York in 2014.

#### *Training*

709. There is a need for professional staff of the office to participate in training to upgrade their substantive skills and, in particular, to ensure that they are conversant with international best practices in their area of expertise. Prices for these courses range from

<sup>79</sup> *Official Records ... Eleventh session ... 2012* (ICC-ASP/11/20), vol. I, part III, ICC-ASP/11/Res. 4, para. 3.

<sup>80</sup> *Official Records ... Ninth session ... 2010* (ICC-ASP/9/20), vol. I, part III, ICC-ASP/9/Res.5, paragraph 1 of which states that the IOM "shall perform only its investigative function and consist of two staff members, i.e. one staff member who will head the office at the P-4 level and one further staff member at the P-2 level. If the Assembly decides to operationalize the inspection and evaluation functions of the Independent Oversight Mechanism, it shall also review, as it deems necessary, the staffing capacity and grade of the head and other staff members."

€2500 to €5000 depending on the topic and the number of days involved (three days is an average).

### Supplies and materials

710. As the office is in the process of being established, funding is required for the acquisition of supplies and materials to support office activities. Funds are also requested for the acquisition of furniture and equipment.

**Table 130: Major Programme VII-5: Proposed budget for 2014**

7500 Independent Oversight Mechanism	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013		
	Situation- Basic	Situation- related	Total	Cont. Fund	Total incl.CF	Situation- Basic	Situation- related	Total	Situation- Basic	Situation- related	Total	Amount	%
Professional staff						124.7		124.7	127.8		127.8	3.1	2.5
General Service staff													
<i>Subtotal staff</i>	<i>0.4</i>		<i>0.4</i>		<i>0.4</i>	<i>124.7</i>		<i>124.7</i>	<i>127.8</i>		<i>127.8</i>	<i>3.1</i>	<i>2.5</i>
General temporary assistance	128.0		128.0		128.0								
Temporary assistance for meetings													
Overtime													
Consultants													
<i>Subtotal other staff</i>	<i>128.0</i>		<i>128.0</i>		<i>128.0</i>								
Travel						4.7		4.7	4.8		4.8	0.1	2.1
Hospitality													
Contractual services						40.0		40.0	40.0		40.0		
Training	11.4		11.4		11.4	6.5		6.5	6.5		6.5		
General operating expenses													
Supplies and materials						10.0		10.0	10.0		10.0		
Furniture and equipment						20.0		20.0	20.0		20.0		
<i>Subtotal non-staff</i>	<i>11.4</i>		<i>11.4</i>		<i>11.4</i>	<i>81.2</i>		<i>81.2</i>	<i>81.3</i>		<i>81.3</i>	<i>0.1</i>	<i>0.1</i>
<b>Total</b>	<b>139.8</b>		<b>139.8</b>		<b>139.8</b>	<b>205.9</b>		<b>205.9</b>	<b>209.1</b>		<b>209.1</b>	<b>3.2</b>	<b>1.6</b>
Distributed maintenance	6.1		6.1		6.1	5.6		5.6	9.2		9.2	3.6	64.0

**Table 131: Major Programme VII-5: Proposed staffing for 2014**

Independent Oversight Mechanism		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		2				2
	Situation-related														
	<i>Subtotal</i>						<i>1</i>		<i>1</i>		<i>2</i>				<i>2</i>
New/ Converted	Basic														
	Situation-related														
	<i>Subtotal</i>														
Redeployed/ Reclassified/ Returned	Basic														
	Situation-related														
	<i>Subtotal</i>														
<b>Total</b>						<b>1</b>		<b>1</b>		<b>2</b>				<b>2</b>	

## Annexes

### Annex I

#### **Draft Resolution of the Assembly of States Parties on the proposed programme budget for 2014, the Working Capital Fund for 2014, scale of assessment for the apportionment of expenses of the International Criminal Court, financing appropriation for 2014 and the Contingency Fund**

*The Assembly of States Parties,*

*Having considered* the proposed programme budget for 2014 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 twenty first session,

#### **I. Programme budget for 2014**

*The Assembly of States Parties,*

1. *Approves* appropriations totalling €126,071,700 for the following appropriation sections:

<i>Appropriation section</i>	<i>Thousands of euros</i>
Major Programme I - Judiciary	10,214.9
Major Programme II - Office of the Prosecutor	35,744.5
Major Programme III - Registry	68,111.6
Major Programme IV - Secretariat of the Assembly of States Parties	2,836.3
Major Programme V - Interim Premises	5,900.7
Major Programme VI - Secretariat of the Trust Fund for Victims	1,595.2
Major Programme VII-1 - Project Director's Office (permanent premises)	1,289.1
Major Programme VII-2 - Permanent Premises Project Interest	170.3
Major Programme VII-5 - Independent Oversight Mechanism	209.1
<b>Total</b>	<b>126,071.7</b>

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

	<i>Judiciary</i>	<i>Office of the Prosecutor</i>	<i>Registry</i>	<i>Secretariat Assembly of States Parties</i>	<i>Secretariat Trust Fund for Victims</i>	<i>Project Director's Office</i>	<i>Independent Oversight Mechanism</i>	<i>Total</i>
USG		1						1
ASG		1	1					2
D-2								
D-1		3	4	1	1	1		10
P-5	3	12	16	1	1	1		34
P-4	3	29	39	1		1	1	74
P-3	21	44	66	1	3			135
P-2	5	47	62	1		1	1	117
P-1		16	6					22
<i>Sub-total</i>	<i>32</i>	<i>153</i>	<i>194</i>	<i>5</i>	<i>5</i>	<i>4</i>	<i>2</i>	<i>395</i>

	Judiciary	Office of the Prosecutor	Registry	Secretariat Assembly of States Parties	Secretariat Trust Fund for Victims	Project Director's Office	Independent Oversight Mechanism	Total
GS-PL	1	1	16	2				20
GS-OL	15	63	268	2	2	1		351
<i>Sub-total</i>	<i>16</i>	<i>64</i>	<i>284</i>	<i>4</i>	<i>2</i>	<i>1</i>		<i>371</i>
<b>Total</b>	<b>48</b>	<b>217</b>	<b>478</b>	<b>9</b>	<b>7</b>	<b>5</b>	<b>2</b>	<b>766</b>

## II. Working Capital Fund for 2014

*The Assembly of States Parties,*

*Resolves* that the Working Capital Fund for 2014 shall be established in the amount of €7,405,983, 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.

## III. Scale of assessment for the apportionment of expenses of the International Criminal Court

*The Assembly of States Parties,*

*Decides* that, for 2014, the contributions of States Parties shall be assessed in accordance with an agreed scale of assessment, based on the scale adopted by the United Nations for its regular budget applied for 2013 and adjusted in accordance with the principles on which that scale is based.<sup>1</sup>

*Notes* that, in addition, any maximum assessment rate for the largest contributors applicable for the United Nations regular budget will apply to the International Criminal Court's scale of assessments.

## IV. Financing appropriations for 2014

*The Assembly of States Parties,*

*Resolves* that, for 2014, budget appropriations amounting to €126,071,700 and the amount for the Working Capital Fund of €7,405,983, approved by the Assembly under part I, paragraph 1, and part II, respectively, of the present resolution, be financed in accordance with regulations 5.1, 5.2 and 6.6 of the Financial Regulations and Rules of the Court.

## V. Contingency Fund

*The Assembly of States Parties,*

*Recalling* its resolutions ICC-ASP/3/Res. 4 establishing the Contingency Fund in the amount of €10,000,000 and ICC-ASP/7/Res. 4 that requested the Bureau to consider options for replenishing both the Contingency Fund and the Working Capital Fund,

*Taking note* of the advice of the Committee on Budget and Finance in the reports on the work of its eleventh and thirteenth sessions,

*Decides* to maintain the Contingency Fund at its current level for 2014;

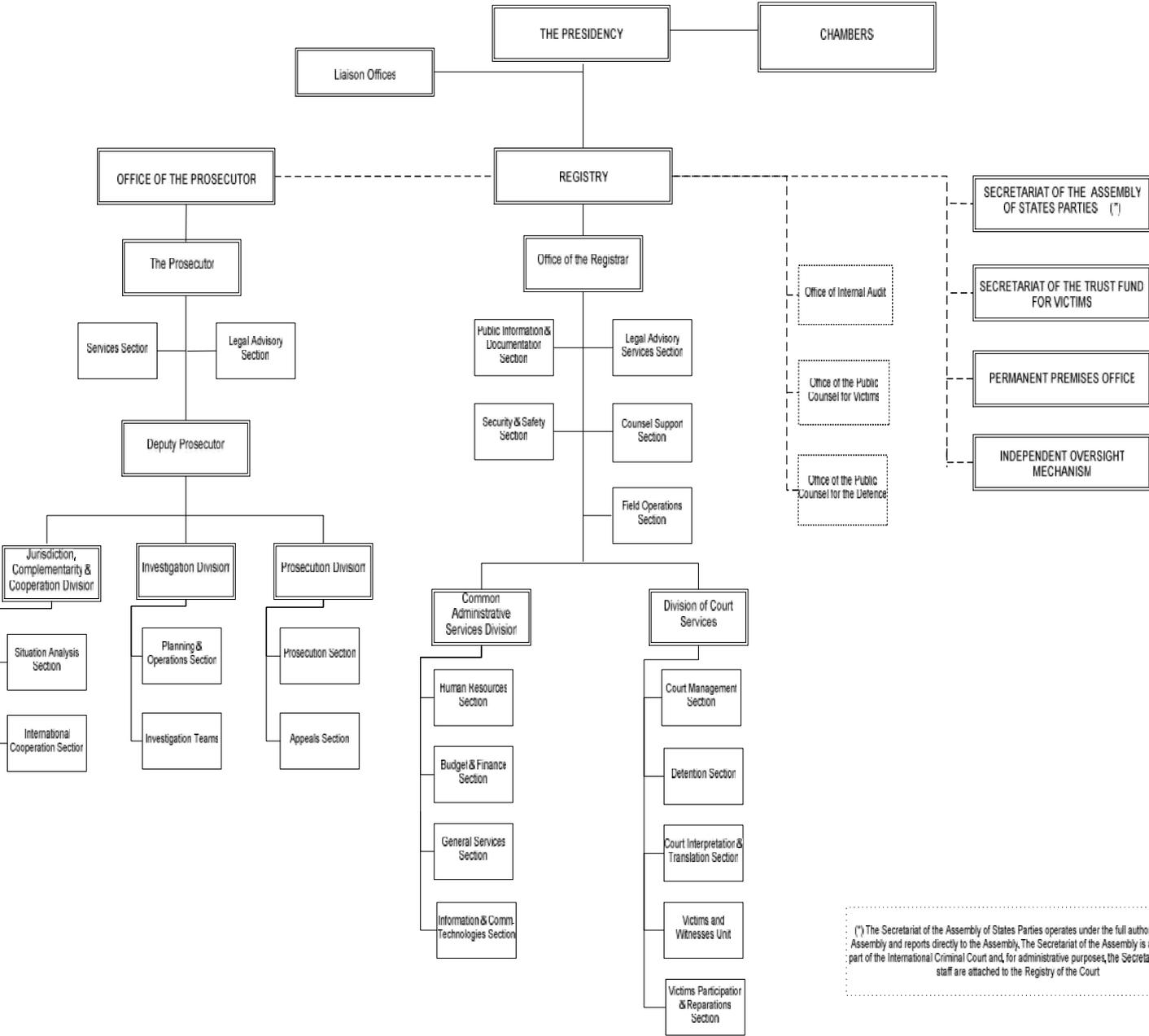
*Decides* that, should the Fund reach a level below €7 million by the end of the year, the Assembly should decide on its replenishment up to an amount it deems appropriate, but no less than €7 million; and

*Requests* the Bureau to keep the €7 million threshold under review in light of further experience on the functioning of the Contingency Fund.

<sup>1</sup> Rome Statute of the International Criminal Court, article 117.

Annex II

Organizational structure of the Court



## Annex III

## Assumptions for the proposed programme budget for 2014

<i>Function</i>	<i>Total</i>
1. Number of planned Court hearings in 12 months	215 <sup>1</sup>
2. Number of situations under investigation	8 <sup>2</sup>
3. Number of full investigations	5 <sup>3</sup>
4. Number of limited investigations	13 <sup>4</sup>
5. Number of Trial teams	
Chambers	4 <sup>5</sup>
OTP	6 <sup>6</sup>
6. Number of Registry Courtroom support teams	1
7. Number of languages supported in Courtroom	5 <sup>7</sup> (1 booth per language indicated)
8. Number of other case-related languages supported	+28 <sup>8</sup>
9. Number of languages supported for correspondence with States Parties	22 <sup>9</sup>
10. Number of final appeals	4 <sup>10</sup>
11. Number of witnesses appearing for testimony	50
12. Expected maximum duration of stay per witness	15
13. Number of Victims applying for particip./rep.	4,800 <sup>11</sup>
14. Number of persons in Protection Programme	24
15. Number of suspects/accused appearing before the Court <sup>12</sup>	11 <sup>13</sup>
16. Number of suspects/accused in detention	5 <sup>14</sup>
17. Number of cells required	6
18. Number of defence teams financed by Legal Aid	8 <sup>15</sup>
19. Number of victims' repr. financed by Legal Aid	11 <sup>16</sup>
20. Number of Field offices/presence	6 <sup>17</sup>
21. Number of Field work-days	18,548 <sup>18</sup>

<sup>1</sup> Number of days available for Pre-Trial, Trial and Appeals Divisions (365 - 104 week-ends - 10 official holidays - 12 maintenance days - 40 court recess = 199 days). Maximum capacity for one courtroom and one courtroom team is increased to 215 days considering extended working hours (Ken1 82 days, Ken2 82 days, Banda 46 days, Ntaganda five days = 215 days).

<sup>2</sup> CIV, CAR, Libya, Uganda, DRC, DAR, Kenya, Mali. In addition, there are eight situations under preliminary examination.

<sup>3</sup> CIV [1 & 2], Mali [1 & 2] and DRC 6.

<sup>4</sup> Libya 1, Libya 2, CAR, Uganda, DRC 1, DRC 2, DRC 3 & 4, DRC 5, DAR1, DAR2 & 4, DAR3 and Kenya 1, Kenya 2.

<sup>5</sup> Ken1, Ken2, CAR, DAR3. There could be trial activity in all four cases. Provision will also be needed for pre-trial activities in Ntaganda and Gbagbo.

<sup>6</sup> Ken1, Ken2, CAR, DAR3, DRC1, DRC2. There could be trial activity in all six cases.

<sup>7</sup> French, English, Swahili, Kalendjin, Kinyarwanda.

<sup>8</sup> + Arabic, Sango, Lingala, Swahili, Acholi, Teso, Kumam, Lango, Luganda, Zaghawa, Kilendu, Ngiti, Alur, Kinyarwanda, Kalenjin, Gikuyu, Dohluo, Luhya, Dioula, Baoulé, Mòoré, Bété (Daloa), Wobe (Guéré), Bambara, Tamasheq, Songhay, Peul, Fur.

<sup>9</sup> 1) Working Languages: English, French 2) Judicial Cooperation Languages: Albanian, Bulgarian, Czech, Georgian, German, Greek, Croatian, Italian, Japanese, Korean, Latvian, Polish, Portuguese, Serbian, Slovak, Slovenian 3) Official Languages: Arabic, Chinese, Russian, Spanish.

<sup>10</sup> Lubanga, Katanga, Ngudjolo, Bemba.

<sup>11</sup> DRC: 100, Bemba: 1000, Banda & Jerbo: 50, Kenya: 3000 (1500 per case), Libya: 50, Mali: 500, CIV: 100.

<sup>12</sup> The term "accused" includes persons convicted at first instance pending appeal.

<sup>13</sup> Lubanga, Katanga, Ngudjolo, Bemba, Ruto, Sang, Kenyatta, Gbagbo, Ntaganda and Banda/Jerbo. Charges against M. Muthaura were dropped – see document ICC-01/09-02-696 of 18/03/2013).

<sup>14</sup> Lubanga, Katanga, Gbagbo, Ntaganda and Bemba.

<sup>15</sup> Two in trial: Sang, Banda; four in appeals: Lubanga, Katanga, Ngudjolo, Bemba ; two in pre-trial: Gbagbo, Ntaganda.

<sup>16</sup> Three in trial: one in Kenyatta, one in Ruto/Sang, one in Banda/Jerbo; six in appeals: two in Lubanga, two in Katanga/Ngudjolo, two in Bemba; two in pre-trial: Gbagbo, Ntaganda.

<sup>17</sup> Kampala, Kinshasa, Bunia, Nairobi, Bangui, Abidjan.

<sup>18</sup> Provisional figures and subject to review.

## Annex IV

## List of strategic goals of the International Criminal Court (2013-2017)

<i>Goal 1: Judicial and Prosecutorial</i>	<i>Goal 2: Managerial</i>	<i>Goal 3: Cooperation and Support</i>
1.1 Ensure fair, transparent and expeditious judicial proceedings, while further refining legal standards through well-developed jurisprudence and encouraging the development of standardized processes.	2.1 Deliver coherent governance and efficient, well-planned and cost-effective administration to support the Court's judicial functions, retaining the ability to respond effectively to unexpected developments.	3.1 Assist the Assembly of States Parties ("the Assembly") in exercising its management oversight while fully respecting the independence of the Court.
1.2 Perform independent and impartial preliminary examinations and further increase their impact in relation to positive complementarity and the prevention of crimes.	2.2 Maintain high standards of integrity, professionalism and respect for diversity.	3.2 Further develop the Court's worldwide support by strengthening the trust, cooperation and commitment of States, international and regional organizations, NGOs and other key partners and stakeholders.
1.3 Perform impartial, focused investigations and focused prosecutions.	2.3 Ensure adequate technological support for judicial and administrative activities.	3.3 Encourage compliance with Court orders such as arrest warrants, and identification, tracing and freezing of assets.
1.4 Guarantee the rights of the defence to a fair and impartial trial.	2.4 Ensure adequate human resources to deliver the Court's mandate and respect equitable geographical representation and gender balance.	3.4 Conclude further enforcement agreements, relocation agreements and agreements for interim release/acquittal.
1.5 Ensure adequate and meaningful participation and representation of victims.	2.5 Provide and maintain a healthy, motivating, sustainable and caring environment for staff and others participating in the Court's work and strive to offer career development and mobility opportunities.	3.5 With States Parties, encourage and support further accessions to the Rome Statute, with the ultimate goal of universality.
1.6 Ensure meaningful reparations and a successful implementation of reparation orders, including coherent principles for victim reparations.	2.6 Further develop the Court's systems to plan and budget strategically, including its efficient management of risks and performance.	3.6 With States Parties, encourage and facilitate the development of national capacities to ensure the goals of the Rome Statute.
1.7 Increase awareness of, communication with and understanding amongst victims and affected communities in line with the stages of the proceedings and of the Court and its processes generally.	2.7 Contribute to the timely provision of permanent premises that meet the Court's operational requirements.	
	2.8 Ensure adequate security for staff and other persons at risk because of their interaction with the Court, as well as adequate security of information and assets.	

**Annex V****Staffing information****Annex V (a)****Proposed Court staffing in 2014 by major programme**

<b>Total Court</b>	<i>USG</i>	<i>ASG</i>	<i>D-2</i>	<i>D-1</i>	<i>P-5</i>	<i>P-4</i>	<i>P-3</i>	<i>P-2</i>	<i>P-1</i>	<i>Total P-staff and above</i>	<i>GS-PL</i>	<i>GS-OL</i>	<i>Total GS-staff</i>	<i>Total Staff</i>
Major Programme I					3	3	21	5		32	1	15	16	48
Major Programme II	1	1		3	12	29	44	47	16	153	1	63	64	217
Major Programme III		1		4	16	39	66	62	6	194	16	268	284	478
Major Programme IV				1	1	1	1	1		5	2	2	4	9
Major Programme VI				1	1		3			5		2	2	7
Major Programme VII.1				1	1	1		1		4		1	1	5
Major Programme VII.5						1		1		2				2
<b>Grand Total</b>	<b>1</b>	<b>2</b>		<b>10</b>	<b>34</b>	<b>74</b>	<b>135</b>	<b>117</b>	<b>22</b>	<b>395</b>	<b>20</b>	<b>351</b>	<b>371</b>	<b>766</b>

**Annex V (b)****Changes to the staffing table**

<i>Number of posts</i>	<i>Level</i>	<i>From 2013 Approved Budget</i>	<i>To 2014 Proposed Budget</i>
<b>Office of the Prosecutor</b>			
Situation Related			
1	P4	Investigations	Immediate Office of the Prosecutor
1	P3	Planning and Ops FO - UGA	Planning and Ops Section FO - KEN
1	D1	n/a	Prosecution Division (new)
1	ASG	Prosecution Division	returned
4			
<b>Registry</b>			
Basic and Situation Related			
1	GS-OL	Field Operations Section - FO - CAR	Field Operations Section - FO - KEN
1	GS-OL	Field Operations Section - FO - CAR	Field Operations Section - FO - DRC-B
2	GS-OL	Victim & Witnesses Unit – FO - CAR	Victim & Witnesses Unit – FO - KEN
1	P2	Public Information and Documentation Section - FO - CAR	Public Information and Documentation Section - FO - DRC
5			
<b>Grand total = 9</b>			

**Annex V (c)****Salary and entitlements for 2014 – judges (thousands of euros)**

<b>Presidency:</b>	<i>Costs</i>
Special allowance for President and Vice-Presidents	28.0
<i>Subtotal Presidency</i>	28.0
<b>Chambers: 17 Judges</b>	
Standard salary costs - 16 Judges	2,865.0
Standard salary costs - One extended mandate for 4 months for Bemba case	60.0
Non-full time Judges' annual allowance	21.7
Judges' pensions	411.0
<i>Subtotal Chambers</i>	3,357.7
Accruals for annual leave	120.0
Accruals for relocation	112.6
Estimates of home leave and education grant expenses	71.6
Service incurred injury insurance - Court requirement - 2.12% of remuneration	62.0
Estimated costs of appointment - one judge	60.0
Cost of separation - one judge	23.7
<i>Subtotal Additional Requirements</i>	449.9
<b>Total Judges' Salary and Entitlements 2014</b>	<b>3,835.6</b>

## Annex V (d)

### Standard salary costs for 2014 - Professional and General Service staff at Headquarters (thousands of euros)

<i>Post level</i>	<i>Net salary</i>	<i>Common staff costs</i>	<i>Representation allowance</i>	<i>Total</i>
	<i>1</i>	<i>2</i>	<i>3</i>	<i>(1)+(2)+(3)=(4)</i>
USG	170.7	75.7	4	250.4
ASG	149.2	66.2	3	218.4
D-1	131.9	58.5		190.4
P-5	114.9	51.0		165.9
P-4	98.3	43.6		141.9
P-3	79.9	35.4		115.3
P-2	64.7	28.7		93.4
P-1	64.7	28.7		93.4
GS-PL	62.3	27.6		89.9
GS-OL	49.6	22.0		71.6

Delayed recruitment factors:

- (a) Existing Professional and General Service posts in MP II: 8%
- (b) Existing Professional and General Service posts in MPIII: 10%

<i>Delayed recruitment factors</i>			
<i>Post level</i>	<i>(0%)</i>	<i>(8%)</i>	<i>(10%)</i>
USG	250.4	230.4	225.4
ASG	218.3	200.9	196.5
D-1	190.3	175.1	171.3
P-5	165.8	152.6	149.3
P-4	142.0	130.6	127.8
P-3	115.4	106.1	103.8
P-2	93.5	86.0	84.1
P-1	93.5	86.0	84.1
GS-PL	89.9	82.7	80.9
GS-OL	71.6	65.9	64.5

## Annex VI

## Summary table by object of expenditure

Total ICC	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013		
	Basic	Situation- related	Total	Cont. Fund	Total incl.CF	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
Judges	4,879.4		4,879.4	398.6	5,278.0	4,689.4		4,689.4	3,835.6		3,835.6	-853.8	-18.2
Professional staff						20,216.3	21,855.0	42,071.3	20,945.8	21,946.5	42,892.3	821.0	2.0
General Service staff						11,741.6	9,328.7	21,070.3	11,885.6	9,547.4	21,433.0	362.7	1.7
<i>Subtotal staff</i>	<i>29,445.7</i>	<i>29,898.3</i>	<i>59,344.0</i>	<i>93.2</i>	<i>59,437.2</i>	<i>31,957.9</i>	<i>31,183.7</i>	<i>63,141.6</i>	<i>32,831.4</i>	<i>31,493.9</i>	<i>64,325.3</i>	<i>1,183.7</i>	<i>1.9</i>
General temporary assistance	3,452.6	8,824.3	12,276.9	637.0	12,913.9	2,789.2	8,397.1	11,186.3	3,125.3	16,896.7	20,022.0	8,835.7	79.0
Temporary assistance for meetings	337.2	224.7	561.9		561.9	660.0	153.2	813.2	474.7	68.8	543.5	-269.7	-33.2
Overtime	321.6	24.3	345.9		345.9	252.5	138.8	391.3	260.4	141.6	402.0	10.7	2.7
Consultants	119.3	93.1	212.4		212.4	141.0	177.1	318.1	34.6	244.0	278.6	-39.5	-12.4
<i>Subtotal other staff</i>	<i>4,230.7</i>	<i>9,166.4</i>	<i>13,397.1</i>	<i>637.0</i>	<i>14,034.1</i>	<i>3,842.7</i>	<i>8,866.2</i>	<i>12,708.9</i>	<i>3,895.0</i>	<i>17,351.1</i>	<i>21,246.1</i>	<i>8,537.2</i>	<i>67.2</i>
Travel	751.4	3,081.6	3,833.0	52.1	3,885.1	898.2	3,495.9	4,394.1	1,254.1	4,220.1	5,474.2	1,080.1	24.6
Hospitality	27.5	0.2	27.7		27.7	31.0		31.0	40.0		40.0	9.0	29.0
Contractual services	3,065.3	1,414.3	4,479.6	136.5	4,616.1	2,518.7	1,904.4	4,423.1	2,349.3	2,145.1	4,494.4	71.3	1.6
Training	390.6	230.7	621.3		621.3	459.4	232.9	692.3	473.9	255.0	728.9	36.6	5.3
Counsel for Defence		3,284.0	3,284.0	554.7	3,838.7		2,608.4	2,608.4		2,866.4	2,866.4	258.0	9.9
Counsel for Victims		2,174.7	2,174.7	212.5	2,387.2		3,448.2	3,448.2		3,000.7	3,000.7	-447.5	-13.0
General operating expenses	5,648.7	5,407.7	11,056.4	203.7	11,260.1	12,312.5	4,595.5	16,908.0	12,200.6	5,745.3	17,945.9	1,037.9	6.1
Supplies and materials	538.2	314.2	852.4	1.6	854.0	765.4	270.2	1,035.6	721.4	294.0	1,015.4	-20.2	-2.0
Furniture and equipment	1,123.3	35.2	1,158.5	62.7	1,221.2	963.0	76.7	1,039.7	625.9	472.9	1,098.8	59.1	5.7
<i>Subtotal non-staff</i>	<i>11,545.0</i>	<i>15,942.6</i>	<i>27,487.6</i>	<i>1,223.8</i>	<i>28,711.4</i>	<i>17,948.2</i>	<i>16,632.2</i>	<i>34,580.4</i>	<i>17,665.2</i>	<i>18,999.5</i>	<i>36,664.7</i>	<i>2,084.3</i>	<i>6.0</i>
<b>Total</b>	<b>50,100.8</b>	<b>55,007.3</b>	<b>105,108.1</b>	<b>2,352.6</b>	<b>107,460.7</b>	<b>58,438.2</b>	<b>56,682.1</b>	<b>115,120.3</b>	<b>58,227.2</b>	<b>67,844.5</b>	<b>126,071.7</b>	<b>10,951.4</b>	<b>9.5</b>

## Annex VII

### Provisional budget for Independent Oversight Mechanism

#### Introduction

1. Should the Assembly resolve to add inspection and evaluation to the IOM's present mandate, the following is the minimum staffing complement which would be required in order to perform these tasks adequately.

#### Staff

##### *P-5 (Chief of IOM)*

2. Upon activation of additional mandates, it is necessary to have a Chief of the IOM with the capacity to provide supervision and oversight to Professional staff with both evaluation and investigative portfolios, as well as to organize the overall work programme of the IOM (evaluation planning and supervision, supervision of inspections and investigations, ad hoc requests, and all the administrative and financial activities of the Office). The Chief of the IOM would also be responsible for reporting to the Assembly on the work of the Office and personally undertaking particularly sensitive investigations which require enhanced expertise and/or confidentiality.

##### *P-4 (Senior Evaluations Specialist)*

3. The expansion of the mandate of the IOM to include inspection and evaluation would require that the Office be augmented by staff with professional qualifications and expertise in these areas. Additionally, as is the case with the Investigator, the bifurcated nature of the office will necessitate that the evaluation professional act with significant independence. Additionally, as this individual is expected to function as a project manager for externally commissioned experts and high-level peer review panels on a case-by-case basis, the individual should be of sufficient seniority to function adequately in this role.

##### *P-2 (Associate Investigator)*

4. The primary responsibilities of the Associate Investigator would be to conduct internal investigations under the supervision of the Chief of the IOM. In addition, should there be periods where investigative duties were light, this post would support the activities of the Senior Evaluations Specialist through internal expertise of the various offices and projects within the Court and research as directed.

##### *GS-OL (Administrative/Investigative Assistant)*

5. The IOM has no administrative support staff. Once fully operational with a mandate of investigation, inspection and evaluation, it will be necessary for the Professional staff to be complemented by administrative support. Furthermore, a General Service staff member with skills in investigation and/or evaluation can provide substantive support in the Office's substantive work whilst also handling the general administrative requirements.

#### Non-staff

##### *Contractual services*

6. Additional contractual expenses to support outsourcing of individual programme evaluations as determined by the Assembly on a case-by-case basis. As the IOM would be in its first year of operations, it is not anticipated that additional resources would be required for contractual services.

##### *Training*

7. Expenses to provide Professional staff of the Office with training to upgrade substantive skills in the area of programme evaluation. Prices for these courses range from €2500 to €5000 depending on the topic and the number of days involved (three days is an

average). Additional resources in the amount of €7000 would be required, in light of the expanded staffing of the IOM.

### Travel

8. Expenses to provide for travel to field offices to undertake elements of programme evaluation, on an as-needs basis, when the programmes evaluated involve field operations. Additional resources in the amount of €5000 would be required to permit travel in relation to programme evaluation and activities occurring in the field.

**Table 1: Major Programme VII-5: Proposed budget for 2014**

7500 Independent Oversight Mechanism	Expenditure 2012 (thousands of euro)				Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013		
	Situation- Basic	Situation- related	Total	Cont. Fund	Total incl.CF	Situation- Basic	Situation- related	Total	Situation- Basic	Situation- related	Total	Amount	%
Professional staff						124.7		124.7	380.2		380.2	255.5	204.8
General Service staff													
<i>Subtotal staff</i>	<i>0.4</i>		<i>0.4</i>		<i>0.4</i>	<i>124.7</i>		<i>124.7</i>	<i>380.2</i>		<i>380.2</i>	<i>255.5</i>	<i>204.8</i>
General temporary assistance	128.0		128.0		128.0								
Temporary assistance for meetings													
Overtime													
Consultants													
<i>Subtotal other staff</i>	<i>128.0</i>		<i>128.0</i>		<i>128.0</i>								
Travel						4.7		4.7	4.7		4.7		
Hospitality													
Contractual services						40.0		40.0	60.0		60.0		
Training	11.4		11.4		11.4	6.5		6.5	8.5		8.5		
General operating expenses													
Supplies and materials						10.0		10.0	10.0		10.0		
Furniture and equipment						20.0		20.0	20.0		20.0		
<i>Subtotal non-staff</i>	<i>11.4</i>		<i>11.4</i>		<i>11.4</i>	<i>81.2</i>		<i>81.2</i>	<i>81.2</i>		<i>81.2</i>		
<b>Total</b>	<b>139.8</b>		<b>139.8</b>		<b>139.8</b>	<b>205.9</b>		<b>205.9</b>	<b>461.2</b>		<b>461.2</b>	<b>255.5</b>	<b>124.1</b>

**Table 2: Major Programme VII-5: Proposed staffing for 2014**

Independent Oversight Mechanism		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	2
	Situation-related										1			1	
	<i>Subtotal</i>										<i>1</i>			<i>1</i>	<i>2</i>
New/ Converted	Basic					1					1		1	1	2
	Situation-related														
	<i>Subtotal</i>														
Redeployed/ Reclassified/ Returned	Basic														
	Situation-related														
	<i>Subtotal</i>														
<b>Total</b>					<b>1</b>	<b>1</b>		<b>1</b>			<b>3</b>		<b>1</b>	<b>1</b>	<b>4</b>

## Annex VIII

### Proposed budget for 2014 for Advisory Committee on Nominations of Judges

The tentative travel cost for seven members to attend a one-day meeting in The Hague is €22,834.00. The assumption is that the two additional members are based in The Hague on the date of the meeting and thus do not require travel costs.

## Annex IX

### Proposed budget for 2014 for the African Union Liaison Office (AULO)

In line with resolution ICC-ASP/9/Res.4, IX, of the Assembly of States Parties,<sup>1</sup> no resources have been allocated to the African Union Liaison Office in the 2014 Proposed Programme Budget. In the event that the African Union should agree to the Court's request to open a Liaison Office in Addis Ababa, the Court will notify the Committee of the need for access to the Contingency Fund up to the amount in the Court's proposed budget for 2014 of €41,500 for the purpose of proceeding with the establishment of the said Liaison Office.

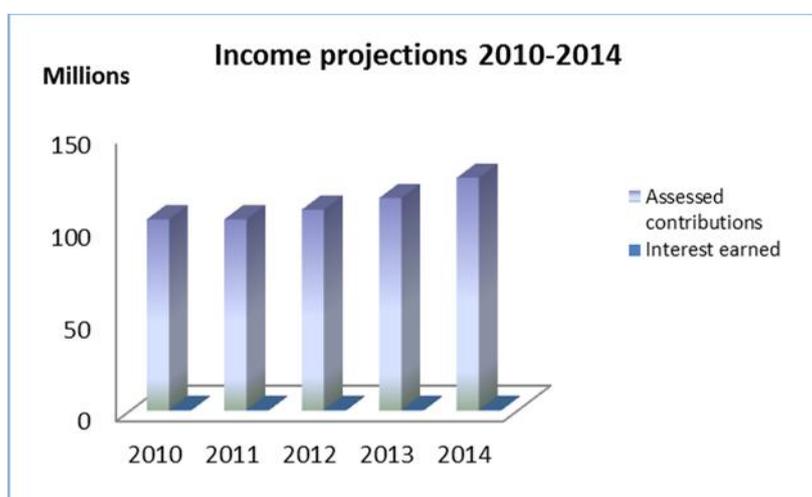
1320 African Union Liaison Office	Expenditure 2012 (thousands of euro)			Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
<i>Judges</i>									
Professional staff							171.3		171.3
General Service staff							64.5		64.5
<i>Subtotal staff</i>							235.8		235.8
General temporary assistance							71.6		71.6
Temporary assistance for meetings									
Overtime									
Consultants									
<i>Subtotal other staff</i>							71.6		71.6
Travel							15.2		15.2
Hospitality							1.0		1.0
Contractual services							15.6		15.6
Training									
General operating expenses							49.6		49.6
Supplies and materials							5.0		5.0
Furniture and equipment							47.7		47.7
<i>Subtotal non-staff</i>							134.1		134.1
<b>Total</b>							<b>441.5</b>		<b>441.5</b>

<sup>1</sup> Official Records ... Ninth Session ... 2010 (ICC-ASP/9/20), vol. I, part III, ICC-ASP/9/Res.4.

## Annex X

### Income projections 2011-2014 (millions of euros)

<i>Description</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>
Assessed contributions	103.6	108.8	0.0	0.0
Interest earned	0.3	0.4	0.3	0.4
<b>Total</b>	<b>103.9</b>	<b>109.2</b>	<b>0.3</b>	<b>0.4</b>



## Annex XI

### 2014 estimated income statements

#### Least-Developed Countries Trust Fund

<i>Item</i>	<i>Euros</i>
<b>Estimated income 2014</b>	
Donor contributions	50,000
<i>Subtotal income</i>	<i>50,000</i>
<b>Estimated expenditure 2014</b>	
Travel	42,200
Administration costs	7,800
<i>Subtotal expenditure</i>	<i>50,000</i>
<b>Net income 2014</b>	<b>0</b>

## Annex XII

### Introduction to programme and sub-programme functions

#### A. Major Programme I: Judiciary

1. Programme 1100: Presidency
  - (a) Administrative function: administration of the Court and coordination among the organs;
  - (b) Judicial function: support to Chambers, enforcement of sentences and other functions conferred upon the Presidency in accordance with the Statute and subsidiary texts; and
  - (c) External relations function: broaden the understanding of the work of the Court, and coordinate the Court's external communication activities.
2. Programme 1200: Chambers
  - (a) Pre-trial Division;
  - (b) Trial Division; and
  - (c) Appeals Division.
3. Programme 1300: Liaison Offices
  - (a) New York Liaison Office: Enhance interaction and facilitate cooperation between the Court and the United Nations.

#### B. Major Programme II: Office of the Prosecutor

1. Programme 2100: The Prosecutor
  - (a) Sub-programme 2110: Immediate Office of the Prosecutor / Legal Advisory Section
    - (i) Strategic function: directs strategies underpinning the Prosecutorial Strategy; evaluation of legal standards and policy, and quality control on activities and operations performed by the Office; coordination of information management strategies and processes within the OTP; human resource deployment strategy;
    - (ii) Advice function: legal advice to the operational divisions of the Office and coordination of the legal academic network; and
    - (iii) Communication: explaining OTP strategies and policies in preliminary examinations, situation and case selection; explaining and providing updates on investigative activities; defending OTP positions and interests.
  - (b) Sub-programme 2120: Services Section
    - (i) General Administration Unit: budgetary and financial matters, human resources administration and operational support to joint teams and divisions;
    - (ii) Language Services Unit: translation and field interpretation services pertaining to OTP operations;
    - (iii) Knowledge-Base Unit: OTP-specific technology-based services; and
    - (iv) Information and Evidence Unit: physical evidence, potential trial exhibits and referrals management.
2. Programme 2200: Jurisdiction, Complementarity and Cooperation Division
  - (a) Situation Analysis
    - (i) 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; and

(ii) Advice function: prepares substantive reports and recommendations for Executive Committee.

(b) International Cooperation

(i) External relations function: international network building, cooperation agreements negotiations and situation-related cooperation. Coordinates requests for assistance;

(ii) Judicial Cooperation: coordinates judicial assistance;

(iii) International Cooperation and Arrest: implements international cooperation strategies, promotes national efforts and general cooperation on arrest issues; and

(iv) Provides dedicated international cooperation advisory capacity to each of the joint teams.

3. Programme 2300: Investigation Division

(a) Sub-programme 2320: Planning and Operations Section

(i) Operational and Investigative Support Unit: support and monitor field operations and security procedures. Provide forensic expertise and working and non-working-language transcriptions and metadata entry resources;

(ii) Gender and Children Unit: advice and support in relation to victim/witness issues; and

(iii) 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.

(b) Sub-programme 2330: Investigation Teams

(i) 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; and

(ii) Dedicated resources collaborate with the Trial Team during the trial and appeals phases.

4. Programme 2400: Prosecution Division

(a) Prosecution

(i) Judicial function: litigates cases before the Pre-Trial and Trial Divisions, drafts documents containing charges under article 61, paragraph (3)(a), of the Statute and prepares legal submissions; and

(ii) Advice function: provides legal guidance to the joint teams in developing investigative strategies and case preparation.

(b) Appeals

(i) Judicial function: litigates in appellate proceedings; prepares legal submissions concerning interlocutory and final appeals and presents oral arguments on appeal; and

(ii) 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
  - (a) Sub-programme 3110: Immediate Office of the Registrar
    - (i) Advice function: legal advice to the Registrar and other Court organs. Prepares, negotiates and reviews legal instruments and internal policies and guidelines; and
    - (ii) External relations function: liaises with host State on implementation of Headquarters Agreement. Monitors States Parties' cooperation and enactment of legislation.
  - (b) Sub-programme 3130: Legal Advisory Services Section
    - (i) Operational function: ensure unified and coordinated approach to legal issues common to all organs of the Court; protect the legal interests of the Court and its staff and minimize legal exposure; negotiate and prepare legal instruments including contracts, international agreements and memoranda of understanding; draft and review internal policies and guidelines; represent the Court in legal proceedings; and
    - (ii) Advice function: provide legal advice to the Registrar and the sections and/or units of the Registry, and other officials of the Court, on questions regarding the general legal framework which governs the work of the Court relevant to the duties of the Registrar.
  - (c) Sub-programme 3140: Security and Safety Section
    - (i) Operational function: responsible for the Court's physical security; and
    - (ii) Advice function: general safety advice.
  - (d) Sub-programme 3180: Field Operations Section
    - (i) Operational function: coordinates field offices' activities and monitors their management; and
    - (ii) Advice function: advice on field operations' activities.
  - (e) Sub-programme 3190: Counsel Support Section
    - (i) Operational function: assists persons seeking legal assistance and defence teams and legal teams for victims, ensures independence of defence teams and legal teams for victims and communicates with other organs and interlocutors outside the Court.
2. Programme 3200: Common Administrative Services Division
  - (a) Sub-programme 3210: Office of the Director
  - (b) Sub-programme 3220: Human Resources Section
    - (i) Recruitment Unit;
    - (ii) Staff Administration and Monitoring Unit;
    - (iii) Training and Development Unit; and
    - (iv) Health and Welfare Unit.
  - (c) Sub-programme 3240: Budget and Finance Section
    - (i) Accounts Unit: financial management;
    - (ii) Payroll Unit;
    - (iii) Disbursements Unit;
    - (iv) Treasury Unit;
    - (v) Contributions Unit; and

- (vi) Budget Unit: budget preparation and management.
- (d) Sub-programme 3250: General Services Section
  - (i) Travel Unit;
  - (ii) Facilities Management Unit;
  - (iii) Logistics and Transportation Unit; and
  - (iv) Procurement Unit.
- (e) Sub-programme 3260: Information and Communication Technologies Section
  - (i) Operations Unit: provides hardware, software, applications and communications infrastructure. Ensures customer support; and
  - (ii) Information Service Unit: develops and supports information systems and applications.
- 3. Programme 3300: Division of Court Services
  - (a) Sub-programme 3310: Office of the Director
  - (b) Sub-programme 3320: Court Management Section
    - (i) Operational function: organizes court hearings, provides fully operational courtrooms. Supports video links. Manages court hearing information.
  - (c) Sub-programme 3330: Detention Section
    - (i) Operational function: responsible for safe, secure and humane custody of persons detained under the authority of the Court.
  - (d) Sub-programme 3340: Court Interpretation and Translation Section
    - (i) Operational function: responsible for translation and interpretation for Court hearings and other activities, and for field missions of Registry, Chambers and Presidency.
  - (e) Sub-programme 3350: Victims and Witnesses Unit
    - (i) Operational function: facilitates interaction of victims and witnesses with the Court; and
    - (ii) Advice function: advice to the Court on appropriate protective measures, security arrangements, counselling and assistance.
  - (f) Sub-programme 3360: Victims Participation and Reparations Section
    - (i) Operational function: assists victims and groups of victims. Raises awareness of victims regarding their rights under the Rome Statute. Liaises with the Secretariat of the Trust Fund for Victims regarding the implementation of orders relating to reparation.
- 4. Programme 3400: Public Information and Documentation Section
  - (a) Outreach:
    - (i) Operational function: Promotes better understanding of the Court's principles and maintains dialogue with affected communities where the Court is active.

- (b) Public Affairs
  - (i) Operational function: makes the judicial proceedings public and accessible to general public, academia and legal communities and media. Promotes the work of the Court, with the ultimate goal of increasing international support; and
  - (ii) Advice function: advises on public information strategies to increase public support.
- (c) Protocol and Events:
  - (i) Operational function: organizes and supports high-profile visits, stakeholder visits, general visits, conferences and events; and
  - (ii) Advice function: Advises the four organs on policies and practices in the field of protocol for ceremonies, visits and events.
- (d) Library and Documentation Centre:
  - (i) Operational function: supports the information need of the constituents of the four organs of the Court and independent Court-related bodies such as victims and defence counsel teams and maintains records of the Court's history.

#### Programme 3700 Independent Offices and Special Projects

- (a) Sub-programme 3740: Office of Public Counsel for the Defence
  - (i) Operational function: provides support and assistance to defendants and defence teams, and to Chambers; and
  - (ii) Functions independently of the Registrar.
- (b) Sub-programme 3750: Office of Public Counsel for Victims
  - (i) Operational function: provides support and assistance to victims and legal representatives of victims; and
  - (ii) Functions independently of the Registrar.
- (c) Sub-programme 3760: Office of Internal Audit
  - (i) Operational function: determines if financial transactions are being conducted economically, efficiently, effectively and in compliance with the applicable legislative authority, regulations and rules.

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

- (a) Operational function: provides administrative and technical assistance and legal and substantive secretariat services to the Assembly of States Parties, its Bureau and subsidiary bodies; and
- (b) Advice function: assists and prepares texts and statements on financial and budgetary matters.

#### E. Major Programme V: Interim Premises

- (a) Operational function: provide stakeholders with a clear overview of the Court's resource requirements for its interim premises.

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

- (a) Operational function: under the supervision of the Board of Directors, ensures the management and implementation of the Fund's mandates and activities; and
- (b) Operates under the full authority of the Board of Directors and serviced by the Registry of the Court in financial, administrative and legal areas.

- G. Major Programme VII-1: Project Director's Office (permanent premises)
- (a) Operational function: to provide the highest quality permanent premises for the Court, on or below budget and in accordance with the agreed timeline, together with the lowest possible cost of ownership into the future; and
  - (b) Since 2013 in addition the operational function has been expanded: to also ensure the smooth transition of the Court from the interim premises to the new permanent premises, including the return of the interim premises to the host State and the full establishment of efficient operations in the new premises.
- H. Major Programme VII-2: Permanent Premises Project - Interest
- (a) Operational function: manages the payment of interest on the host State loan.
- I. Major Programme VII-5: Independent Oversight Mechanism
- (a) Operational function: provides independent, effective and meaningful oversight through investigations, evaluations and inspections.

## Annex XIII

### 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.
Extra budgetary 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.
New requirement	New items incorporated in the budget due to new activities or an increase in existing activities.
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.
Previous commitment	Commitment where the full impact of a decision with financial implications is not realized until the second or subsequent year.
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: <ol style="list-style-type: none"> <li>(a) organizational units formulate budgets around a set of pre-defined objectives and expected results;</li> <li>(b) expected results justify the resource requirements which are derived from and linked to outputs required to achieve such results; and</li> <li>(c) actual performance in achieving expected results is measured by performance indicators.</li> </ol>

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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 therefore.
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	As defined by the Committee on Budget and Finance, the numerical value of the item or budget does not change. Inflation is not added. This is sometimes known as zero nominal growth.
Zero growth in real terms	Proposed budget for current year increased only due to inflation or other price increases for next year, the underlying factors having remained constant.

## Part B

### Reports of the Committee on Budget and Finance

#### 1. Report of the Committee on Budget and Finance on the work of its twentieth session, April 2013

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## I. Introduction

### A. Opening of the session and adoption of the agenda

1. The twentieth session of the Committee on Budget and Finance (“the Committee”), comprising ten meetings, was held at the seat of the International Criminal Court (“the Court”) in The Hague, from 22 to 26 April 2013. The President of the Court, Mr. Sang-Hyun Song, delivered welcoming remarks at the opening of the session.

2. For the twentieth session, the Committee was convened in accordance with the decision of the Assembly of States Parties (“the Assembly”) taken at the 8<sup>th</sup> plenary meeting of its eleventh session on 21 November 2012.

#### **Election of officers**

3. For the twentieth session, the Committee re-elected Mr. Gilles Finkelstein as Chairperson, and elected Ms. Mónica Sánchez as Vice-Chairperson by consensus, in accordance with rule 10 of its Rules of Procedure and following the practice of the yearly rotation of the Vice-Chairperson. The Committee expressed its appreciation to the former Vice-Chairperson, Mr. David Banyanka (Burundi) for his dedicated work. In accordance with rule 13, the Committee appointed Mr. Hugh Adsett (Canada) as Rapporteur.

4. The Secretariat of the Assembly of States Parties (“the Secretariat”) provided the substantive servicing for the Committee, and the Executive Secretary to the Committee, Mr. Fakhri Dajani, acted as Secretary of the Committee.

5. At its first meeting, the Committee adopted the following agenda (CBF/20/1):

1. Opening of the session
2. Election of officers
3. Adoption of the agenda
4. Participation of observers
5. Organization of work
6. Review of financial issues
7. Audit matters
8. Budgetary matters
9. Administrative matters
10. Human resources
11. Legal aid
12. Premises of the Court
13. Trust Fund for Victims
14. Other matters

6. The following members attended the twentieth session of the Committee:

1. Hugh Adsett (Canada)
2. David Banyanka (Burundi)
3. Carolina María Fernández Opazo (Mexico)
4. Gilles Finkelstein (France)
5. Fawzi A. Gharaibeh (Jordan)
6. Samuel P.O. Itam (Sierra Leone)
7. Juhani Lemmik (Estonia)

8. Mónica Sánchez (Ecuador)
9. Gerd Saupe (Germany)
10. Ugo Sessi (Italy)
11. Elena Sopková (Slovakia)
12. Masatoshi Sugiura (Japan)

7. 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**

8. The Committee accepted the request of the Coalition for the International Criminal Court, and the representatives of the Staff Union Council to make a presentation to the Committee.

## **II. Consideration of issues on the agenda of the Committee at its twentieth session**

### **A. Review of financial issues**

#### **1. Status of contributions**

9. The Committee reviewed the status of contributions as at 25 April 2013 (annex I) and noted that the outstanding contributions from previous years were €491,080, the outstanding contributions for 2013 were €9,745,216 and the outstanding contributions for the replenishment of the Contingency Fund were €367,421, for a total of outstanding contributions of €10,603,717. In addition, the Committee noted that as at 25 April 2013, only 46.7 per cent of the contributions due in 2013 had been paid, while 47.2 per cent in 2012 had been paid, and expressed concern that only 38 States Parties had fully paid their contributions. The Committee urged all States Parties to make best efforts to ensure that the Court had sufficient funds throughout the year, in accordance with regulation 5.6 of the Financial Regulations and Rules.

#### **2. States in arrears**

10. According to article 112, paragraph 8 of the Rome Statute, “A State Party which is in arrears in the payment of its financial contributions toward the costs of the Court shall have no vote in the Assembly and in the Bureau if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years.” The Committee observed that, as at 22 April 2013, twelve States Parties were in arrears and would therefore not be able to vote, in accordance with article 112, paragraph 8. The Committee noted that the Secretariat had informed States Parties in arrears twice in 2012, of the minimum payment required to avoid application of article 112, paragraph 8, of the Statute, and of the procedure for requesting an exemption from the loss of voting rights. The Committee requested the Secretariat to again notify States Parties in arrears. The Committee recommended that all States Parties in arrears settle their accounts with the Court as soon as possible.

#### **3. Cash balances and investment of liquid funds**

11. The Committee considered the report of the Court on its Investment of Liquid Funds.<sup>1</sup> The Committee noted that, as at mid-March 2013, the Court held cash balances of approximately €2 million. The funds are spread amongst five large banking institutions in The Netherlands, France, Germany, Sweden and the United Kingdom. The preliminary

<sup>1</sup> CBF/20/10.

figure for the yearly return on liquid funds in 2012 was €0.67 million, giving an interest rate of approximately 0.9 per cent.

12. The Committee noted that substantial parts of the cash reserves (such as the Working Capital Fund (€7,406,000) and the Contingency Fund (€6,910,000), as well as part of the Trust Fund for Victims and the General Fund) are concentrated in one bank, which would increase the risk factor. Therefore, the Committee recommended that the Court reconsider, as appropriate, distributing its cash reserves (The Working Capital Fund and the Contingency Fund) in more than one banking institution.

13. The Committee was provided with the new Administrative Instruction (AI) on Investment of Surplus Funds (ICC/AI/2012/002, promulgated in July 2012), which had replaced previous AI ICC/AI/2004/007. The Committee noted that the new AI would allow for temporary relaxation of the bank selection and investment criteria during times of market instability. It also noted that the Investments Review Committee had relaxed its bank credit rating requirement from a minimum of AA to A.

14. The Committee requested the Court to submit to its 21<sup>st</sup> session a comprehensive report explaining the changes made to the Administrative Instruction on the Investment of Surplus Funds by the new Administrative Instruction. The Committee also requested the Court to inform the Committee if any substantial changes were being made in respect of the investment of liquid funds in the future, preferably prior to the changes being adopted.

#### 4. Replenishment of the Contingency Fund: Amendment to the regulations

15. In resolution ICC-ASP/11/Res.1 section F,<sup>2</sup> the Assembly decided to replenish the Contingency Fund in the amount of €0.5 million.

16. The Committee was informed during its session that, at present, there was no likelihood that access the Contingency Fund for the amount originally envisaged in the Assembly's resolution above mentioned would be required.

17. However, States Parties had been assessed for 2013 on the basis of the regular budget and replenishment of the Contingency Fund. The Court therefore requested the Committee's guidance on the approach to be taken in its final assessment letters to be sent out after the final financial statements are given, advising States Parties of the actual assessment of amounts to be paid pertaining to the Contingency Fund.

18. The Committee recommended that the Court send the assessment letters in full compliance with ICC-ASP/11/Res.1 sections E and F. The Committee was also of the view that, in order to ensure consistency and transparency in the operation of the Contingency Fund, the policy regarding its replenishment should be reviewed, and agreed to do so during its 21<sup>st</sup> session.

19. Access to the Contingency Fund is governed by Regulation 6 of the Financial Regulations and Rules (FRR) of the Court. The current text has remained essentially unchanged since 2004 when the Contingency Fund was established.<sup>3</sup>

20. Since that time, experience with the Contingency Fund has been gained and safeguards to ensure its prudent use have been established which are not clearly reflected in the original text of the FRR. The Court informed the Committee that further amendments to the FRR might anyway become necessary because of the transition to IPSAS. In the view of the Committee, this would provide an opportunity also to bring the regulations related to the Contingency Fund up to date.

<sup>2</sup> *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Eleventh session, The Hague, 14-22 November 2012* (ICC-ASP/11/20), vol. I, part III, ICC-ASP/11/Res.1, section F.

<sup>3</sup> Following the adoption of the ICC-ASP/9/Res.4. the need for the Registrar to submit a "short" supplementary budget notification was substituted by the requirement for a "detailed" notification.

## 5. Working Capital Fund

21. The Working Capital Fund (WCF) was established<sup>4</sup> to ensure capital for the Court in order to meet short-term liquidity problems pending the receipt of assessed contributions.

22. In 2011, the External Auditors recommended that the Court review its WCF requirements<sup>5</sup> and consider whether the current level of its WCF of €7.4 million remains sufficient. The Committee was informed that the average monthly operating costs currently stand at approximately €9 million, and thus the current level of the WCF represents less than one month of expenditure and therefore is not sufficient to cover one month of average operational costs of the Court.

23. The Committee considered the Report of the Court on its WCF<sup>6</sup> and noted the risks associated with the current level of the WCF as identified by the Court, for example, delay in the payments of assessed contributions; a trend of some States Parties towards paying in two instalments spread over the budget year; and timing of the future repayment of the host-State loan.

24. The Court informed the Committee that, so far, it has never had to resort to the WCF.

25. The Committee was of the view that the information available was not sufficient to recommend any particular course of action. Therefore, the Committee asked the Court to provide more information on the cash position of the Court on a monthly basis throughout the years 2011-2013, as well as information indicating when States Parties have paid their contributions. The Committee also requested that future projections of the timing and amount of cash outflows be provided, especially in relation to the repayment of the host-State loan and interest, in order to determine future cash needs. Such information should be provided to the Committee by its 21<sup>st</sup> session.

26. The Committee also advised the Court to look into the possibility, whenever it enters into contractual relationship, to postpone any financial obligations until later in the financial year to lower the liquidity risk during the first months of the year.

## B. Audit matters

27. At its nineteenth session, the Committee recommended the adoption of measures to ensure greater transparency, objectivity and fair geographical representation when appointing external members.<sup>7</sup> The terms of office of three Audit Committee members were due to expire on 31 January 2013.

28. The Committee received information on the last day of its session, which made it difficult to analyse. It recommended that a report be produced before its 21<sup>st</sup> session setting out the composition of the Audit Committee since January 2013 and the rules which govern the appointment of the members, the instructions currently in force regarding the organization and operation of the Audit Committee and also up-to-date information on remuneration arrangements.

29. The Committee noted an oral progress report by the Director of the Office of the Internal Audit. The Committee invited the Office to provide sufficient information on its work plan and workload in the context of the 2014 proposed programme budget and to submit a written report on its work plan to its 22<sup>nd</sup> session.

<sup>4</sup> *Official Records... First session... 2002* (ICC-ASP/1/3), part IV, ICC-ASP/1/Res.13.

<sup>5</sup> *Official Records... Eleventh session... 2012* (ICC-ASP/11/20), vol. II, part C.1, para. 22.

<sup>6</sup> ICC-ASP/12/7.

<sup>7</sup> *Official Records... Eleventh session... 2012* (ICC-ASP/11/20), vol. II, part B.2, para.85.

## C. Budgetary matters

### 1. Programme performance of the 2012 budget

30. The Committee considered the report on activities and programme performance of the International Criminal Court for the year 2012.<sup>8</sup> Based on preliminary and unaudited numbers, the overall implementation rate of the regular budget had been 96.6 per cent, or a total of €105.14 million, against an approved budget of €108.80 million. The Contingency Fund applications had been implemented at 61.8 per cent, or a total of €2.35 million, against the total notified amount of €3.80 million. Thus, the Court's actual expenditures, taking together the regular budget and the total Contingency Fund applications, had been €107.50 million, representing an under-spending of €1.30 million against the 2012 approved budget. The Committee noted that the implementation rates of both the regular budget and the combined expenditure had been lower than those of 2011.

31. The Committee noted that the implementation rates of the regular budget by the major programmes had been 95.9 per cent for the Judiciary, 99.0 per cent for the Office of the Prosecutor, 97.1 per cent for the Registry, 94.9 per cent for the Secretariat of the Assembly of States Parties, 90.5 per cent for the Secretariat of the Trust Fund for Victims, 43.9 per cent for the Project Director's Office and 75.4 per cent for the Independent Oversight Mechanism, and that the implementation rates of the combined expenditure for the Judiciary and the Registry had been 101.9 and 99.8 per cent respectively.

32. The Assembly, during its eleventh session in November 2012, had been advised that the estimated implementation rates of the regular budget and the Contingency Fund had been 98.5 per cent, equivalent to €107.1 million and 58 per cent, or €2.2 million respectively. Thus, the combined estimated expenditure of €109.3 million, representing an excess of €0.5 million, had led to the decision by the Assembly to replenish the Contingency Fund in the amount of €0.5 million.

33. The Committee noted that there had been a difference of about €2 million between the estimated expenditure at the time of the Assembly and the numbers in the activities and programme performance report, mainly due to lower expenditures in legal aid, victim and witness related-costs (Democratic Republic of the Congo) and permanent premises and transition programme, thus representing a less than 2 per cent of the estimated figure.

34. The Committee noted that the implementation rates of the Chambers and the Division of Court Services for 2012 were 96.0 per cent and 95.6 per cent respectively, while the number of Court days was 123 against 215 in the budget assumptions. Upon inquiry, the Committee was informed that the number of Court days was only one of the key workload indicators of the Court's judicial activities and that the Judges, legal officers, and other Court staff also worked outside the courtroom dealing with voluminous documents for preparations and follow-up. In this regard, the Committee recommended that the Court refine its budget assumptions by including appropriate workload indicators. The Committee was of the view that refined assumptions and workload indicators would not only enhance transparency and accountability of the budget submission but also enable the Assembly and the Court to better assess the programme performance and the budget implementation.

35. The Committee noted that the extended judges are entitled to the same remuneration and other benefits as the judges in their normal service, with the exception of accrual of pensions after nine years. The Committee was informed by the Court, upon inquiry, that current workloads of the extended judges who were assigned to one case were not significantly lower than those of the judges in their normal service, who could be assigned to two or more cases because the work of extended judges during the final phase before decisions or judgements was normally very intense. The Committee could not make any recommendation at this stage due to the absence of appropriate workload indicators but concluded that it would remain seized of the matter.

36. In this context, the Committee also noted that the Assembly, at its eleventh session, had requested the Bureau, in consultation with the Court and relevant bodies, to continue to

<sup>8</sup> ICC-ASP/12/9.

consider the proper arrangement of salary and all allowances for judges, whose terms have been extended in accordance with article 36(1), and to report thereon to the Assembly at its twelfth session.<sup>9</sup>

37. The Committee noted that the budget performance for the Contingency Fund applications showed higher implementation rates in Judges' Costs and Staff Costs, and lower implementation in Other Staff Costs, Contractual Services, General Operating Expenses, Supplies and Materials and Equipment including Furniture. The Committee understood that the budget items subject to recruitment and procurement were generally underspent. In this regard, the Committee recommended that this reality be reflected in future applications to the Contingency Fund, and possible adjustments after notifications.

## 2. Programme performance of the 2013 budget: first quarter

38. The Committee had before it the Report on programme performance of the International Criminal Court as at 31 March 2013.<sup>10</sup> The Committee observed that the implementation rate was at 32.8 per cent, or €37.75 million, against the 2013 approved budget of €115.12 million, and agreed to continue to monitor the situation at its 21<sup>st</sup> session.

## 3. Budget process (transition programme)

39. The Committee received a discussion paper prepared by the Court on the funding of multi-year projects.<sup>11</sup> This report aimed to establish a first reflection of the Court on the terms of budgeting and financing of projects that might extend over several years ("multi-year projects"). The financial breakdown of projects that extend over several years could be difficult and subject to external factors beyond the control of the Court. According to the report, the regular budget is characterized by a lack of flexibility, as unused budgetary appropriations must be returned at the end of each year, thus causing a source of disturbance in the execution of projects.

40. The establishment of funding over several years through a special account would allow the annual allotment of funds on the basis of an overall financing plan, and unspent appropriations would each year be carried over to subsequent years' unspent appropriations. The Court described the transition programme (dedicated to the transfer, between 2014 and 2016, of operations to the new building) as having all of the characteristics of a multi-year project.

41. While having noted with interest the discussion paper, the Committee believed that such a procedure raised, at this stage, two sets of questions:

(a) First, the variety of terms used in the discussion paper showed that the outlines of what was called a "project" were yet to be defined, and must be clearly linked to the specific programming operations. Although the concept is applied in national budget systems, it is necessary for the Court to determine its objectives in advance, define precisely what is likely to be included in the scope of the multi-year projects, and develop a set of rules enabling appropriate control mechanisms; and

(b) Second, the logic in support of such a procedure must be based on funding arrangements that justify exceptions to the rule of an annual budget. It is up to the Court to make progress in the preparation of a very precise and formalized draft in order to ensure reliable operations.

42. Given the ongoing financial reforms (IPSAS, analytical accounting), the Committee requested that a report be provided on this matter at its 21<sup>st</sup> session on the transition programme (in the context of the 2014 budget).

<sup>9</sup> *Official Records... Eleventh session... 2012* (ICC-ASP/11//20), vol. I, part III, ICC-ASP/11/Res.8, para. 34.

<sup>10</sup> CBF/20/19.

<sup>11</sup> ICC-ASP/12/22.

#### 4. Zero-based budgeting

43. The Committee was provided with a detailed report<sup>12</sup> prepared by the Public Information and Documentation Section (PIDS) containing a factual overview of the current outreach and public information activities, in the context of the exercise aimed at consideration of the feasibility of zero-based budgeting (ZBB). The Court noted some benefits of the ZBB approach, but also noted that it would require a great deal of time and effort.

44. The report included an overview of the main activities undertaken by different sections, together with descriptions of its activity, actions, purpose, target groups and the costs. It further contained estimations of the time devoted by the staff of PIDS to those activities and their breakdown by situations.

45. The Committee welcomed with satisfaction the detailed exercise and analysis, and advised the Court to complete the review of its organizational structure before drawing any finite conclusions on its modified resource needs. The Committee requested the Court to report to it on the outcome of this review as soon as it is completed.

### D. Administrative matters

#### 1. Efficiency measures

46. The Committee analysed the report entitled “Eighth Status Report on the Court’s progress regarding efficiency measures”.<sup>13</sup> The Committee found that the savings achieved by the Court in 2012 were reduced in comparison to 2011 due to different factors; such as the freezing of the 2012 approved budget for staff salary costs at the 2011 approved budget while paying staff at the 2012 salary level due to contractual obligations. The Court informed the Committee that in light of the foreseeable workload in 2013, it would be harder for the Court to achieve further efficiency savings. However, the Court will continue to do so.

47. In accordance with resolution ICC-ASP/7/Res.4 of the Assembly,<sup>14</sup> the Committee called on the Court to try to identify efficiency savings despite pressure on the Court’s current resources and report to its 22<sup>nd</sup> session.

#### 2. Analytic accountability

48. The Court presented a report on analytic accountability.<sup>15</sup> The Committee noted that the Court had made good progress and had opted for an Activity Based Costing (ABC) model and functionality, which would provide information on costs of a situation, case or phase of trial on periodic basis (e.g., a year, or six months), as opposed to more costly real-time information. The Committee noted that at this stage, there was no need to account for the working time of individual employees by activity on an ongoing basis (i.e. by introducing time-sheets), since the costing model would not need information on such a detailed level to provide adequate information on where each person’s working time was spent. The Court informed the Committee in its report that the project should be completed by the end of 2013.

#### 3. Replacement of capital investment

49. The Committee reviewed the Court’s report on the assessment and review of asset replacement and write-off policies.<sup>16</sup> The Court has decided to use Price Waterhouse Coopers (PwC) as an external firm of consultants to examine its policy in this area with a view to improving output and managing assets effectively.

<sup>12</sup> CBF/20/20.

<sup>13</sup> ICC-ASP/12/16.

<sup>14</sup> *Official Records... Seventh session... 2008* (ICC-ASP/7/20), vol. I, part III, ICC-ASP/7/Res.4, section D.

<sup>15</sup> CBF/20/14.

<sup>16</sup> ICC-ASP/12/17.

50. PwC examined the organizational policies and practices for tangible assets and their replacement and transfer. Following this initial work, the Court set up a team responsible for monitoring this issue whose task was to ensure that the proposals complied with internal rules.

51. The Committee recommended that these various efforts should be incorporated when drawing up the 2014 proposed programme budget. In view of the financial impact of this policy, the Committee also requested that a report be submitted at its 21<sup>st</sup> session.

#### **4. International Public Sector Accounting Standards (IPSAS)**

52. The Committee was informed of the progress on the implementation of IPSAS, and noted the proposed reallocation of the budget between years and items of expenditure due to adjustments in the timing of training activities, which were scheduled to take place closer to actual implementation date and in the post-implementation period. The Committee further noted that scheduling training closer to the actual implementation date and in the post-implementation period had been identified as a best practice by other UN system IPSAS implementers, in order to sustain and stabilize IPSAS implementation activities.

53. The Committee was assured by the Court that the project would be completed on time and within budget.

54. The Committee requested the Court to submit at its 21<sup>st</sup> session, and after consultation with the External Auditors, any amendments that might be needed to the Financial Regulations and Rules (Contingency Fund, depreciation policy, etc.) related to the implementation of IPSAS.<sup>17</sup>

#### **5. Procurement: Administrative Instruction on anti-fraud and whistleblower policies**

55. The Committee considered the report of the Court on the development of its Anti-Fraud and Whistleblower Policies.<sup>18</sup> During its work during the seventeenth and eighteenth sessions, the Committee had requested that the Court develop and publish its policy in this area. The Assembly endorsed this concern and invited the Court to adopt the policies as soon as possible.

56. The Court reported that, following close collaboration between the Independent Oversight Mechanism, the Staff Union Council, other partners and the Court, the Anti-Fraud and Whistleblower policies should soon be implemented through presidential instructions. The Court reported that these policies were specifically designed to be generally accessible and to be understood by non-lawyers. The Committee noted these developments and requested a report, together with a copy of the presidential instructions and any statements provided on this issue, at its 22<sup>nd</sup> session.

57. At its seventeenth session, “The Committee strongly recommended that the Court implement the personal declaration of assets for all staff in the Procurement Unit and in the Permanent Premises Project as a matter of priority especially in light on the ongoing Permanent Premises Project.”<sup>19</sup> In this regard, the Committee noted that, to date, this recommendation had not been implemented, and thus it would expect that, as part of the anti-fraud and conflict of interest procedures that were being discussed, the personal declaration of assets recommendation would be included in the respective administrative instructions. The Committee requested the Court to report on the implementation at the Committee’s 22<sup>nd</sup> session.

58. The Committee took note of the Procurement’s Unit involvement in the joint procurement activities with other international organizations based in The Hague. The Committee expressed its support for this ongoing cooperation and requested that at its 21<sup>st</sup> session, a report detailing the Court’s practice and experience to date, as well as the scope for enhanced Joint Procurement in accordance with Rule 110.18 on the Financial

<sup>17</sup> *Official Records... Eleventh session... 2012* (ICC-ASP/11/20), vol. I, part III, ICC-ASP/11/Res.1, section K.

<sup>18</sup> ICC-ASP/12/8.

<sup>19</sup> *Official Records... Tenth session... 2011* (ICC-ASP/10/20), vol. II, part B.2, para.40.

Regulations and Rules, be presented with the view to find opportunities for further recourse to procurement cooperation with international organizations, local government agencies and/or private sector partners.

## **6. Organizational structure of the Court**

59. The Committee received the report on the organizational structure of the Court.<sup>20</sup> The study was conducted by an external consultants firm (PwC).

60. The Committee noted that the documents submitted only involved the Registry, the Presidency and the Chambers. The report will be supplemented by a review of the Office of the Prosecutor before being consolidated in June 2013.

61. Based on the data gathered so far, the consultants were able to draw up an initial list of issues relating to organizational performance and governance between the various organs of the Court. Far from being a “restructuring”, a term which does not adequately reflect the purpose of this review, and subject to assumptions regarding the Office of the Prosecutor, the work suggested directions for change to the organizational structure of the Court required by changes in the activities of the Court.

62. In particular, it was noted that changes to the organizational structure of the Court must enhance internal mobility, overhaul internal procedures and redefine tasks. The Court must modernise its methods to achieve a Court model which meets the expectations of the community of States Parties.

63. The Committee concluded that changes to the organizational structure of the Court would require discussions and conclusions on several levels, including:

- (a) Defining a new organization chart for the various departments and teams;
- (b) Ensuring the involvement and accountability of management;
- (c) Maintaining work capabilities at a high level of efficiency;
- (d) Defining tasks associated with the strategic plan, and
- (e) Ensuring that directorates and sections take ownership of the objectives assigned to them.

64. Changes must be based on resource allocation, an essential condition for this project to succeed. The appointment of a new Registrar provides an opportunity to drive through reforms of this nature.

65. Finally, the Committee also emphasised that, although all direct or indirect costs must be considered in order to guarantee that changes to the organizational structure were achieved, economic constraints and limited self-financing also needed to be taken into account.

## **E. Human resources**

66. The Committee had before it the reports of the Court on human resources management<sup>21</sup> and Junior Professional Officer.<sup>22</sup> The Committee welcomed some positive developments, but expressed concern about important issues which had not been addressed. The Committee reiterated its concern about the continued imbalance in geographical representation in the Court, which was evidenced by the statistics on human resources submitted to the Committee. (see annex II)

### **1. Recruitment: Terms of reference on the Selection Committee**

67. The Committee welcomed the development and implementation of guidelines for the determination of grade and step, implementation of an e-recruitment system, briefing sessions for staff with hiring responsibilities conducted jointly by the Human Resources

<sup>20</sup> ICC-ASP/12/18.

<sup>21</sup> ICC-ASP/12/6.

<sup>22</sup> ICC-ASP/12/4.

Section and the Staff Union Council and, above all, establishment of the Selection Review Board with the participation of staff representatives. The Committee noted that Recruitment Guidelines were developed and were being converted into an AI, and that a competency-based interview guide and a training programme on competency-based interviewing for hiring managers were under development.

68. The Committee welcomed the inclusion of special provisions for the shortlisting of candidates from non-represented and under-represented countries in the new Recruitment Guidelines and particular attention by the new Selection Review Board to the adherence by hiring managers to the requirement to short-list qualified candidates from non-represented and under-represented countries, but expressed concern about the non-implementation of the planned awareness raising activities in line with the Committee's recommendation.

69. The Committee recommended that the Court include the measures taken, outcomes and proposals with regard to recruitment in its human resources management report to be submitted to the Committee at its 22<sup>nd</sup> session.

## **2. General Temporary Assistance (GTA)**

70. The Committee welcomed a proposal on the use of GTA in response to its recommendations at its fifteenth, sixteenth, seventeenth and eighteenth sessions, and recommended that the Court implement the proposal. The Committee noted that the Court had not developed the rules for short-term staff and would further study the modalities for temporary appointments. The Committee recommended that the Court provide, in the context of its human resources management report at its 22<sup>nd</sup> session, information on the implementation of a new policy on GTA with a particular attention to non-approved GTAs, and development of the rules for short-term staff.

71. The Committee noted that the Court wished to request a conversion to established posts of all long-standing GTA positions that were expected to continue in the long-run in the context of the 2014 proposed programme budget. The Committee was of the view that a continued need for in-house expertise for the function was a key criteria to justify requests to establish posts in the regular budget, and in this regard recalled its repeated requests to the Court to conduct a comprehensive review of the organizational structure of the Court which would form a basis for the consideration of the needs for established posts in the programmes of the Court. The Committee welcomed the on-going review of the Court's organizational structure, and looked forward to considering the results of the review, taking fully into account other related issues such as a review of the Court's strategic planning and the movement into the permanent premises. In addition, the Committee recalled that it had granted some flexibility to the Court, in the absence of the said review, by approving some conversions on an exceptional basis when the overall number and grades of the established posts remained unchanged.

72. The Committee also noted that the Court was of the view that in certain specific cases, it might be both realistic and efficient to operate with a category of "recurrent temporary position" for the purpose of budget approval that might extend beyond the end of the calendar year. The Committee recognized the need for its consideration of this matter, in particular, in the case of multi-year projects, without contradicting the principle behind the creation of temporary positions. In this regard, the Committee recommended that the Court propose a draft modality, including the possible application of vacancy rates to established posts, in the exceptional cases of fixed-term contracts for GTA beyond the calendar year, in the context of its human resources management report for its 22<sup>nd</sup> session.

## **3. Consultants**

73. The Committee expressed concern that the Court's policy on Special Service Agreements (SSA) had not been finalized. The Committee recalled its recommendation during its previous session and recommended that the Court finalize the policy on SSA at the earliest time and report thereon to it.<sup>23</sup> The Committee noted the increased use of "pro bono" consultants and other "pro bono" human resources, and recommended that those

<sup>23</sup> *Official Records ... Eleventh session 2012* (ICC-ASP/11/20), vol. II, part B.1, para. 47.

gratis personnel be managed properly by clear guidelines. The Committee requested a report on this issue at its 22<sup>nd</sup> session as part of the human resources management report.

#### **4. Managerial accountability**

74. The Committee noted the efforts by the Court to develop and promulgate AI on various human resources management issues and awaited further developments in this area. The Committee welcomed the posting of the Topical Index of AIs on the Intranet and Internet by the Court to enhance transparency. These efforts had been made mainly with in-house capacity and expertise. The Committee was of the view that the developments of policies and AIs remained a priority for the Court and that a good Topical Index of AIs would lead the way to a human resources management manual in the future.

75. The Committee noted the increase in the mandatory age of separation in the participating organizations of the United Nations Joint Pension Fund. The Committee was of the view that the Court should follow the decision by the General Assembly of the United Nations, and invited the Court to submit a proposal to its 21<sup>st</sup> session with information on the decision of the General Assembly, other organizations' policy on discretionary elements, and expected impacts on the Court such as demographical structure, working environment and possible financial implications, if any.

76. The Committee noted the activities of the Court on staff well-being, as well as levels of sick leave, and expressed concern that the results of the latest Staff Survey showed increasing dissatisfaction of the Court's staff in the major organs, as well as the current level of sick leave.

77. The Committee recommended that the Court be fully aware of the lessons learnt by the United Nations on the introduction of the new administration of justice system when it considers any changes to the current administration of internal justice system of the Court.

78. The Committee looked forward to considering the Court's proposal on its new performance appraisal system at its 22<sup>nd</sup> session in line with the Committee's recommendation.<sup>24</sup>

79. The Committee noted the Court's training and learning needs, and would consider proposals in the context of the 2014 proposed programme budget, having the Court's organizational character, staff structure, implementation of its budgets in recent years and other related matters in mind. The Committee invited the Court to provide sufficient justification in the 2014 proposed programme budget if the Court wished to propose an increase in this regard and, first and foremost, to pursue efficiency savings in conducting training through available means such as information technology, commercial materials and access to other international organizations' training opportunities, which would enable the Court to maximize the training opportunities within its approved budget and without affecting the implementation of its core mandated activities.

#### **5. Junior Professional Officer (JPO) Programme**

80. The Committee considered the proposal by the Court for the JPO Programme.<sup>25</sup> The Committee welcomed the developments of the Guidelines, the JPO Request form, and a sample Memorandum of Understanding (MOU) between the Court and a donor country. The Committee recommended that the Court proceed, on a provisional basis, to take the next steps, such as identifying specific functions and numbers of JPOs and communicating with interested sponsors, including the negotiation of possible MOUs, with the condition that the Court present a refined proposal for final consideration by the Committee during its 21<sup>st</sup> session, in line with the following recommendations:

(a) Ensure that the introduction of the programme would not impact on geographical representation and/or gender balance by:

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<sup>24</sup> Ibid., para. 49.

<sup>25</sup> ICC-ASP/12/4.

- (i) Including the approved GTA positions, in addition to established posts, when the Guidelines and other related documents refer to the prohibition of occupancy of the Court's basic functions normally conducted by staff;
  - (ii) Including the approved GTA positions, in addition to established posts, when the Guidelines and other related documents refer to the consideration of applications for jobs in the Court following a JPO assignment, as any other external candidate in accordance with the recruitment guidelines and the terms of reference for the Selection Review Board; and
  - (iii) Adding the aspect of improving the geographical representation of non-represented and under-represented States Parties in the Guidelines and other related documents, and encouraging sponsors to take this aspect into account.
- (b) Ensure that all costs associated with the Programme are identified and fully recovered from the sponsor countries by:
- (i) Including specific clauses in the MOU between the Court and the donor country in this regard;
  - (ii) Including a clear process of payment in the Guidelines and MOU; and
  - (iii) Developing a provisional calculation of recovery of all identifiable administrative overhead costs.

## F. Legal aid

81. The Committee took note of three reports of the Court on legal aid.<sup>26</sup> The Committee recognized with satisfaction that the updated legal aid system is fully functional and meets the needs of its end-users, keeping the principles of balance between resources and means of the defendant and the prosecution, objective compensation systems, transparency, continuity and flexibility. The Committee noted that the 2012 amendments in particular have remedied certain shortcomings which came to light from the implementation of the system in practice. It also noted that, in the absence of the completion of a full judicial cycle, it was premature to undertake a review of the system in areas where there still was insufficient experience. As the Committee considers legal aid to be one of the main cost drivers, the Committee requested to be informed about any additional review and changes in the existing legal aid system.

82. Examination of the reports showed the first impact of the reform of legal aid. For teams of legal representatives appointed from 1 April 2012, €2,000 was saved over the period 2012/2013 for both the defence teams and for the victims' representatives. The Committee also noted that for the defence teams engaged in cases for which the first hearing had not started, the reform had reduced costs by €148,367 over the period 2012/2013. Finally, with regard to the other 17 teams working before the Court, the Court noted that €4,000 was saved in January and February 2013 due to the reduction from €4,000 to €3,000 in costs awarded to teams. Global savings in the amount of €204,000 were forecast for the current year. The Committee further noted that this did not include other aspects of reform that had not been applicable to date, given the stage of completion of certain files.

83. It was anticipated that the legal aid reforms would reduce the growing impact of requests for participation by victims, including in the reparations proceedings that were expected in 2013. However, the Committee also noted that the overall cost of legal aid would be about €3.5 million for the defence teams and €4.9 million for victims' representatives in 2012, according to appendix I.<sup>27</sup> In 2012, there were eight defence teams (exceeding the projected number of seven), and the same trend can be seen with the 14 representatives of victims (exceeding the projected number of 12).

84. However, legal aid reform can only achieve its objectives if the judicial activity is at the level envisaged by the Court. In 2012, only 123 of 215 scheduled court hearings were held. This has two consequences: first, an extension of procedures; and second, an

<sup>26</sup> ICC-ASP/12/2, ICC-ASP/12/3 and ICC-ASP/12/21.

<sup>27</sup> ICC-ASP/12/2.

increased need for legal aid. The Committee requested the Court to provide a report in its 21<sup>st</sup> session on the gradual implementation of the amended system of legal aid and on savings realized.

## **G. Premises of the Court**

### **1. Interim premises**

85. The Committee received an oral update from the Court on the status of the interim premises.

### **2. Office space for translation teams**

86. The Committee recalled its prior recommendations that the Court continue to provide the requisite office space for the translation teams of the Secretariat in the Haagse Veste, which had been possible during the prior years, thus avoiding any budgetary implications for the rental of office space.<sup>28</sup>

### **3. Permanent premises**

87. The Chairperson of the Oversight Committee, Mr. Roberto Bellelli, highlighted the status of the construction and transition projects. He identified key issues upon which the Oversight Committee sought the advice of the Committee. The Committee had before it the Interim report on the activities of the Oversight Committee,<sup>29</sup> as well as a supplementary paper. Moreover, the Committee had before it the Progress report of the Court on the Transition Programme to the Permanent Premises.<sup>30</sup>

### **4. Status of the project**

88. The Chairperson of the Oversight Committee noted that, after the actual construction had started in March 2013, the permanent premises project continued to remain below the approved budget and within its timelines. The new premises were expected to be completed in September 2015 and ready for occupation by the Court at that time. Consequently, the period between September and December 2015 would be fully available for the Court to complete its transition from the interim to the new premises. The governance and management of the construction project had proven key to the positive results achieved so far.

### **5. Questions to the Committee**

89. The Oversight Committee sought the views of the Committee on three questions related to the:

- (a) Governance structure most suitable to ensuring lower costs;
- (b) Timelines (timely termination of the current rental agreements for the interim premises); and
- (c) Review of “2gv” costs, i.e. the cost of the non-integrated (loose) user equipment of the new premises.

#### **(a) Governance**

##### **(i) Background**

90. At its nineteenth session, the Committee recommended that the Court expeditiously develop a detailed, monitorable scheme for managing the transition to the

<sup>28</sup> *Official Records ... Eleventh session 2012* (ICC-ASP/11/20), vol. II, part B.1, para. 61.

<sup>29</sup> CBF/20/18.

<sup>30</sup> CBF/20/13.

new premises based on a clear accountability structure.<sup>31</sup> Subsequently, the Assembly requested the “Court, working in conjunction with the Project Director, to take all preparatory measures needed to ensure its readiness to take occupation of the permanent premises by not later than December 2015 in order to avoid additional expenditures for the States Parties”.<sup>32</sup>

91. In response to these requests, the Court has developed a draft governance structure, as outlined in its Progress report on the transition programme, and submitted it to the Oversight Committee for discussion (chapter 5 and annex II). Accordingly, the transition project would be governed at programme level by a Sponsoring Group and a Programme Board that included the major stakeholders. The Court did not explain its concept in more detail. It appeared, however, that the transition project would be managed under the oversight of the Court, whereas the construction project would, as before, be managed by the Project Director, reporting to the Oversight Committee. Both strands of authority would be coordinated but remain distinct and different.

92. The Oversight Committee, however, recommended that in future the permanent premises project be regarded from a holistic perspective, as an objective which included the full transition from the interim to the new premises, so that this overall goal was achieved within expected timelines and budget. The Oversight Committee noted that the governance of the transition project should be aligned with the governance of the construction project. The Chairperson of the Oversight Committee indicated there might also be a governance issue with the financial responsibility for the transition costs. The Project Director should be given responsibly to revise how these costs were established.

**(ii) Observations of the Committee**

93. As the Court had indicated, the discussions between the Oversight Committee and the Court on the governance of the transition project were still ongoing. At this stage, and based on the information and analysis available, the Committee noted that it was not yet in a position to make a final recommendation.

94. It is essential that any governance arrangement should provide for close cooperation between the Project Director and the Court as the user of the new premises. It should be developed within the framework of the relevant resolutions of the Assembly and the Financial Regulations and Rules. Having said this, the Committee acknowledged the advantages of aligning the governance of the transition project with that of the construction project. The one-project approach had also been recommended by the independent experts of the Oversight Committee in view of the intertwined nature of the challenges. It would capitalize on the good experience with the governance of the construction project and facilitate a swift and effective decision-making.

95. The Committee agreed with the Oversight Committee on the urgency of settling the governance issue. It encouraged the Oversight Committee and the Court to work out an appropriate arrangement as soon as possible.

**(b) Timelines**

**(i) Background**

96. The Oversight Committee noted that the lease contracts for the Arc building, which the Court currently occupied, had recently been renewed until the end of March 2016. There was a risk that the Court would still have to pay rent even after it had vacated its current interim premises, although some flexibility in case of unexpected delays could be convenient. Negotiations with the owner of the interim premises of the Court should be resumed with a view to including a flexibility clause in the contract, in order to allow for an earlier (or later) termination date as necessary. There was urgency attached to the matter, as the outcome of this negotiation might depend on its early initiation.

<sup>31</sup> *Official Records ... Eleventh session 2012* (ICC-ASP/11/20), vol. II, part B.2, para. 162.

<sup>32</sup> *Ibid.*, vol. I, part III, ICC-ASP/11/Res.3, para. 10.

**(ii) Observations of the Committee**

97. The Committee agreed with the Oversight Committee that the matter should be addressed in a timely manner. It invited the Oversight Committee and the Court to seek an understanding on a concept and strategy on how to proceed. It appeared that the lease of the premises in Saturnusstraat would also run into 2016. The Committee invited the Court to submit as soon as possible an analysis of all its current lease agreements with respect to the termination arrangements and the ensuing financial risks.

**(c) Review of 2gv costs****(i) Background**

98. At its nineteenth session, the Committee recommended that the Court review again the options for possibly mitigating the forecasted costs, including the suitability and extended use of existing equipment. Subsequently, the Assembly requested the Court to “in consultation with the Project Director and the Oversight Committee, elaborate new options for reducing the 2gv elements, including the suitability and extended use of existing equipment and to report thereon in detail to the Assembly through the Committee on Budget and Finance”.<sup>33</sup>

99. The Chairperson of the Oversight Committee noted that “the 2gv cost review conducted by the Court in March 2013 had raised the estimated figure for the 2gv elements from €20.2 million to €20.8 million. The Oversight Committee was not aware of any preparation of “options for reducing 2gv elements, including through the suitability and extended use of existing equipment”. It had been informed by the Court that any cost reduction would only become available at the time of submission of the annual budgets for 2014 and 2015.

**(ii) Observations of the Committee**

100. The Court’s explanations appeared to suggest that, in fact, the review of specific options for reducing 2gv costs may not have significantly advanced over the last half year. The matter brooked no further delay, given its scope and complexity. An actionable plan should be in place before 2gv spending rises in 2014 to peak in 2015. The Committee was looking forward to detailed proposals at its 21<sup>st</sup> session.

**(d) Financing 2gv costs****(i) Background**

101. In its supplementary paper of 12 April 2013, the Oversight Committee outlined a possible strategy for minimizing the impact, if any, of the transition costs on the assessed contributions of States Parties. The Oversight Committee suggested that the transition budget be unified with the construction budget and a maximum target established at the level of €200 million. A minimum and maximum target for reducing the 2gv cost would be established, approximately between €3 and €8 million. It also suggested a funding mechanism designed to avoid any additional contributions by States Parties to be paid against 2gv costs until 2017. The interim period could be bridged by advances from the Court’s cash deposits, budget surpluses, further savings on the construction projects costs or advances from the Working Capital Fund.

**(ii) Observations of the Committee**

102. The Committee noted that an appropriate target for 2gv cost reduction could provide an impetus for the Court to develop concrete options. The Committee also took note of the financing mechanism suggested by the Oversight Committee, which required further analysis.

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<sup>33</sup> Ibid., ICC-ASP/11/Res.3, para. 11.

**(e) Transition to the new premises**

103. The Committee had before it the Court's Progress report on the Transition Programme to the Permanent Premises.<sup>34</sup> In its report, the Court also outlined financing options and a draft governance structure.

104. The Court explained that the transition would be the most complex task the Court will undertake over the next three years. It would involve substantial operational and financial risks. The programme would be managed based on well-established and widely-used methodologies for managing programmes and projects of this level of complexity. A project programme management consultant (IPMMC) had been employed to support the day-to-day management activities. Intensive internal training sessions and workshops were taking place.

105. The Committee welcomed the efforts of the Court to be well prepared for a timely and smooth transition. It was looking forward to a progress report at its 21<sup>st</sup> session.

106. Matters concerning the financing options and governance structure are addressed in the Committee's observations in the other relevant chapters of this report.

**(f) Total Cost of Ownership (TCO)**

107. The Committee recalled the significant financial impact of the TCO on future States Parties' contributions. It welcomed the establishment of the Working Group on the TCO which is to review the range of possible approaches to dealing with these costs. The Committee was looking forward to a progress report at its 21<sup>st</sup> session.

**(g) ASP sessions in The Hague**

108. The Oversight Committee noted that it was technically feasible to adapt the current design of the new premises to host meetings of the Assembly. The additional construction cost was moderate. It could be absorbed in the construction budget. Holding Assembly meetings in the premises was likely to generate significant savings compared with meetings in the World Forum Convention Center in The Hague or in the United Nations Headquarters in New York. The Committee noted that there were three distinct aspects which merited careful consideration by all the stakeholders: a) political, b) operational and c) financial. The Committee noted that it could only consider this third aspect which falls within its remit. However, the Committee also noted that other factors, including inter alia, the functionality of the facilities and services available at the permanent premises and the operational impact on the Court's core activities would also constitute part of the overall assessment of the matter.

109. The Committee encouraged the Oversight Committee to develop a financial cost-benefit analysis. Creating the capacity in the new premises to allow for meetings of the Assembly would be a technical measure available during the current window of opportunity while the construction was still at an early stage. It would not pre-empt future policy decision with regard to the actual venue of Assembly meetings.

**(h) One-time payments****(i) Background**

110. States Parties can make their contribution to the construction cost of the new premises in one of two ways: (i) through one-time payments up-front or, alternatively, (ii) through a proportional share of the host-State loan repaid over a 30-year-period. In December 2012, the Assembly extended the deadline to select the option of one-time payments until end-December 2014. The Oversight Committee informed the Committee that by March 2013, 38 States Parties had opted for one-time payments for a value of €40 million. More States Parties were considering joining in. To attract as many States Parties as possible, the Oversight Committee has adopted a revised approach. Newly opting-in

<sup>34</sup> CBF/20/13.

States Parties would make their payment under the 2013 scale of assessments, instead of the 2009 scale.

(ii) **Observations of the Committee**

111. The Committee reiterated its view that attracting one-time payments was a good measure for increasing financial certainty of the project. It recalled that one-time payments would be subject to a final adjustment once the final cost of the project and the amount drawn on the host-State subsidy were known at completion of the project. This will ensure that all States Parties will pay the correct amount.

## H. Trust Fund for Victims

### Management of exchange rate risks of the Trust Fund for Victims: Options for mitigating currency risks

112. The Trust Fund for Victims (TFV) continues to be exposed to open exchange rate positions in two of its countries of operation. At its nineteenth session, the Committee recommended that the Court and the Secretariat of the TFV undertake a thorough review of the available options for mitigating the currency risks.<sup>35</sup> It encouraged the Secretariat of the TFV to develop, in cooperation with the Court, a policy defining acceptable levels of currency risks in its operations, as well as procedures to keep these risks within the allowed limits. It invited the Court and Secretariat of the TFV to report back to the Committee at its twentieth session.

113. The Committee had before it the Report of the Court and the Secretariat of the TFV on the Management of Exchange Rate Risk.<sup>36</sup> In this report, the Court and the Secretariat presented the results of the requested review. The Director of the Secretariat of the TFV also gave an oral presentation.

114. Accordingly, the loss of €42,218 experienced in 2011 dropped to €14,664 in 2012. This was due to exchange rate movements in 2012 and measures taken to mitigate risk. Total losses from 2006 to 2012 amounted to €112,807.<sup>37</sup> Depending on exchange rates, further losses could arise in 2013 and beyond.

115. The Court and the Secretariat of the TFV had identified two options for risk mitigation that appeared to be technically valid. These included forward rate agreements which, however, were not common practice for non-convertible currencies due to the high risk associated with unexpected fluctuations. Another technically valid option would be to shift the exchange rate risk to the TFV's implementing partners. This, however, would overburden the limited administrative capacity of local grass-roots organizations and expose the TFV to operational risks.

116. The Secretariat of the TFV intended further to explore measures for reducing risk, which might include (a) managing the volume of individual transaction; and (b) establishing a risk appetite and quantifying risk costs for different currencies. It also noted that, in line with the recommendations of the External Auditor, it was developing a comprehensive risk management framework. It had engaged the services of Deloitte for this purpose.

117. The Committee acknowledged the difficulties encountered by the TFV in managing its exposure in non-convertible currencies. It was nevertheless concerned that, in

<sup>35</sup> *Official Records... Eleventh session... 2012* (ICC-ASP/11//20), vol. II, part B.2, para. 45.

<sup>36</sup> CBF/20/12.

<sup>37</sup> Exchange rate losses incurred:

<u>Year</u>	<u>Euro</u>
2006	1,582
2007	1,388
2008	615
2009	8,017
2010	44,321
2011	42,219
2012	<u>14,665</u>
Total	112,807

the absence of a defined risk policy, the TFV continued to be exposed to unpredictable losses, resulting from random exchange rate swings. It noted that a more in-depth analysis of the risks factors and options for mitigation should be conducted. The planned risk management framework provided the opportunity to carry the matter forward. The Committee encouraged the TFV and the Court to develop and implement a defined risk management policy as soon as feasible. It was looking forward to an update in time for its 21<sup>st</sup> session.

## **I. Other matters**

### **1. Working methods**

118. In recent months the Committee has sought to build new links with The Hague Working Group and also with staff representatives. Informal meetings have been held, in line with the independence of all parties, which help to foster a better understanding of the issues facing the Court. These discussions have provided an opportunity to get to know the Court's usual partners better, together with their working methods.

119. In addition, the Committee has also had useful exchanges with the Coalition for the International Criminal Court at each session. The importance of the documentation distributed at these meetings reflects the quality of the discussions.

120. Although the agenda for each session is busy, the Committee is pleased that it can raise miscellaneous subjects on an ad hoc basis with adequate transparency.

### **2. Documentation on intermediaries**

121. The Committee received several documents on draft guidelines governing the relations between the Court and intermediaries, and a draft code of conduct for the intermediaries. These documents aim to set out standards and procedures which are common to the various organs of the Court and counsel. In resolution ICC-ASP/11/Res.8, the Assembly requested that the issue be discussed in greater depth.<sup>38</sup> Given the financial implications of the system of intermediaries, the Court submitted these drafts to the Committee for examination.

122. The Committee noted that implementation of the draft guidelines will have budgetary implications for the Registry<sup>39</sup> in terms of recruitment, training and travel. However, the Committee did not have sufficient information to evaluate the implications.

123. Given the impact that implementation of the draft guidelines will undoubtedly have on the Court's finances, the Committee recommended that a report be submitted to it for its 21<sup>st</sup> session on the main mechanisms chosen and their budget implications. The Committee also requested information on whether provisions would need to be made for the remuneration or compensation of intermediaries and, if so, the associated scales of remuneration or compensation.

### **3. Organization of the Secretariat**

124. The Committee discussed the organization of its Secretariat. At present the Executive Secretary reports directly to the Committee through its Chairperson, and administratively, is located in the Secretariat of the Assembly,<sup>40</sup> and is involved in various tasks in addition to those which form part of his job description. Nonetheless, the increase in workload means that it is now necessary to plan for a reorganization that would give priority to an increase in the support available both during sessions and during the preparatory phases. Therefore, the Committee indicated its intention to return to this issue at its 21<sup>st</sup> session, and continues reviewing the organizational structure of the Secretariat as necessary, based on its function, workload and relations with other organs.

<sup>38</sup> *Official Records... Eleventh session... 2012* (ICC-ASP/11/20), vol. I, part III, ICC-ASP/11/Res.8, para. 50.

<sup>39</sup> Note: Victims Participation and Reparations Section, the Victims and Witnesses Unit and the Security Section.

<sup>40</sup> *Official Records... Tenth session... 2011* (ICC-ASP/10/20), vol. II, part B.2, paras. 122 and 123.

**4. Visit to the Detention Centre**

125. The Committee visited the ICC Detention Centre, which is located within a Dutch prison complex in Scheveningen on the outskirts of The Hague. The Committee was briefed by the Chief Custody Officer on the services provided by the Court and on recent improvements to the service quality. The Committee was informed on this occasion that the host State plans to close down the prison complex in Scheveningen in 2015 as a result of the decision of the Dutch Ministry of Justice to close 30 prison establishments throughout the Netherlands.

**5. Dates for the 21<sup>st</sup> session of the Committee**

126. The Committee decided to hold its 21<sup>st</sup> session in The Hague from 9 to 19 September 2013.

## Annex I

## Status of contributions as at 25 April 2013

<i>States Parties</i>	<i>Prior Years' Assessed Contributions</i>	<i>Prior Years' Receipts and Refunds</i>	<i>Prior Years' Outstanding Contributions</i>	<i>2013 Assessed Contributions</i>	<i>2013 Receipts and Refunds</i>	<i>2013 Outstanding Contributions</i>	<i>Outstanding Contributions Contingency Fund</i>	<i>Total Outstanding Contributions</i>
1 Afghanistan	31,598	25,146	6,452	8,851	-	8,851	82	15,385
2 Albania	94,584	94,584	-	17,814	17,814	-	10	10
3 Andorra	90,707	90,707	-	14,229	14,229	-	34	34
4 Antigua and Barbuda	31,602	22,973	8,629	3,585	-	3,585	92	12,306
5 Argentina	7,297,111	7,297,111	-	769,376	-	769,376	3,434	772,810
6 Australia	24,387,158	24,387,158	-	3,693,497	3,693,497	-	-	-
7 Austria	11,963,213	11,963,213	-	1,421,110	1,421,110	-	-	-
8 Bangladesh	40,473	-	40,473	11,204	-	11,204	430	52,107
9 Barbados	121,142	121,142	-	14,229	13,333	896	64	960
10 Belgium	14,924,036	14,924,036	-	1,777,284	1,777,284	-	-	-
11 Belize	13,762	13,762	-	1,793	18	1,775	8	1,783
12 Benin	27,832	23,027	4,805	5,378	-	5,378	24	10,207
13 Bolivia	100,740	100,740	-	16,022	-	16,022	72	16,094
14 Bosnia & Herzegovina	106,610	106,610	-	30,251	30,251	-	-	-
15 Botswana	200,811	172,073	28,738	30,251	-	30,251	135	59,124
16 Brazil	19,030,288	19,030,288	-	5,225,079	-	5,225,079	23,318	5,248,397
17 Bulgaria	343,088	343,088	-	83,694	83,694	-	-	-
18 Burkina Faso	29,876	25,045	4,831	5,378	-	5,378	64	10,273
19 Burundi	12,138	12,138	-	1,793	23	1,770	8	1,778
20 Cambodia	27,832	27,832	-	7,171	4,810	2,361	32	2,393
21 Canada	41,126,985	41,126,985	-	5,314,150	5,314,150	-	-	-
22 Cape Verde	1,610	1,603	7	1,793	-	1,793	8	1,808
23 Central African Republic	13,762	11,742	2,020	1,793	-	1,793	46	3,859
24 Chad	13,750	13,750	-	3,585	40	3,545	16	3,561
25 Chile	1,183,118	1,183,118	-	594,818	296,606	298,212	2,655	300,867
26 Colombia	1,872,973	1,872,973	-	461,267	225,352	235,915	2,059	237,974
27 Comoros	9,332	603	8,729	1,793	-	1,793	46	10,568
28 Congo	21,877	17,046	4,831	8,851	-	8,851	73	13,755
29 Cook Islands	6,452	6,452	-	1,793	1,662	131	8	139
30 Costa Rica	434,224	434,224	-	67,672	59,818	7,854	302	8,156
31 Côte d'Ivoire	-	-	-	-	-	-	-	-
32 Croatia	848,674	848,672	2	224,415	-	224,415	1,002	225,419
33 Cyprus	590,852	590,852	-	83,694	76,155	7,539	374	7,913
34 Czech Republic	1,736,583	1,736,583	-	687,363	687,363	-	-	-
35 Democratic Republic of the Congo	41,904	41,904	-	5,378	57	5,321	24	5,345
36 Denmark	10,078,459	10,078,459	-	1,202,073	1,202,073	-	-	-
37 Djibouti	13,566	5,243	8,323	1,793	-	1,793	46	10,162
38 Dominica	13,762	9,366	4,396	1,793	-	1,793	46	6,235
39 Dominican Republic	378,099	249,980	128,119	80,108	-	80,108	1,955	210,182
40 Ecuador	372,412	372,412	-	78,316	318	77,998	350	78,348
41 Estonia	312,702	312,702	-	71,257	71,257	-	-	-
42 Fiji	50,679	50,679	-	5,378	2,630	2,748	24	2,772
43 Finland	7,620,082	7,620,082	-	924,327	924,327	-	-	-
44 France	84,892,253	84,892,253	-	9,960,432	5,220,541	4,739,891	44,451	4,784,342
45 Gabon	146,018	73,928	72,090	35,629	-	35,629	691	108,410
46 Gambia	13,762	13,762	-	1,793	1,793	-	-	-
47 Georgia	53,693	53,693	-	12,436	12,436	-	-	-
48 Germany	116,522,250	116,522,250	-	12,717,167	7,260,273	5,456,894	56,753	5,513,647
49 Ghana	65,048	55,376	9,672	24,985	-	24,985	178	34,835
50 Greece	8,344,460	8,344,460	-	1,136,194	19,769	1,116,425	5,071	1,121,496
51 Grenada	2,251	-	2,251	1,793	-	1,793	24	4,068
52 Guatemala	22,565	-	232	48,065	-	48,065	215	48,512
53 Guinea	27,137	21,094	6,043	1,793	-	1,793	84	7,920
54 Guyana	12,138	12,138	-	1,793	1,793	-	-	-
55 Honduras	82,721	82,721	-	14,229	744	13,485	64	13,549
56 Hungary	3,020,742	3,020,742	-	473,703	473,703	-	-	-
57 Iceland	517,976	517,976	-	48,065	48,065	-	-	-
58 Ireland	5,892,756	5,892,756	-	744,391	744,391	-	-	-
59 Italy	68,734,639	68,734,639	-	7,921,312	1,366,163	6,555,149	35,351	6,590,500
60 Japan	104,685,721	104,685,721	-	19,292,211	3,598,826	15,693,385	86,096	15,779,481

<i>States Parties</i>	<i>Prior Years' Assessed Contributions</i>	<i>Prior Years' Receipts and Refunds</i>	<i>Prior Years' Outstanding Contributions</i>	<i>2013 Assessed Contributions</i>	<i>2013 Receipts and Refunds</i>	<i>2013 Outstanding Contributions</i>	<i>Outstanding Contingency Fund</i>	<i>Total Outstanding Contributions</i>
61 Jordan	167,985	167,985	-	39,214	-	39,214	175	39,389
62 Kenya	121,688	121,688	-	23,192	19,818	3,374	104	3,478
63 Latvia	324,321	324,321	-	83,694	61,998	21,696	374	22,070
64 Lesotho	13,762	13,762	-	1,793	1,683	110	8	118
65 Liberia	12,138	6,525	5,613	1,793	-	1,793	46	7,452
66 Liechtenstein	110,071	110,071	-	16,022	16,022	-	-	-
67 Lithuania	541,601	541,601	-	129,966	110,450	19,516	580	20,096
68 Luxembourg	1,157,592	1,157,592	-	144,195	144,195	-	-	-
69 Madagascar	18,488	13,566	4,922	5,378	-	5,378	138	10,438
70 Malawi	14,143	12,533	1,610	3,585	-	3,585	26	5,221
71 Maldives	1,738	1,738	-	1,793	-	1,793	8	1,801
72 Mali	27,832	20,467	7,365	7,171	-	7,171	146	14,682
73 Malta	217,553	217,553	-	28,458	28,458	-	-	-
74 Marshall Islands	13,762	8,443	5,319	1,793	-	1,793	46	7,158
75 Mauritius	151,400	151,400	-	23,192	18,016	5,176	104	5,280
76 Mexico	23,937,199	23,937,199	-	3,280,407	3,280,407	-	-	-
77 Mongolia	18,447	18,447	-	5,378	-	5,378	24	5,402
78 Montenegro	24,067	24,067	-	8,851	8,851	-	10	10
79 Namibia	92,571	92,571	-	17,814	13,092	4,722	80	4,802
80 Nauru	13,762	13,762	-	1,793	1,706	87	8	95
81 Netherlands	24,866,342	24,866,342	-	2,945,521	2,945,521	-	-	-
82 New Zealand	3,451,359	3,451,359	-	450,511	450,511	-	-	-
83 Niger	18,447	7,943	10,504	3,585	-	3,585	92	14,181
84 Nigeria	787,256	787,256	-	160,329	42,456	117,873	716	118,589
85 Norway	10,676,869	10,676,869	-	1,515,560	1,515,560	-	-	-
86 Panama	292,466	292,466	-	46,272	3,089	43,183	207	43,390
87 Paraguay	113,545	91,880	21,665	17,814	-	17,814	346	39,825
88 Peru	1,211,776	1,196,349	15,427	208,394	-	208,394	930	224,751
89 Philippines	168,138	168,138	-	274,273	139,929	134,344	1,224	135,568
90 Poland	8,179,920	8,179,920	-	1,640,148	1,640,148	-	-	-
91 Portugal	6,906,175	6,906,175	-	844,106	14,718	829,388	3,767	833,155
92 Republic of Korea	28,214,381	28,214,381	-	3,551,095	77,109	3,473,986	15,848	3,489,834
93 Republic of Moldova	6,295	6,295	-	5,378	-	5,378	24	5,402
94 Romania	1,417,014	1,417,014	-	402,446	287,895	114,551	1,796	116,347
95 Saint Kitts and Nevis	9,332	9,332	-	1,793	1,793	-	-	-
96 Saint Lucia	3,404	-	3,404	1,793	-	1,793	46	5,243
97 Saint Vincent and the Grenadines	13,566	11,956	1,610	1,793	-	1,793	13	3,416
98 Samoa	13,644	13,644	-	1,793	1,681	112	8	120
99 San Marino	40,668	40,668	-	5,378	5,378	-	-	-
100 Senegal	69,128	59,508	9,620	10,644	-	10,644	48	20,312
101 Serbia	355,264	355,264	-	71,257	61,025	10,232	318	10,550
102 Seychelles	6,808	6,808	-	1,793	156	1,637	8	1,645
103 Sierra Leone	13,762	9,365	4,397	1,793	-	1,793	46	6,236
104 Slovakia	1,176,147	1,176,147	-	304,524	304,524	-	-	-
105 Slovenia	1,287,707	1,287,707	-	178,143	178,143	-	-	-
106 South Africa	4,518,268	4,518,268	-	662,490	9,336	653,154	2,957	656,111
107 Spain	39,727,262	39,727,262	-	5,294,543	86,234	5,208,309	23,628	5,231,937
108 Suriname	15,825	15,825	-	7,171	4,808	2,363	32	2,395
109 Sweden	14,383,826	14,383,826	-	1,709,612	1,709,612	-	-	-
110 Switzerland	16,291,293	16,291,293	-	1,864,563	1,864,563	-	-	-
111 Tajikistan	18,447	18,447	-	5,378	3,207	2,171	24	2,195
112 The FYR of Macedonia	82,889	51,687	31,202	14,229	-	14,229	330	45,761
113 Timor-Leste	13,644	13,603	41	3,585	-	3,585	16	3,642
114 Trinidad and Tobago	424,114	424,114	-	78,316	78,316	-	-	-
115 Tunisia	63,738	63,738	-	64,087	5,659	58,428	286	58,714
116 Uganda	68,829	68,829	-	10,644	35	10,609	48	10,657
117 United Kingdom	88,460,083	88,460,083	-	9,223,100	2,316,065	6,907,035	41,160	6,948,195
118 United Republic of Tanzania	90,401	65,945	24,456	11,204	-	11,204	354	36,014
119 Uruguay	490,180	488,378	1,802	92,657	-	92,657	414	94,873
120 Vanuatu	1,480	-	1,480	1,793	-	1,793	8	3,281
121 Venezuela	3,174,062	3,174,062	-	1,116,587	175,860	940,727	4,983	945,710
122 Zambia	32,134	32,134	-	10,644	-	10,644	48	10,692
<i>Rounding diff.</i>				<i>-11</i>				
	<b>822,788,596</b>	<b>822,275,183</b>	<b>491,080</b>	<b>112,039,600</b>	<b>52,294,395</b>	<b>59,745,216</b>	<b>367,421</b>	<b>60,603,717</b>

*Note: concerns outstanding assessed programme budget contributions and replenishments of the Contingency Fund; does not include outstanding advances to the Working Capital Fund.*

## Annex II

### Human resources tables

**Table 1: Geographical Representation of ICC Professional Staff**

Status as at 31 March 2013

Total number of professionals: 319

Total number of nationalities: 76

**Distribution per region:**

<i>Region</i>	<i>Nationality</i>	<i>Total</i>
<b>African</b>	Algeria	1
	Benin	1
	Burkina Faso	1
	Cameroon	1
	Congo, Democratic Republic of the	2
	Cote d'Ivoire	2
	Egypt	4
	Gambia	2
	Ghana	2
	Guinea	1
	Kenya	3
	Lesotho	1
	Malawi	1
	Mali	2
	Mauritius	1
	Niger	3
	Nigeria	3
	Rwanda	1
	Senegal	3
	Sierra Leone	3
South Africa	10	
Togo	1	
Uganda	2	
United Republic of Tanzania	2	
Zimbabwe	1	
	<b>Total</b>	<b>54</b>
<b>Asian</b>	China	1
	Cyprus	1
	Iran (Islamic Republic of)	4
	Japan	3
	Jordan	1
	Lebanon	2
	Mongolia	1
	Palestinian Territory, Occupied	1
	Philippines	2
	Republic of Korea	1
	Singapore	2
	Sri Lanka	1
	<b>Total</b>	<b>20</b>
<b>Eastern European</b>	Albania	1
	Bosnia and Herzegovina	1
	Bulgaria	1
	Croatia	4
	Georgia	1
	Poland	1
	Romania	7
	Russian Federation	2
	Serbia	4
	Ukraine	1
	<b>Total</b>	<b>23</b>

Excluding Elected Officials and 37 language staff.

<i>Region</i>	<i>Nationality</i>	<i>Total</i>
<b>GRULAC</b>	Argentina	4
	Brazil	1
	Chile	2
	Colombia	6
	Costa Rica	1
	Ecuador	3
	Mexico	2
	Peru	3
	Trinidad and Tobago	2
	Venezuela (Bolivarian Republic of)	2
	<b>Total</b>	<b>26</b>
<b>WEOG</b>	Australia	12
	Austria	2
	Belgium	10
	Canada	13
	Denmark	1
	Finland	3
	France	46
	Germany	12
	Greece	3
	Ireland	6
	Italy	11
	Netherlands	19
	New Zealand	4
	Portugal	4
	Spain	11
	Sweden	1
	Switzerland	1
	United Kingdom	28
United States of America	9	
	<b>Total</b>	<b>196</b>

**Table 2: Geographical Representation of professional staff per post, per region \***  
Status as at 31 March 2013

**Number of Staff per post, per region**

<i>Grade</i>	<i>Region</i>	<i>Nationality</i>	<i>Total</i>
D-1	African	Lesotho	1
			<i>Africa Total</i>
	GRULAC	Ecuador	1
			<i>GRULAC Total</i>
	WEOG	Belgium	2
		France	1
		Italy	1
		Netherlands	1
		United Kingdom	1
		<i>WEOG Total</i>	<i>6</i>
		<b>D-1 Total</b>	<b>8</b>
P-5	African	Kenya	1
		Mali	1
		Senegal	1
		South Africa	3
			<i>African Total</i>
	Asian	Jordan	1
		Philippines	1
		Singapore	1
		<i>Asian Total</i>	<i>3</i>
	Eastern European	Russian Federation	1
		Serbia	1
		<i>Eastern European Total</i>	<i>2</i>
	GRULAC	Argentina	1
		Ecuador	1
	<i>GRULAC Total</i>	<i>2</i>	

\* Excluding 33 language staff.  
Excluding Elected Officials and 37 language staff.

	WEOG	Australia	1
		Canada	1
		Finland	1
		France	3
		Germany	3
		Ireland	1
		Italy	2
		Portugal	1
		Spain	2
		United Kingdom	2
		United States of America	2
		<i>WEOG Total</i>	19
		<b>P-5 Total</b>	32
P-4	Africa	Congo, Democratic Republic of the	1
		Cote d'Ivoire	1
		Ghana	1
		Niger	1
		Nigeria	1
		Sierra Leone	1
		South Africa	1
		United Republic of Tanzania	1
		<i>African Total</i>	8
	Asian	Iran (Islamic Republic of)	3
		Lebanon	1
		<i>Asian Total</i>	4
	Eastern European	Croatia	1
		Romania	1
		Ukraine	1
		<i>Eastern European Total</i>	3
	GRULAC	Colombia	1
		Trinidad and Tobago	2
		Venezuela	1
		<i>GRULAC Total</i>	4
	WEOG	Australia	3
		Belgium	1
		Canada	1
		Denmark	1
		Finland	1
		France	7
		Germany	3
		Ireland	1
		Italy	3
		Netherlands	6
		Portugal	1
		Spain	1
		United Kingdom	8
		United States of America	1
		<i>WEOG Total</i>	38
		<b>P-4 Total</b>	57
P-3	African	Algeria	1
		Benin	1
		Burkina Faso	1
		Cote d'Ivoire	1
		Egypt	1
		Kenya	1
		Malawi	1
		Mali	1
		Niger	2
		Nigeria	1
		South Africa	6
		United Republic of Tanzania	1
		<i>African Total</i>	18
	Asian	Iran (Islamic Republic of)	1
		Mongolia	1
		Palestinian Territory, Occupied	1
		Philippines	1
		Singapore	1
		<i>Asian Total</i>	5
	Eastern European	Albania	1
		Georgia	1
		Poland	1
		Romania	1
		Serbia	1
		<i>Eastern European Total</i>	5

	GRULAC	Argentina	1
		Chile	1
		Colombia	4
		Costa Rica	1
		Ecuador	1
		Mexico	1
		Peru	1
		<i>GRULAC Total</i>	<i>10</i>
	WEOG	Australia	5
		Austria	2
		Belgium	6
		Canada	4
		Finland	1
		France	13
		Germany	5
		Greece	1
		Ireland	3
		Italy	3
		Netherlands	3
		New Zealand	2
		Portugal	2
		Spain	3
		Switzerland	1
		United Kingdom	8
		United States of America	4
		<i>WEOG Total</i>	<i>66</i>
		<b>P-3 Total</b>	<b>104</b>
P-2	African	Cameroon	1
		Congo, Democratic Republic of the	1
		Egypt	3
		Gambia	1
		Ghana	1
		Kenya	1
		Rwanda	1
		Senegal	2
		Sierra Leone	2
		Togo	1
		Uganda	1
		Zimbabwe	1
		<i>African Total</i>	<i>16</i>
	Asian	China	1
		Cyprus	1
		Japan	3
		Lebanon	1
		Republic of Korea	1
		Sri Lanka	1
		<i>Asian Total</i>	<i>8</i>
	Eastern European	Bulgaria	1
		Croatia	2
		Romania	4
		Serbia	2
		<i>Eastern European Total</i>	<i>9</i>
	GRULAC	Argentina	2
		Brazil	1
		Colombia	1
		Mexico	1
		Peru	2
		<i>GRULAC Total</i>	<i>7</i>
	WEOG	Australia	3
		Canada	6
		France	18
		Germany	1
		Greece	2
		Italy	1
		Netherlands	8
		New Zealand	2
		Spain	3
		Sweden	1
		United Kingdom	8
		United States of America	2
		<i>WEOG Total</i>	<i>55</i>
		<b>P-2 Total</b>	<b>95</b>

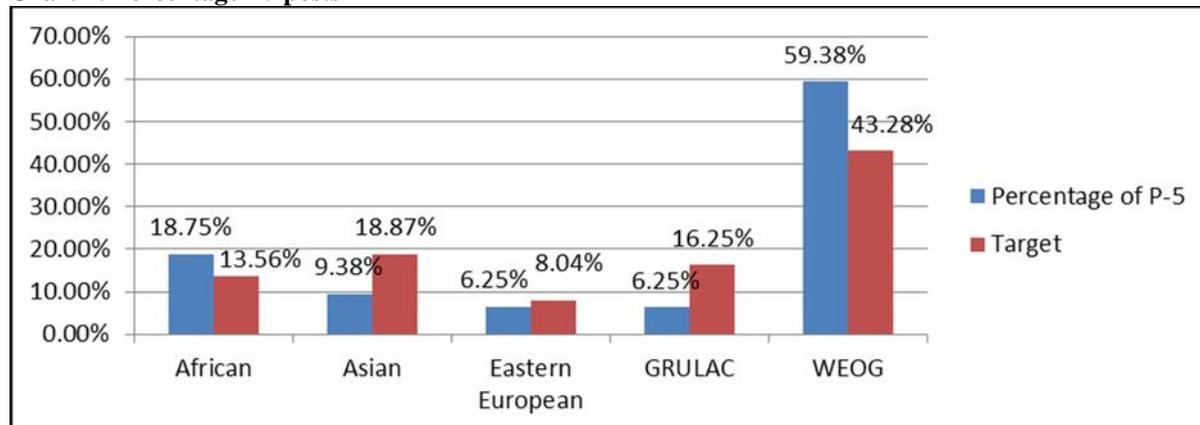
<b>P-1</b>	African	Gambia	1
		Guinea	1
		Mauritius	1
		Nigeria	1
		Uganda	1
	<i>African Total</i>		5
	Eastern European	Bosnia and Herzegovina	1
		Croatia	1
		Romania	1
		Russian Federation	1
	<i>Eastern European Total</i>		4
	GRULAC	Chile	1
		Venezuela	1
	<i>GRULAC Total</i>		2
WEOG	Belgium	1	
	Canada	1	
	France	4	
	Ireland	1	
	Italy	1	
	Netherlands	1	
	Spain	2	
	United Kingdom	1	
	<i>WEOG Total</i>		12
<b>P-1 Total</b>		<b>23</b>	
<b>Grand Total</b>		<b>319</b>	

### Percentage of staff per post, per region

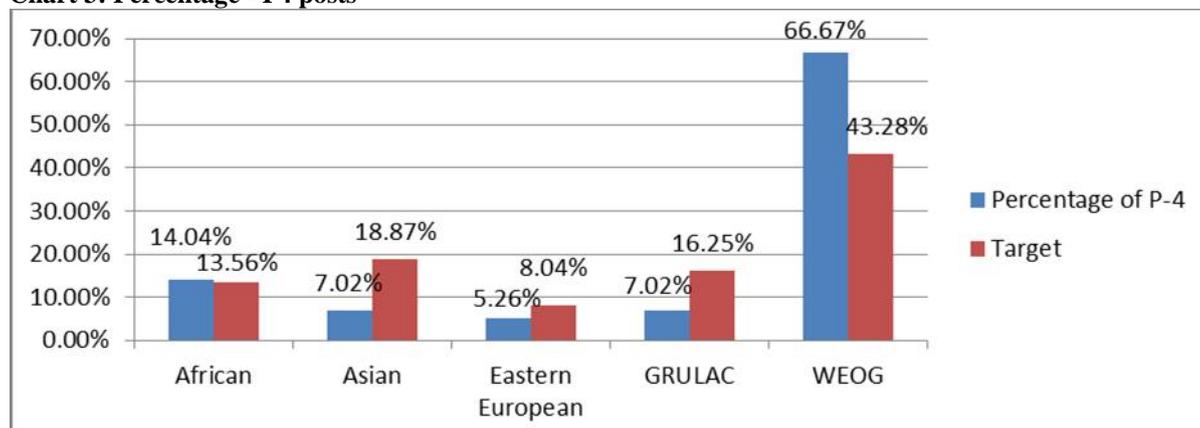
#### Chart 1: Percentage – D1 posts

Due to the limited number of only 8 positions concerned, statistic and graphic representations could be misleading, please refer to the exact numbers in table above.

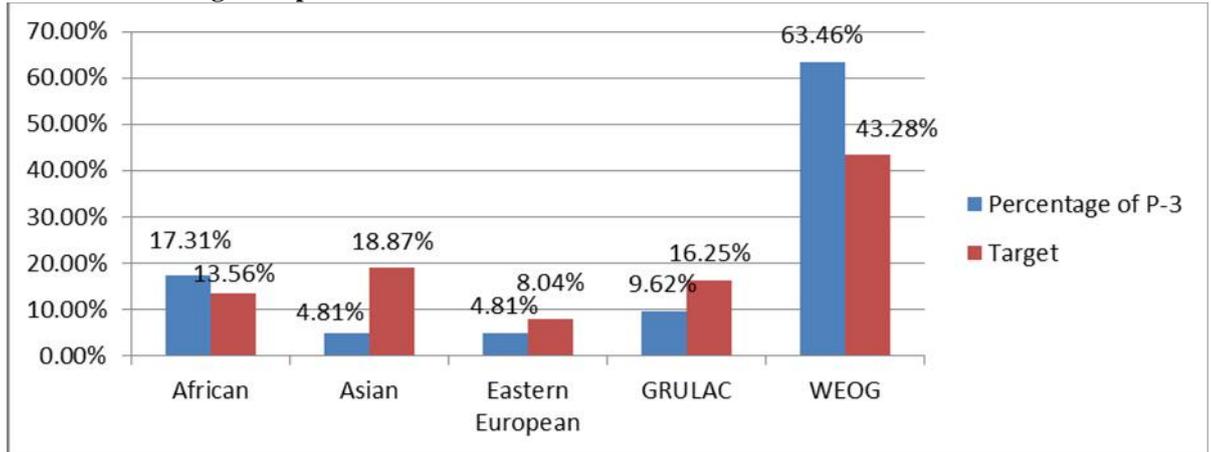
#### Chart 2: Percentage P5 posts



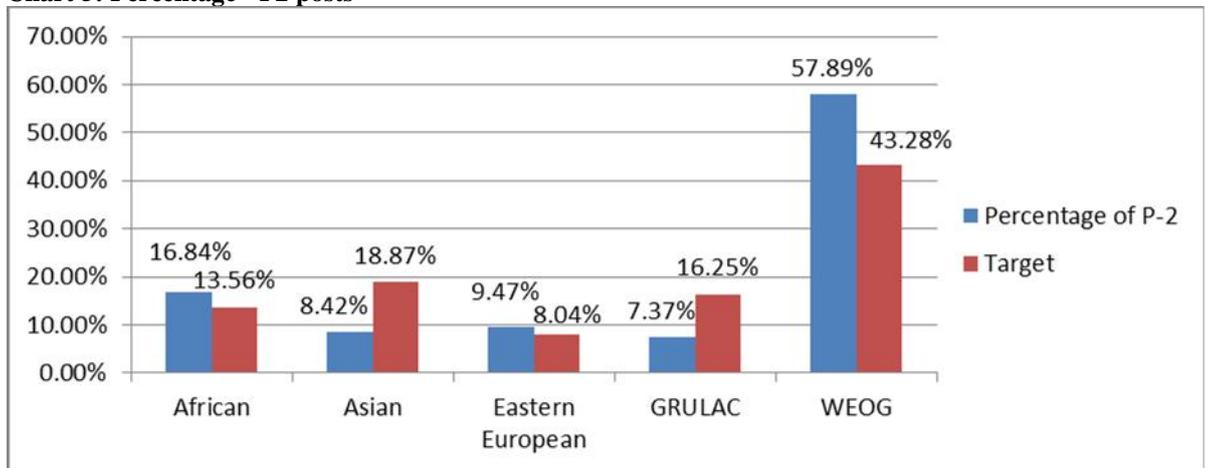
#### Chart 3: Percentage - P4 posts



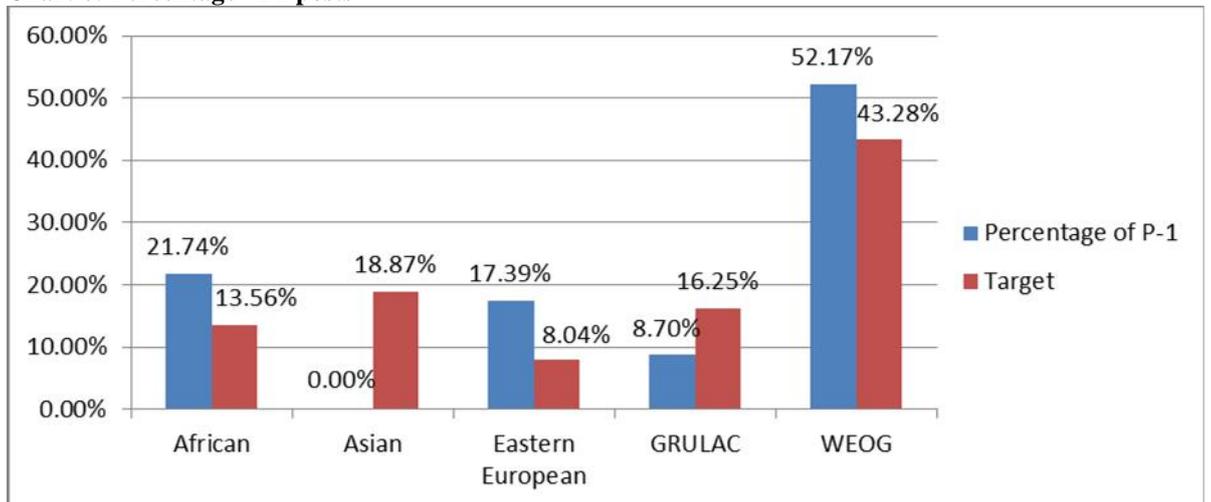
**Chart 4: Percentage - P3 posts**



**Chart 5: Percentage - P2 posts**



**Chart 6: Percentage - P1 posts**



**Table 3: Geographical representation of Professional staff**

Status effective 31 March 2013

<i>Region</i>	<i>Country</i>	<i>Assessment 2011</i>	<i>Desirable range</i>		<i>Midpoint</i>	<i>No. of staff</i>
African	Benin	0.00005%	1.05-	1.42	1.24	1
	Botswana	0.00027%	1.04-	1.41	1.22	0
	Burkina Faso	0.00005%	1.10-	1.49	1.29	1
	Burundi	0.00002%	1.04-	1.41	1.23	0
	Cape Verde	0.00002%	0.99-	1.34	1.16	0
	Central African Republic	0.00002%	1.02-	1.37	1.20	0
	Chad	0.00003%	1.06-	1.44	1.25	0
	Comoros	0.00002%	0.99-	1.34	1.17	0
	Congo	0.00008%	1.02-	1.38	1.20	0
	Democratic Republic of the Congo	0.00005%	1.44-	1.95	1.69	2
	Djibouti	0.00002%	0.99-	1.34	1.17	0
	Gabon	0.00032%	1.05-	1.41	1.23	0
	Gambia	0.00002%	1.00-	1.35	1.17	2
	Ghana	0.00022%	1.18-	1.60	1.39	2
	Guinea	0.00002%	1.05-	1.43	1.24	1
	Kenya	0.00021%	1.29-	1.74	1.51	3
	Lesotho	0.00002%	1.00-	1.35	1.18	1
	Liberia	0.00002%	1.01-	1.37	1.19	0
	Madagascar	0.00005%	1.12-	1.52	1.32	0
	Malawi	0.00003%	1.09-	1.48	1.28	1
	Mali	0.00006%	1.08-	1.46	1.27	2
	Mauritius	0.00021%	1.03-	1.39	1.21	1
	Namibia	0.00002%	1.00-	1.35	1.18	0
	Niger	0.00143%	1.32-	1.79	1.56	3
	Nigeria	0.01353%	4.24-	5.74	4.99	3
	Senegal	0.00010%	1.08-	1.47	1.27	3
	Seychelles	0.00002%	0.99-	1.33	1.16	0
	Sierra Leone	0.00002%	1.02-	1.39	1.21	3
	South Africa	0.00591%	2.28-	3.09	2.69	10
	Tunisia	0.00057%	1.15-	1.55	1.35	0
Uganda	0.00010%	1.22-	1.65	1.44	2	
United Republic of Tanzania	0.00010%	1.30-	1.75	1.53	2	
Zambia	0.00010%	1.09-	1.47	1.28	0	
Asian	Afghanistan	0.00008%	1.19-	1.61	1.40	0
	Bangladesh	0.00010%	2.08-	2.82	2.45	0
	Cambodia	0.00006%	1.09-	1.48	1.29	0
	Cook Islands	0.00002%	0.99-	1.33	1.16	0
	Cyprus	0.00075%	1.11-	1.50	1.31	1
	Fiji	0.00005%	1.00-	1.35	1.17	0
	Japan	0.17219%	29.99-	40.58	35.29	3
	Jordan	0.00035%	1.08-	1.47	1.27	1
	Maldives	0.00002%	0.99-	1.34	1.16	0
	Marshall Islands	0.00002%	0.99-	1.33	1.16	0
	Mongolia	0.00008%	1.01-	1.37	1.19	1
	Nauru	0.02629%	5.29-	7.15	6.22	0
	Philippines	0.01464%	4.00-	5.41	4.70	2
	Republic of Korea	0.00005%	1.31-	1.77	1.54	1
	Samoa	0.00002%	0.99-	1.34	1.16	0
	Tajikistan	0.00005%	1.04-	1.40	1.22	0
	Timor-Leste	0.00003%	1.00-	1.35	1.17	0
Vanuatu	0.00002%	0.99-	1.34	1.16	0	
Eastern European	Albania	0.00016%	1.03-	1.39	1.21	1
Bosnia & Herzegovina	0.00027%	1.05-	1.42	1.24	1	
Bulgaria	0.00075%	1.16-	1.56	1.36	1	
Croatia	0.00200%	1.34-	1.81	1.58	4	
Czech Republic	0.00614%	2.06-	2.78	2.42	0	
Estonia	0.00064%	1.10-	1.48	1.29	0	
Georgia	0.00011%	1.03-	1.39	1.21	1	
Hungary	0.00423%	1.74-	2.36	2.05	0	
Latvia	0.00075%	1.12-	1.52	1.32	0	

Situation effective 31 March 2013. Established Professional posts, excluding Elected Officials and Language Staff. 34 other professional staff members are nationals of non-States Parties.

	Lithuania	0.00116%	1.19-	1.62	1.41	0
	Moldova	0.00005%	1.01-	1.37	1.19	0
	Montenegro	0.00016%	1.01-	1.37	1.19	0
	Poland	0.00753%	2.47-	3.34	2.90	1
	Romania	0.00359%	1.71-	2.31	2.01	7
	Serbia	0.00064%	1.15-	1.56	1.36	4
	Slovakia	0.00272%	1.46-	1.98	1.72	0
	Slovenia	0.00159%	1.26-	1.70	1.48	0
	The Former Yugoslav Rep. of Macedonia	0.00013%	1.02-	1.38	1.20	0
GRULAC	Antigua and Barbuda	0.00003%	0.99-	1.34	1.16	0
	Argentina	0.00687%	2.37-	3.21	2.79	4
	Barbados	0.00013%	1.01-	1.36	1.18	0
	Belize	0.00002%	0.99-	1.34	1.16	0
	Bolivia	0.00014%	1.07-	1.45	1.26	0
	Brazil	0.04664%	9.90-	13.40	11.65	1
	Chile	0.00531%	1.97-	2.66	2.31	2
	Colombia	0.00412%	1.96-	2.65	2.31	6
	Costa Rica	0.00060%	1.11-	1.51	1.31	1
	Dominica	0.00002%	0.99-	1.33	1.16	0
	Dominican Republic	0.00072%	1.17-	1.58	1.37	0
	Ecuador	0.00070%	1.19-	1.61	1.40	3
	Grenada	0.00002%	0.99-	1.34	1.16	0
	Guatemala	0.00043%	1.15-	1.55	1.35	0
	Guyana	0.00002%	0.99-	1.34	1.17	0
	Honduras	0.00013%	1.05-	1.43	1.24	0
	Mexico	0.02928%	6.50-	8.80	7.65	2
	Panama	0.00016%	1.03-	1.40	1.21	0
	Paraguay	0.00186%	1.33-	1.80	1.57	0
	Peru	0.00245%	1.58-	2.14	1.86	3
	Saint Kitts and Nevis	0.00002%	0.99-	1.33	1.16	0
	Saint Lucia	0.00002%	0.99-	1.34	1.16	0
	Saint Vincent and the Grenadines	0.00002%	0.99-	1.34	1.16	0
	Suriname	0.00006%	1.00-	1.35	1.17	0
	Trinidad and Tobago	0.00070%	1.11-	1.50	1.30	2
	Uruguay	0.00083%	1.14-	1.54	1.34	0
	Venezuela	0.00997%	2.81-	3.80	3.30	2
WEOG	Andorra	0.00013%	1.00-	1.36	1.18	0
	Australia	0.03297%	6.52-	8.82	7.67	12
	Austria	0.01268%	3.11-	4.21	3.66	2
	Belgium	0.01586%	3.65-	4.94	4.29	10
	Canada	0.04743%	8.97-	12.13	10.55	13
	Denmark	0.01073%	2.78-	3.76	3.27	1
	Finland	0.00825%	2.37-	3.20	2.79	3
	France	0.08890%	15.96-	21.59	18.78	46
	Germany	0.11351%	20.10-	27.19	23.64	12
	Greece	0.01014%	2.72-	3.68	3.20	3
	Iceland	0.00043%	1.06-	1.43	1.24	0
	Ireland	0.00664%	2.10-	2.84	2.47	6
	Italy	0.07070%	12.95-	17.52	15.23	11
	Liechtenstein	0.00014%	1.01-	1.36	1.18	0
	Luxembourg	0.00129%	1.20-	1.62	1.41	0
	Malta	0.00025%	1.03-	1.39	1.21	0
	Netherlands	0.00402%	1.75-	2.37	2.06	19
	New Zealand	0.00003%	1.02-	1.38	1.20	4
	Norway	0.00041%	1.08-	1.47	1.27	0
	Portugal	0.03170%	6.24-	8.44	7.34	4
	San Marino	0.00005%	0.99-	1.34	1.17	0
	Spain	0.04726%	9.01-	12.20	10.61	11
	Sweden	0.01526%	3.54-	4.79	4.17	1
	Switzerland	0.01664%	3.76-	5.08	4.42	1
	United Kingdom	0.08232%	14.86	20.11	17.49	28
		<b>100.00%</b>			<b>350</b>	<b>285</b>

**Table 4: Gender balance of Professional Staff by Gender\***

Status as at 31 March 2013

<b>Judiciary</b>			
<i>Grade</i>	<i>F</i>	<i>M</i>	<i>Total</i>
P-5	1	2	3
P-4	1	2	3
P-3	12	8	20
P-2	3	0	3
<b>Office of the Prosecutor</b>			
<i>Grade</i>	<i>F</i>	<i>M</i>	<i>Total</i>
USG	1	0	1
ASG	0	1	1
D-1	0	2	2
P-5	3	8	11
P-4	6	19	25
P-3	17	24	41
P-2	26	18	44
P-1	12	5	17
<b>Registry</b>			
<i>Grade</i>	<i>F</i>	<i>M</i>	<i>Total</i>
ASG	1	0	1
D-1	1	3	4
P-5	7	9	16
P-4	16	23	39
P-3	25	31	56
P-2	37	19	56
P-1	4	2	6
<b>Secretariat of the Assembly of States Parties</b>			
<i>Grade</i>	<i>F</i>	<i>M</i>	<i>Total</i>
D-1	0	1	1
P-5	0	1	1
P-4	1	0	1
P-3	1	0	1
<b>Secretariat of the Trust Fund for Victims</b>			
<i>Grade</i>	<i>F</i>	<i>M</i>	<i>Total</i>
D-1	0	1	1
P-5	1	0	1
P-3	1	2	3
<b>Project Director's Office</b>			
<i>Grade</i>	<i>F</i>	<i>M</i>	<i>Total</i>
D-1	0	1	1
P-4	1	0	1
<b>Grand Total</b>			
	<i>F</i>	<i>M</i>	<i>Grand Total</i>
	<b>178</b>	<b>182</b>	<b>360</b>

\* Including Elected Officials and Language Staff.

**Table 5: Staff count, actual**

As at 31 March 2013, the Court's staff count is as follows:

<i>Staff count</i>	
Established posts	690
Approved GTA	152
Interns	70
Visiting professionals	12
Consultants	47
Elected officials / Judges	21
<b>Total</b>	<b>992</b>

**Table 6: Staff count, projected**

Based on the approved budget for 2013, the current projection as at 31 March 2013 and on averages for interns, visiting professionals and consultants in previous years, the Court's headcount at the end of 2013 could be expected to be as follows:

<i>Staff count</i>	
Established posts <sup>1</sup>	761
Approved GTA <sup>2</sup>	194
Interns <sup>3</sup>	78
Visiting professionals	6
Consultants	42
Elected officials / Judges	21
<b>Total</b>	<b>1102</b>

<sup>1</sup> Vacancy rate not taken into account in the projection.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*

**Table 7: Vacant posts - established posts**

Status as at 31 March 2013

<i>Major Programme</i>	<i>Programme</i>	<i>Sub-Programme</i>	<i>Post Level</i>	<i>Post Title</i>	<i>Total</i>	<i>Comments</i>
MP I	Judiciary	Chambers	P-3	Legal Officer	1	Post vacated due to resignation.
			GS-OL	Research Assistant	1	Post vacated due to resignation.
MP II	Investigation Division	Planning & Operations Section	GS-OL	Field Operations Assistant	1	Post to be filled in 2013.
		Investigation Teams	P-3	Investigator (Financial and Arm Dealing)	1	Post to be filled in 2013.
			P-4	Financial Analyst	1	Post vacated due to resignation. Post to be redeployed. Post to be filled in 2013.
MP III	Office of the Registrar	Security and Safety Section	GS-OL	Personnel Security Officer	1	Post vacated due to resignation.
		Legal Advisory Services Section	P-2	Associate Legal Officer	1	Post vacated due to internal move.
		Office of Internal Audit	P-3	Internal Auditor	1	Post vacated due to internal move.
		Field Operations Section	GS-OL	Driver (CIV)	2	Post frozen in 2013 due to budgetary constraints.
			GS-OL	Driver (CAR)	1	Post frozen in 2013 due to budgetary constraints.
	Counsel Support Section	P-2	Legal Aid Fund Monitoring Specialist	1	Post vacated due to internal move.	
	Common Administrative Services Division	Information and Communication Technologies Section	P-3	Systems Analyst	1	Post vacated due to internal move.
	Division of Court Services	Court Management Section	GS-PL	Senior Audio-Visual Assistant	1	Post blocked until further notice.
		Victims and Witnesses Unit	GS-OL	Field Protection/Operations Assistant (currently in CAR)	1	Post to be redeployed to Kenya. Post to be filled in 2013.
			GS-OL	Field Confidential Accounts Assistant (currently in CAR)	1	Post to be redeployed to Kenya. Post to be filled in 2013.
		GS-OL	Field Protection/Operations Assistant (currently in DRC)	1	Posts to be filled in 2013.	
		GS-OL	Field Protection/Operations Assistant (currently in DRC)	1	Post to be redeployed to Uganda and reprofiled to Field Support Assistant. Post to be filled in 2013.	
		P-3	Field Witness Officer	1	Post to be advertised and filled in 2013.	
Public Information and Documentation Section		P-2	Field Outreach Coordinator (CAR)	1	Post vacated due to resignation.	
MP IV	Secretariat of the ASP	Secretariat of the ASP	P-2	Special Assistant to the Director	1	Post to be filled in 2013.
			GS-OL	Administrative Assistant	2	Posts vacated due to resignation.
<b>Grand Total:</b>					<b>24 (1<sup>4</sup>)</b>	

Note: 47 posts are: under recruitment/recruitment completed (44) or advertised (3) as of 31 March 2013. One ASG post under MP2 is not currently under recruitment.

<sup>4</sup> One post, (Staff Council Officer) funding the Staff Council Representative, is no longer reported as vacant.

**Table 8: Staffing: approved versus filled posts (excluding elected officials)**

Status as at 31 March 2013

<i>Major Programme</i>	<i>Approved</i>	<i>Filled</i>	<i>Recruitment complete<sup>5</sup></i>	<i>Under recruitment</i>	<i>Advertised not under recruitment</i>	<i>Vacant not advertised</i>	<i>% of established posts vacant</i>	<i>Vacancy Rate (% of established posts)</i>
[1]	[2]	[3]	[4]	[5]	[6]	[7]	[(2-3)/2]x100	[(AVG(3)-2)/2]x100
Judiciary								
Major Programme I	48	44	0	2	0	2	8.33%	8.33%
Office of the Prosecutor								
Major Programme II	214	200	0	11	0	3	6.54%	6.07%
Registry								
Major Programme III <sup>6</sup>	478	430	0	28	3	17	10.04%	10.04%
Secretariat of the ASP								
Major Programme IV	9	6	0	0	0	3	33.33%	33.33%
Secretariat of the TFV								
Major Programme VI	7	7	0	0	0	0	0.00%	0.00%
Project Director's Office								
Major Programme VII.1	3	3	0	0	0	0	0.00%	0.00%
Independent Oversight Mechanism								
Major Programme VII.5	2	0	0	2	0	0	100.00%	100.00%
<b>Total ICC</b>	<b>761</b>	<b>690</b>	<b>0</b>	<b>43</b>	<b>3</b>	<b>25</b>	<b>9.33%</b>	<b>9.07%</b>

<b>Target recruitment</b>	<b>71</b>
<b>Under recruitment / Recruitment completed</b>	<b>43</b>
<b>Percentage of target</b>	<b>60.6%</b>

<sup>5</sup> Recruitment completed: Indicates that the selected candidate has accepted the offer. Recruitment process has been finalised and the post is blocked until the arrival of the incumbent.

<sup>6</sup> In MP-III, One post was not vacant as such but funding a Staff Council Representative.

## Annex III

### List of Documents

CBF/20/1	Provisional agenda
CBF/20/1/Add.1/Rev.2	Annotated list of items included in the provisional agenda
CBF/20/3	Report of the Court on Procurement
CBF/20/4	Report of the Court on Contingency Fund Notifications 2013
CBF/20/7	Report of the Court on the implementation of International Public Sector Accounting Standards
CBF/20/10	Report of the Court on its Investment of Liquid Funds
CBF/20/12	Report of the Court and the Secretariat of the Trust Fund for Victims on the Management of Exchange Rate Risks
CBF/20/13	Progress Report on the Transition Programme to the Permanent Premises
CBF/20/14	Report of the Court on analytic accountability
CBF/20/18	Interim report on the activities of the Oversight Committee
CBF/20/19	Report on programme performance of the International Criminal Court as at 31 March 2013
CBF/20/20	Report of the Court on Public Information and Outreach Activities
ICC-ASP/12/2	Registry's first quarterly report on monitoring and assessing the implementation performance of legal aid
ICC-ASP/12/3	Registry's single policy document on the Court's legal aid system
ICC-ASP/12/4	Report of the Court on Junior Professional Officers (JPO)
ICC-ASP/12/6	Report of the Court on human resources management
ICC-ASP/12/7	Report of the Court on its Working Capital Fund
ICC-ASP/12/8	Report of the Court on its Anti-Fraud and Whistleblower Policies
ICC-ASP/12/9	Report on activities and programme performance of the International Criminal Court for the year 2012
ICC-ASP/12/16	Eighth Status Report on the Court's progress regarding efficiency measures
ICC-ASP/12/17	Report of the Court on the assessment and review of asset replacement and write-off policies
ICC-ASP/12/18	Progress report of the Court on its organizational structure
ICC-ASP/12/19	Review of Asset Replacement Policy
ICC-ASP/12/21	Report of the Court on the comprehensive review of the legal aid system
ICC-ASP/12/22	Concept paper of the Court on multi-year project funding

## Annex IV

### Report of the Court on Contingency Fund Notifications 2013<sup>1</sup>

- I. **Extension of mandates of two judges and support staff and additional legal aid for the defence in the case of *Mr Germain Katanga and Mr Mathieu Ngudjolo Chui* in the situation in the Democratic Republic of the Congo, dated 17 December 2012**
- II. **Continuation of pre-trial proceedings in the case of *Mr Laurent Gbagbo* in the situation in Côte d'Ivoire, dated 18 December 2012**

#### A. Introduction

1. The Assembly of State Parties (“the Assembly”) endorsed in its resolution ICC-ASP/11/Res.1 the recommendation of the Committee on Budget and Finance (“the Committee”) that the International Criminal Court (“the Court”) should, within 60 calendar days following a notification to access the Contingency Fund, send a written report to the Committee through its Chair, providing an update on the use of the resources requested in the notification.<sup>2</sup>

2. The Court submitted the following notifications to the Committee:

(a) Notification of 17 December 2012 amounting to €311,087 for the further extension of the mandates of two judges and for support staff and additional legal aid for the defence in the case of *Mr Germain Katanga and Mr Mathieu Ngudjolo Chui* in the situation in the Democratic Republic of the Congo (Katanga/Ngudjolo notification); and

(b) Notification of 18 December 2012 amounting to €509,100 for the need to cater for the continuation of pre-trial proceedings in the case of *Mr Laurent Gbagbo* in the situation in Côte d'Ivoire (Gbagbo notification).

#### B. Budget performance for the Contingency Fund application

3. Two Contingency Fund notifications came into effect on 1 January 2013. The budget performance for each Contingency Fund application as at 28 February, within 60 days calendar days following the notifications, is detailed below in the order of the notifications to the Committee.

##### 1. Katanga/Ngudjolo notification

4. Table 1 below provides actual expenditure as at 28 February in connection with the Contingency Fund application requested to further extend the mandates of two judges and for a limited number of support staff and additional requirements for legal aid for the defence teams in the case of *Mr Germain Katanga and Mr Mathieu Ngudjolo Chui* in the situation in the Democratic Republic of the Congo. Actual expenditure incurred as at 28 February is €0.07 million against the notified application amount of €0.31 million, or an implementation rate of 23.9 per cent. Legal aid has not yet been utilized because bills were not received in January and February.

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<sup>1</sup> CBF/20/4.

<sup>2</sup> *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Eleventh session, The Hague, 4-22 November 2012* (ICC-ASP/11/20), vol.1, part III. A, ICC-ASP/11/Res. 1, section I para. 2. According to Regulation 6 of the Financial Regulations and Rules, two weeks after having notified the Chairperson of the Committee, the Registrar may enter into the corresponding commitments. Therefore, the expiry of the two-week period has been taken to represent the starting point for the reporting period.

**Table 1: Budget performance for the Contingency Fund application for extension of the mandates of two judges and for support staff and additional legal aid for the defence in the case of Mr Germain Katanga and Mr Mathieu Ngudjolo Chui in the situation in the Democratic Republic of the Congo as at 28 February 2013 by item of expenditure (thousand euros)**

<i>Expenditure Item</i>	<i>Contingency Fund Application</i>	<i>Actual Expenditure*</i>	<i>Actual Implementation rate in %</i>
	[1]	[2]	[3]=[2]/[1]
Judges' Costs	168.2	61.4	36.5
Staff Costs			
General temporary assistance	31.1	13.1	42.1
Temporary assistance for meetings			
<i>Subtotal Other Staff Costs</i>	<i>31.1</i>	<i>13.1</i>	<i>42.1</i>
Travel			
Counsel for defence	111.8		
Counsel for victims			
<i>Subtotal Contractual Services</i>	<i>111.8</i>		
Other Miscellaneous Operating Costs			
<i>Subtotal General Operating Expenses</i>			
Supplies and Materials			
Equipment including Furniture			
<b>Total</b>	<b>311.1</b>	<b>74.4</b>	<b>23.9</b>

\* Figures are subject to change.

## 2. Gbagbo notification

5. Table 2 below shows the actual expenditure as at 28 February 2013 in connection with the Contingency Fund application requested for support staff for seven months and legal aid for the defence and victims' teams needed to continue pre-trial proceedings in the case of Mr Laurent Gbagbo in the situation in Côte d'Ivoire. An amount of €0.25 million was incurred against the notified application amount of €0.51 million, translating into an implementation rate of 48.8 per cent. Support staff have been on board in Chambers since the beginning of January. Legal aid fees for the defence and victims' teams have been committed for the first six months.

**Table 2: Budget performance for the Contingency Fund application for continuation of pre-trial proceedings in the case of Mr Laurent Gbagbo in the situation in Côte d'Ivoire as at 28 February 2013 by item of expenditure (thousand euros)**

<i>Expenditure Item</i>	<i>Contingency Fund Application</i>	<i>Actual Expenditure*</i>	<i>Actual Implementation rate in %</i>
	[1]	[2]	[3]=[2]/[1]
Judges' Costs			
Staff Costs			
General temporary assistance	108.7	21.3	19.6
Temporary assistance for meetings			
<i>Subtotal Other Staff Costs</i>	<i>108.7</i>	<i>21.3</i>	<i>19.6</i>
Travel			
Counsel for defence	330.0	193.4	58.6
Counsel for victims	70.4	33.7	47.9
<i>Subtotal Contractual Services</i>	<i>400.4</i>	<i>227.2</i>	<i>56.7</i>
Other Miscellaneous Operating Costs			
<i>Subtotal General Operating Expenses</i>			
Supplies and Materials			
Equipment including Furniture			
<b>Total</b>	<b>509.1</b>	<b>248.4</b>	<b>48.8</b>

\* Figures are subject to change.

## 2. Report of the Committee on Budget and Finance on the work of its twenty-first session, September 2013

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## I. Introduction

1. The Committee on Budget and Finance (“the Committee”) conducted its examination of the 2014 proposed programme budget on the basis of the general principle of budgetary integrity.
2. The Committee recalled that, for the 2013 budget year, the Assembly of States Parties (“the Assembly”) at its eleventh session had approved appropriations totalling €15.62 million, of which €15.12 million for the regular budget and €0.50 million to replenish the Contingency Fund.<sup>1</sup>
3. The Committee noted that, up until August 2013, it had received seven notifications from the International Criminal Court (“the Court”) to access the Contingency Fund, for amounts totalling €7.21 million.
4. The Committee noted that the 2014 proposed programme budget represented an increase of €0.95 million (9.5 per cent) over the 2013 approved budget.
5. After reviewing the 2014 proposed programme budget and the justifications provided, the Committee concluded that total additional savings could be achieved in the amount of €4.52 million. If approved, the adjusted 2014 proposed programme budget would then amount to €21.55 million.
6. The budgetary implications, calculated by the Court, of implementing the Committee’s recommendations are set out in annex V.

### A. Opening of the session, adoption of the agenda and organization of work

7. The twenty-first session of the Committee was convened in accordance with the decision of the Assembly taken at the 8<sup>th</sup> plenary meeting, on 21 November 2012, of its eleventh session, from 14 to 22 November 2012, and the further decision of the Committee on its dates, taken on 26 April 2013. The session, comprising 20 meetings, was held from 9 to 19 September 2013. The President of the Court, Judge Sang-Hyun Song, delivered welcoming remarks at the opening of the session.
8. In accordance with rule 13 of the Rules of Procedure of the Committee, the Committee appointed Mr. Hugh Adsett (Canada) as Rapporteur. The Secretariat of the Assembly of States Parties (“the Secretariat”) provided the substantive servicing for the Committee, and the Executive Secretary to the Committee on Budget and Finance, Mr. Fakhri Dajani, acted as the Secretary of the Committee.
9. The following members attended the twenty-first session of the Committee:
  - 1) Hugh Adsett (Canada)
  - 2) David Banyanka (Burundi)
  - 3) Carolina María Fernández Opazo (Mexico)
  - 4) Gilles Finkelstein (France)
  - 5) Fawzi A. Gharaibeh (Jordan)
  - 6) Samuel P.O. Itam (Sierra Leone)
  - 7) Juhani Lemmik (Estonia)
  - 8) Mónica Sánchez (Ecuador)
  - 9) Gerd Saupe (Germany)
  - 10) Ugo Sessi (Italy)
  - 11) Elena Sopková (Slovakia)
  - 12) Masatoshi Sugiura (Japan)

<sup>1</sup> *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Eleventh session, The Hague, 14-22 November 2012* (ICC-ASP/11/20), vol. I, part III, ICC-ASP/11/Res.1, section E.

10. At its 1<sup>st</sup> meeting, the Committee adopted the following agenda (CBF/21/1):
- 1) Opening of the session, adoption of the agenda and organization of work
  - 2) Participation of officials and observers
  - 3) Financial and budgetary matters:
    - (a) States in arrears
    - (b) Working Capital Fund
    - (c) Contingency Fund
    - (d) International Public Sector Accounting Standards
    - (e) Replacement of capital investment
    - (f) Multi-year funding project (transition programme)
    - (g) Financial performance data as of 30 June 2013
    - (h) Consideration of the 2014 proposed programme budget
  - 4) Administrative matters:
    - (a) Organizational structure
    - (b) Procurement
    - (c) Administrative Instruction for investment of liquid funds
    - (d) Junior Professional Officer programme
    - (e) Retirement age
  - 5) Audit matters:
    - (a) Audit reports:
      - (i) Financial statements of the International Criminal Court for the period 1 January to 31 December 2012
      - (ii) Financial statements of the Trust Fund for Victims for the period 1 January to 31 December 2012
      - (iii) Report of the Office of Internal Audit
    - (b) Audit Committee.
  - 6) Legal aid
  - 7) Premises of the Court:
    - (a) Transition programme
    - (b) Total Cost of Ownership
    - (c) Review of 2gv costs
    - (d) Interim premises lease contract
  - 8) Trust Fund for Victims:
    - (a) Risk management policy
  - 9) Other matters:
    - (a) Intermediaries
    - (b) Organization of the Secretariat
    - (c) Future meetings of the Committee

11. The following major programmes of the Court were invited to participate in the meetings of the Committee to introduce the reports: the Presidency, the Office of the Prosecutor (OTP), the Registry and the Trust Fund for Victims. Furthermore, the budget facilitator, Ambassador Werner Druml (Austria) and the legal aid facilitator, Ambassador

Gyula Sümeghy (Hungary) of The Hague Working Group of the Bureau of the Assembly and the Chairman of the Oversight Committee on Permanent Premises (“Oversight Committee”) Mr. Roberto Bellelli, made presentations to the Committee. The Committee expressed its appreciation for the presentations.

## **B. Participation of observers**

12. 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.

## **II. Consideration of issues on the agenda of the Committee at its twenty-first session**

### **A. Financial and budgetary matters**

#### **1. Status of contributions**

13. The Committee reviewed the status of contributions as at 13 September 2013 (annex-II) and noted that €102,882,641 had been paid for the regular budget, and €449,537 had been paid for the replenishment of the Contingency Fund pursuant to resolution ICC-ASP/11/Res.1, section F. At the same date, outstanding contributions from previous years stood at €336,025, outstanding contributions for 2013 at €1,157,083, and outstanding contributions for the replenishment of the Contingency Fund at €50,463, making a total of €1,543,571 in outstanding contributions.

14. In addition, the Committee noted with appreciation that, as at 13 September 2013, 91.82 per cent of contributions due in 2013 had been paid, recalling that at the same date in 2012, only 78.1 per cent had been paid and just 68 States had fully paid all their contributions. The Committee urged all States Parties to make best efforts to ensure that the Court had sufficient funds throughout the year, in accordance with regulation 5.6 of the Financial Regulations and Rules (FRR).

#### **2. States in arrears**

15. According to article 112, paragraph 8 of the Rome Statute, “a State Party which is in arrears in the payment of its financial contributions toward the costs of the Court shall have no vote in the Assembly and in the Bureau if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years.”

16. The Committee recognised that, as at 13 September 2013, nine States Parties were in arrears in an amount equal to or exceeding two full years of contributions and were therefore ineligible to vote. The Committee noted that the Secretariat had informed the States Parties in arrears on 27 June 2013 of the minimum payment required to avoid application of article 112, paragraph 8 of the Rome Statute, and of the procedure for requesting an exemption from the loss of voting rights. The Committee requested the Secretariat to notify again States Parties in arrears. The Committee recommended that all States Parties in arrears settle their accounts with the Court as soon as possible.

#### **3. Working Capital Fund (WCF)**

17. The WCF was established in accordance with Regulation 6.2 of the FRR of the Court to ensure sufficient capital for the Court to meet short-term liquidity problems pending receipt of assessed contributions. Since 2008, the amount of the WCF has been fixed at €7.4 million.

18. In its report to the Committee, the Court again drew attention to the fact that this amount would be insufficient to cover its day-to-day operations<sup>2</sup> if there should be a repeat of the 2011 situation and a significant delay in the receipt of contributions.<sup>3</sup>

19. The Committee examined monthly cash balances over the period from 2011 to 2013. It noted that the Court recognized that cash balance variations were mainly driven by incoming contributions, as the majority of the Court's expenses were linear (reflecting monthly payroll costs) and thus do not have an unpredictable effect on cash flow.

20. The Committee noted that, according to the information currently before it, the Court had never had to draw on the WCF. The Committee considered that the Court had the necessary resources to cover its liquidity needs. The Committee recalled its earlier recommendation that the Court, when entering into a contractual relationship, look into the possibility of postponing any financial obligations until later in the financial year, in order to lower the liquidity risks during the first months of the year.<sup>4</sup>

21. The Committee recommended that the Assembly maintain the WCF at its current level.

#### 4. Contingency Fund

22. As at 1 January 2013, the opening balance of the Contingency Fund stood at €7.5 million. Pursuant to the Assembly resolution ICC-ASP/11/Res.1, the fund was replenished with €500,000.

23. Up until the end of August 2013, the Court submitted seven notifications to access the Contingency Fund to cover expenditure in various situations, as shown in annex IV, for a revised total amount of €7.21 million.

24. An overview of requests made in 2013 showed that out of the €7.21 million requested, only €2.03 million or 28.1 per cent had been spent as at 17 September 2013.<sup>5</sup>

25. The spending rate for request III pertaining to the opening of the situation in Mali was even lower, at only 14.6 per cent (€3.24 million) of the appropriations requested, as at 17 September 2013, though this might be explained by changes to the schedule initially decided upon by the Court.<sup>6</sup>

26. The Committee recommended that the Court submit a table to it at each session of the Committee, showing a breakdown of the requested funds into categories of expenditure.<sup>7</sup> It reiterated its request that the Court, as a matter of course, should send a report to the Committee within 60 calendar days following notification.<sup>8</sup>

27. The Committee stressed once again that use of the Contingency Fund must only be considered when the event giving rise to the request could not have been foreseen or could not be accurately estimated when the budget was drawn up. Such events would include the opening of a new situation or unforeseeable developments in a current case. The Committee urged the Court to maintain very strict budgetary discipline when requests. Furthermore, the Committee encouraged the Court to make every effort to absorb all unforeseen expenditure in the regular budget.

#### 5. International Public Sector Accounting Standards (IPSAS)

28. At its seventh session, the Assembly decided that the Court would work towards implementation of IPSAS in the period from 2011 to 2016.<sup>9</sup>

<sup>2</sup> According to the Court, its operational expenses amount to approximately €9 million per month. See CBF/21/6, para. 6.

<sup>3</sup> According to the Court, delay in receiving contributions relating to its 2010 budget, particularly one of the larger contributions, meant that by year end in 2010 the Court had received only 78 per cent of its contributions, resulting in larger invoices being put on hold until such time as delayed contributions were received. See CBF/21/6, para. 5.

<sup>4</sup> ICC-ASP/12/5/Rev.1, para. 26.

<sup>5</sup> €91,800 for MP I; €643,400 for MP II; and €94,300 for MP III.

<sup>6</sup> Due to the elections in Mali.

<sup>7</sup> Cost of judges, staff expenditure, temporary assistance (for meetings or other requirements), travel, counsel for defence or victims, other running costs, supplies, materials.

<sup>8</sup> *Official Records ... Eleventh session ... 2012* (ICC-ASP/11/20), vol. II, part B.2, para. 29.

<sup>9</sup> *Official Records ... Seventh session ... 2008* (ICC-ASP/7/20), vol. I, part I, para.34.

29. The total amount approved for this multi-year project was €1,917,550. The overall project funding was distributed for the duration of the project on a yearly basis, based on the activities planned in the respective years.

30. The Committee was informed that the expected cumulative expenditure for 2011 to 2013 would be €1,398,600, and that the Court would be in a position to “go live” with all aspects of IPSAS in January 2014. The Committee welcomed the conclusion that the project would thus be completed on time and within budget.

31. At its twentieth session, the Committee was informed of the Court’s proposal to reallocate the resources approved for 2013 between two consecutive years and between items of expenditure, due to adjustments in the timing of training activities. The timing of training activities had been adjusted so that training would take place closer to the actual implementation date of IPSAS, as well as in the post-implementation period, as this having been recognized as best practice by other IPSAS implementers in the United Nations system. This amendment to the project meant that only about 50 per cent of the €600,200 approved would be utilized, resulting in an estimated overall surplus of €290,000 at the end of 2013.

32. In the 2014 proposed programme budget, the Court had requested a total of €345,300 for activities relating to IPSAS implementation. The Committee noted that the estimated surplus of €290,000 in 2013 would be needed for the planned implementation of IPSAS in 2014 and should therefore remain available to fund these activities in 2014. As a result, the total amount of €345,300 requested for IPSAS implementation in the 2014 proposed budget would, in fact, be offset by the surplus of €290,000, meaning that only about €55,300 would have to be assessed for States Parties’ contributions in 2014.

33. At its eleventh session, the Assembly approved the amendments to the FRR that were required for the implementation of IPSAS and requested the Court to submit through the Committee any further amendments to the FRR which might be necessary.<sup>10</sup>

34. The Committee was informed that no further amendments to the FRR had been so far identified for the implementation of IPSAS. However, the Court agreed with the External Auditors that a special purpose audit of the financial statements for 2013, restated to complying with IPSAS, would be performed under a separate mandate, which would also include consideration of amendments to the FRR. The Committee recommended that, if any further amendments to the FRR were identified, the Court report thereon to the Committee at its twenty-third session. The Committee also requested that it be informed at its twenty-second session of the actual implementation of IPSAS against the project schedule, and of budget utilisation.

## 6. Analytic Accountability project

35. The Committee took note of the update on the status of the Analytic Accountability project. It was informed that the Project remained within the initial timeline, which would allow analytical financial data on 2012 expenditures to be presented by the end of 2013, and to use it to analyze the provisional 2013 financial data in early 2014.

36. The Committee reiterated its view that analytical data should be available to trace the costs for each situation, case or trial phase on a periodic basis (e.g. six months); they would thus become an important input into forecasting for each year’s proposed programme budget of the Court. The Committee requested the Court to present the results of the Analytic Accountability project and the way forward at its twenty-second session.

## 7. Replacement of capital investment

37. The Committee considered the “Second report of the Court on the assessment and review of asset replacement and write-off policies.”<sup>11</sup> In its report, the Court noted that, according to external consultants, the asset management policies and procedures in place at the Court were in line with accepted practice in both the private and public sectors. The

<sup>10</sup> *Official Records ... Eleventh session ... 2012* (ICC-ASP/11/20), vol. I, part III, ICC-ASP/11/Res.1, annex.

<sup>11</sup> CBF/21/9.

Court indicated that it was performing an extensive review of its documentation and communication on asset management, in response to various recommendations of the external consultant, Price Waterhouse Cooper (PwC), and in preparation for implementation of IPSAS. The Court also indicated that it was considering a cost-benefit analysis exercise in regard to some measures proposed by PwC, as some of the proposed measures would require additional resources, which would need to be balanced against potential future gains.

38. The Committee took note of the report and requested the Court to submit a report to it at its twenty-second session on the consequences of its review and on the impact of the new IPSAS accounting rules.

## **8. Multi-year funding project (transition programme)**

39. The Court presented an updated report on the funding of multi-year projects.<sup>12</sup> The Committee took note of the report and reiterated its position that there was a need for clearly defined rules to govern multi-year projects.

40. The Committee acknowledged that both the Permanent Premises project and the transition programme appeared to have the characteristics of typical multi-year projects. Since they had a common objective to provide the Court with custom-made purpose-fit premises, their closer linkage seemed to be justified. Therefore, the Committee welcomed the proposal to place both construction and transition projects under the managerial authority of the Project Director's office and fund both components under an overall financial envelope.

41. The Committee noted that the new premises project was not the first multi-year project, as the IPSAS project had also been presented as such. Based on this experience, the Committee was of the view that several important elements should be put in place to govern such projects in line with the applicable FRR. It requested the Court to address the following elements in a report to be submitted at its twenty-second session:

- a) clearly defined objectives and budgets for the whole duration of the project;
- b) accountability arrangements for both attainment of the objectives and resources expenditure; and
- c) budgeting arrangements which would:
  - i) allow unspent funds to be carried over from one year to another instead of having the year-end balance returned to States Parties; and
  - ii) allow the "borrowing" of funds against the overall project budget upfront if some activities needed to be carried out earlier than originally envisaged, and savings could be achieved in other parts of the Court's regular budget.

42. The Committee recommended that the accounts for multi-year funding projects be reported separately from the others, so that revenue sources and annual expenditures could be recorded transparently and the necessary adjustments made upon project completion (i.e. surrendering the surplus and assessing any deficit amounts to State Parties) based on the scales of assessment for the year to which the respective revenues and expenditures belonged.

## **9. Financial performance data as at 30 June 2013 (second quarter)**

43. The Committee had before it the Report on budget performance of the International Criminal Court as at 30 June 2013.<sup>13</sup> The Committee noted that the implementation rate was 54.0 per cent, or €62.19 million, against the 2013 approved budget of €115.12 million. That represented an increase of 3.4 per cent compared to the previous year's implementation rate of 50.6 per cent as at 30 June 2012. The Court forecasted an implementation rate of 98.4 per cent or €113.29 million at year-end for the 2013 approved budget.

<sup>12</sup> ICC-ASP/12/22.

<sup>13</sup> ICC-ASP/12/24.

44. With regard to forecast expenditure for 2013 year-end per item of expenditure, the Court estimated implementation rates of 98.6 and 98.8 per cent for staff costs and non-staff costs respectively. The Committee noted that the implementation rate for established posts was 47.0 per cent as at 30 June 2013. With a spot vacancy rate of 9.1 per cent as at 30 June 2013, 692 of 766 approved posts had been filled.

45. As to the budget implementation status as at 30 June 2013 and forecast expenditure for 2013 year-end per major programme, the implementation rate for the Judiciary as at 30 June 2013 was 47.0 per cent and the forecast for the 2013 year-end was 90.0 per cent.

46. The OTP implementation rate stood at 49.1 per cent and forecasted 100.0 per cent implementation at 2013 year-end.

47. The Registry had implemented 54.4 per cent of its 2013 approved budget and was expecting to achieve full implementation of its approved budget of €64.52 million at 2013 year-end.

48. The Secretariat had implemented 49.3 per cent and forecasted that at 2013 year-end it would have implemented 95.8 per cent of its 2013 approved budget.

49. The Secretariat of the Trust Fund for Victims (TFV) had implemented 45.9 per cent and expected at 2013 year-end to implement 99.2 per cent of its 2013 approved budget.

50. The Project Director's Office (permanent premises) forecasted 80.4 per cent budget implementation at 2013 year-end, although it had implemented only 30.7 per cent as at 30 June 2013.

51. The forecast implementation of the Independent Oversight Mechanism (IOM) for the 2013 year-end was only 65.8 per cent because the IOM was not expected to be fully operational until the respective decision had been taken by the Assembly, and therefore most of the allocation for non-staff costs would not be used.

52. The Committee noted that the Contingency Fund notifications had been revised twice and reduced to €7.21 million, a decrease of €1.25 million from the original amount of €8.46 million.

53. As at 30 June 2013, the Court had implemented 12.7 per cent or €0.92 million against total revised notifications of €7.21 million. The Court indicated that the forecast implementation rate at 2013 year end was 86.6 per cent or €6.24 million.

54. The Committee recommended that the Court, to the fullest extent possible, include its expenses in its regular budget, and limit its requests to draw upon the Contingency Fund to only what is strictly necessary. The Committee also requested the Court to provide<sup>14</sup> an updated forecast to the Assembly that would include actual expenditure of both the regular budget and the Contingency Fund notifications up to the end of October 2013.

## **10. Consideration of the 2014 proposed programme budget**

### **(a) General recommendations for the 2014 proposed programme budget**

55. The Court had proposed a budget of €126.07 million for 2014, representing an increase of €10.95 million or 9.5 per cent over the 2013 approved budget level. The Court identified the main causes of the increase as an increase in the number of situations, the volume of prosecutorial and judicial activities and corresponding services required, implementation of the new OTP strategy, forward commitments and United Nations common system costs.

### **(b) Assumptions and activities for 2014**

56. The Committee also had before it the "Report of the Court on Judicial decisions with significant financial implications in 2012"<sup>15</sup> and noted the impact that judicial decisions could have on the budget of the Court.

<sup>14</sup> Through the Committee pursuant to regulations 6.7 and 6.8 of the Financial Regulations and Rules.

<sup>15</sup> CBF21/09P01.

57. The Court's judicial (includes prosecutorial) and investigative activity was expected to increase in 2014. The OTP envisaged that it would conduct investigations in eight situations in 2014 (compared to seven provided for in the 2013 regular budget), namely five full investigations (seven in 2013) and 13 hibernated and trial support related investigations (compared to nine residual investigations in 2013). Preliminary examinations were envisaged in eight situations (also eight in 2013).

58. The Presidency considered that five cases would potentially be on trial followed in two cases by enforcement of sentences and reparations in case of a conviction. Further, there would be three final appeals including appeals regarding reparations. At least two cases would be at the pre-trial stage. The Court budgeted for consecutive trials, but there might be a need to resort to a simultaneous hearing schedule with further consequences for the budget, not currently provided for.

**(c) Presentation and macro analysis**

59. The Committee noted the overall improvement in explanations provided in support of the proposed budget. However, it also noted that there was still room for improvement in regard to overall presentation and macro-analysis of the budget.

60. The Committee was informed that the budget submission was based on assumptions made at the end of June 2013, which were likely to be amended before the end of the current budget year if not before, in most cases triggering the Contingency Fund notifications.

61. The Committee requested the Court to provide a list of potential developments with budgetary impacts, for the information of the Assembly and the Committee. The Court presented the list (annex III), dividing the potential developments into three categories based on their relative probability and their impact on the activities of the Court. The Committee welcomed the information and felt that such information should in future be annexed to the budget submission, and updated before the autumn session of the Committee and the session of the Assembly.

**(d) Major programmes**

**i. Major Programme I: Judiciary**

62. The Committee noted that despite extensive judicial activities in 2014 the overall MP I 2014 proposed budget was €483,000 lower than the 2013 approved budget.

63. The Committee observed that there were two reasons for the significant decrease in the resources required for judges' salaries: First, only 16 judges would be in full-time service.<sup>16</sup> Second, the decrease was related to the pension scheme for judges, involving three factors: 1) introduction of a new, cheaper pension scheme for newly elected judges; 2) pension contributions for judges serving longer than nine years cease after the judge has completed nine years of service; and 3) the insurer has started to repay the Court for judges who have stayed at the Court for longer than nine years, as it was not required to pay their pensions at the time previously envisaged. This has resulted in a €53,800 decrease in judges' cost in the 2014 proposed programme budget compared with the 2013 approved budget. The Committee was informed, however, that it was not yet possible to predict when the last two elected judges would need to be called in for full-time service, which would result in a need for additional resources.

64. The Committee noted that the 2014 proposed budget for salary and entitlements for judges included accruals for annual leave, repatriation and relocation of judges in the amount of €232,600. As salaries and entitlements were subject to different regulations, which were approved by the Assembly at its third session,<sup>17</sup> the Committee recommended that the resources requested for this purpose be approved, and requested the Court to

<sup>16</sup> Pursuant to Article 36(10) and 39(3) of the Statute, the term of office of a judge may be extended in order to complete the trial.

<sup>17</sup> *Official Records ... Third session ... 2004* (ICC-ASP/3/25), part III, ICC-ASP/3/Res.3, annex.

provide to the Committee, at its twenty-second session, comprehensive information on the methodology for calculating accruals for annual leave, repatriation and relocation.

65. The Committee considered the request for GTA resources for MP I and, after consideration of the workload indicators and assumptions of judicial developments, recommended the resources requested to fund one P-2 for six months and one P-3 for six months not be approved. In this regard, the Committee recalled its recommendation at its nineteenth session<sup>18</sup> that the Court meet the workload requirements of the Judiciary through the redeployment of approved resources among divisions, to the extent possible, before accessing the Contingency Fund.

66. The Committee recommended that hospitality in 2014 be approved at the level of the 2013 approved budget.

## ii. Major Programme II: Office of the Prosecutor

67. The 2014 proposed programme budget submitted by the OTP amounted to €35.74 million, which represented an increase of 26.5 per cent over the 2013 approved budget.

68. The OTP explained to the Committee that it was now dealing with 18 cases in eight different situations. For 2014, the OTP planned to place greater focus on a limited number of cases, with investigations being reduced from seven to five. The aim was to mobilize sufficient resources for investigations and legal proceedings, including article 70 investigations (offences against the administration of justice), while also assigning the necessary minimum resources to maintain other cases. Eight preliminary examinations were also envisaged. In relation to activities in the areas of jurisdiction, complementarity and cooperation, the Prosecutor indicated that further resources were needed to address these eight preliminary examinations. She pointed out, moreover, that preliminary examinations played a key role in decision-making, and could have a preventive impact in relation to subsequent proceedings before the Court.

69. In support of her requests, the Prosecutor stated that from now on quality and efficiency would be the key concepts in a new strategic plan for the period from 2013 to 2017. There would be a gradual increase in resources based on a modification of the rotational model, on greater resources for investigations, on Chambers' expectations, on improved information management and on the need to maintain a certain level of investigation in non-active cases. The OTP envisaged a phased-in annual increase in resources spread over four years: 26.5 per cent in 2014, 15.4 per cent in 2015, 9.4 per cent in 2016 and 6.3 per cent in 2017, totalling about €20 million more in 2017 than in 2013. The OTP would continue to seek efficiency gains through cooperation with the Registry. It would likewise seek to improve the quality of its work in the various phases of the proceedings.

70. The Committee noted the report on the OTP produced by a consulting firm, which contained three series of proposals: strengthening the OTP's organizational structure and chart, improving the performance of the Joint Teams and Executive Committee and, lastly, increasing staff resources.

71. The Committee took note of the launch of a new prosecutorial strategy by the OTP. The Committee noted that the strategy was in its formative stage, and recommended that the OTP take steps to spell out the details of its strategy more fully, including, for example, describing the way in which the increase in the number of investigators would enhance the quality of investigations, and requested the Court to report to the Committee at its twenty-second session. This would assist in developing well justified projections for the expected cost and results of the proposed multi-year "ramp up" of the strategy, and would enable the Committee to better review the potential impact of the strategy on the resources of the Court.

72. The Committee noted that successful implementation of the strategy would need to be accompanied by a well-developed "change management" plan, as the transition from the previous approach was expected to require significant additional resources over several

<sup>18</sup> *Official Records ... Eleventh session ... 2012*(ICC-ASP/11/20), vol. II, part B.2, para. 125.

years. The Committee was doubtful whether the OTP had the capacity to absorb large numbers of additional personnel at short notice.

73. Detailed examination of the 2014 proposed programme budget for MP II revealed a significant demand for staff resources in all areas of activity, and particularly in the Investigation Division.<sup>19</sup> Although it was understood that, in general terms, the demand was driven by the desire to meet the objectives of the strategy presented by the Prosecutor, and by new cases in Mali, the Committee was of the view that the strategic plan presented to it did not support an increase of this magnitude in investigation capabilities. Similarly, the Committee had seen no evidence to show that the establishment of new investigation standards would justify such an increase in staffing levels. The Committee therefore recommended that not all of the requested additional positions for 2014 be approved, but that they should be restricted to half of the additional number proposed, namely 16 positions.

74. As the link between the OTP strategy and resource requirements required further clarification, the Committee concluded that it would be necessary to conduct a macroeconomic analysis of the OTP budget request for 2014. In order to establish a baseline for its analysis, the Committee carried out a detailed examination and concluded that the average cost per case was €1.31 million.

75. The Committee noted that the OTP proposed to take on the same number of cases (18) in 2014 as in 2013. The Committee also noted that two of the cases would be new cases. The Committee noted that the actual distribution of available resources amongst various cases would be at the discretion of the Prosecutor, bearing in mind her duties under the Rome Statute, including her responsibility for the efficient management of her office. At the same time, given the absence of a document setting out a strategic plan for future years, and pending the establishment of new investigation standards, it was necessary for the Committee to establish a benchmark against which the request for additional resources in 2014 could be measured.

76. The Committee therefore decided to apply the average cost per case of €1.31 million to the 16 ongoing cases, in order to determine an appropriate baseline amount for 2014. The Committee concluded that the requested increase of nearly 20 per cent<sup>20</sup> in the average cost for these cases between the 2013 approved budget and 2014 proposed programme budget had not been fully justified, and therefore recommended the proposed budget be reduced by €2.2 million.

**Table 1: Calculation of the recommended reduced budget**

<i>Description</i>	<i>Amount in millions</i>	<i>Note</i>
<i>2014 proposed programme budget</i>	€35.74	(€27.9 million* for 18 cases + €7.84 million for other items)
*Costs of 18 cases	€27.9	
Costs of the new two cases	(€4.8)	
Costs of the current 16 cases	€23.1	
Average cost per case is €1.31 million x 16	(€20.9)	
<b>Excess amount requested for 2014</b>	<b>€2.2</b>	

77. At the same time, the Committee acknowledged that 2014 would provide the OTP with the first opportunity to apply its new strategy from the beginning of a case. The Committee recommended the approval of the OTP's request for €4.8 million<sup>21</sup> for the new cases, noting that the actual allocation of resources to particular cases would be at the discretion of the Prosecutor, in the exercise of her responsibilities under the Rome Statute.

<sup>19</sup> In 2013, 42.0 FTE were approved for a total of 504.0 months. Requests for access to the Contingency Fund in respect of two situations added an additional 41.8 FTE for 501.6 months. In the 2014 proposed programme budget, the OTP considered that, in seven situations, it would also need a further 32.0 FTE for 384.0 months.

<sup>20</sup> Represents the increase in average cost per case; i.e., €1.31 million in 2013, and €1.55 million in 2014.

<sup>21</sup> ICC-ASP/12/10, table 18.

78. The Committee recommended that hospitality in 2014 be approved at the same level as the 2013 budget.

### iii. Major Programme III: Registry

79. The 2014 proposed programme budget submitted by the Registrar amounted to €8.11 million, which represented an increase of 5.6 per cent over the 2013 approved budget. The Registrar explained to the Committee that an expected substantial increase in the Court's judicial and prosecutorial activities for 2014, in comparison to 2013, and the OTP's intention to enhance the quality and efficiency of its investigative and prosecutorial activities would inevitably bring about a substantial increase in demand on the Registry, as the service provider to the other organs of the Court, in addition to forward commitments, such as common system costs.

80. The Committee welcomed the efforts made by the Registrar to identify a reduction of approximately €3.5 million as a result of efficiency gains and careful allocation, redeployment and reprioritization of resources. The Committee noted that the Registry, as a result of these savings, had proposed an increase of €3.6 million against the anticipated €7 million increase.

81. Having recommended a reduction of €2.2 million in the budget of the OTP, the Committee reviewed the requirements for the Registry as the service provider to the OTP. The Committee noted that, historically, the ratio of budget requested by the OTP to meet the needs for a new situation or case to the budget requested by the Registry was about 2:1. The Committee therefore recommended a reduction of €1.1 million in the 2014 proposed budget of the Registry.

82. The Committee also noted and welcomed the intention of the Registrar to optimize the organizational structure of the Registry with a view to enhancing its efficiency and improving the services provided, which would lead to further savings. The Registrar requested the flexibility to begin his ambitious plan in 2014 under the oversight of the Committee and the Assembly, without waiting for the 2015 budget cycle.

83. The Committee recommended that the Registrar be granted the authority to reorganize and streamline the Registry on a provisional basis, within the limits of the approved budget and the maximum number of established posts and approved positions. The Committee also recommended that the Registrar be invited to set a tentative target of 3 per cent savings in his plan, and requested the Registrar to report on the measures taken and proposals to be considered, together with the realized and anticipated improvements and savings, to the Committee at its twenty-second and twenty-third sessions. The Committee further invited the Registrar to consider additional savings and efficiencies that could be achieved through synergies with other major programmes.

84. With regard to Sub-programme 3260 (Information and Communication Technologies Section), the Committee recommended cutting the proposed increase of €1,100 as there was no justification for it. It called upon the Court, under future proposed programme budgets to present its ICT projects together with a short narrative on their objectives, justifications and time-line.

85. With regard to Sub-programmes 3740 (Office of Public Counsel for the Defence) and 3750 (Office of Public Counsel for Victims), the Committee noted that the staff requirements did not correspond to the workload indicators provided by the Court. The Committee called upon the Court to include, in their 2015 proposed budget, a clearer explanation of the actual workload of the offices and the staffing levels necessary to ensure their proper functioning.

### iv. Major Programme IV: Secretariat of the Assembly of States Parties

86. The Committee considered the 2014 proposed programme budget from MP IV and welcomed the new format and template, which made the various components of the request easier to understand. The Committee noted the reduction of 3.9 per cent in the total amount requested in comparison to the 2013 approved budget, as a result of lower costs for

organizing the thirteenth session of the Assembly in New York. While the proposal alluded to a possible increase in staff resources, no specific figures had been given.

87. The Committee further noted the steady growth in the Secretariat's workload, as a result of the great variety of tasks assigned to it.

88. The Committee considered that the Secretariat should take advantage of the forthcoming progressive reorganization of the Court, and in particular of the Registry, in order to seek ways of sharing certain resources (in particular in the area of IT), thus avoiding an artificial increase in staff numbers in this area.

89. The Committee noted that, from 2014, the Advisory Committee on Nominations (ACN) of Judges wished to have its budget borne by the Assembly. The Secretariat estimated the cost of travel to The Hague of seven members of the ACN at €22,834, the two other members being already present in The Hague. The decision on whether to meet the ACN's operating costs is one for the Assembly alone. The Committee recommended that, if the Assembly decided in favour of the principle, it should approve the request for €22,834.

90. The Committee would like to see the Secretariat enjoying stable staffing, so as to ensure good mutual relations over a period of steadily increasing workload. The Committee authorized its Chairman to hold consultations with the Director of the Secretariat, in order to find a suitable organizational model. Thought should also be given to the level of resources required. A detailed report would be submitted to the twenty-second session of the Committee.

91. The Committee recommended that hospitality in 2014 be approved at the same level as 2013.

#### **v. Major Programme VII-5: Independent Oversight Mechanism (IOM)**

92. Pursuant to article 112(4) of the Rome Statute, the IOM had responsibility for inspection, evaluation and investigation. The Committee recalled that the Assembly had decided that the IOM's current mandate would initially be limited to investigation. The Committee observed that operationalization of the evaluation and inspection functions would inevitably require organizational changes to the structure of the IOM.

93. The Committee considered that the evaluation function required further clarification; since it would undoubtedly have an impact on the work of the Court's other sections.<sup>22</sup> Further thought should also be given to the issue of overlap with existing evaluation related activities,<sup>23</sup> as well as the timetable for this reform, given that, at the same time, the Court, and in particular the Registry, was about to undergo reorganization.

94. At this stage, the Committee could only rely on working hypotheses. If, at its twelfth session, the Assembly was to decide to make the IOM fully operational, then, in order to ensure that it was provided with properly qualified staff, its Head would need to be given a sufficiently high grade (P-5), with a team composed of a P-4, P-2 and GSOL. By the same token, the budget of MP VII-5 would need to be increased by €255,000 in order to enable the IOM to accomplish the tasks assigned to it.

95. If, on the other hand, the Assembly decided that further discussions were necessary in order to determine the scope of the IOM's mission, then its staff should remain unchanged from the 2013 approved budget.

## **B. Administrative matters**

### **1. Organizational structure of the Court**

96. Initially, at its eighteenth session, the Committee had recommended that the Court undertake a thorough review of its organizational structure, with a view to rationalizing reporting lines, identifying responsibilities that could be delegated and streamlining

<sup>22</sup> In particular the Office of Internal Audit.

<sup>23</sup> The Office of Internal Audit, the External Auditor, and the Committee on Budget and Finance all contribute, in various ways, to the evaluation function.

functions, processes and structures.<sup>24</sup> The Committee subsequently stated at its nineteenth session<sup>25</sup> that it was necessary to find ways of improving the Court's financial performance, remove unnecessary complexity and duplications, and ensure that the entire organizational system was aligned and set up to deliver on the Court's objectives.

97. At the current session, the Committee considered two reports prepared by an external consultant;<sup>26</sup> one dealing with the outcome of the review of the OTP, and the other providing a consolidated version of the various reviews of the organs of the Court.

98. The Committee noted that the external consultant's reviews sought to improve the day-to-day operations of the organs of the Court. In particular, the internal workings of each organ had been addressed with a view to enabling them to achieve greater freedom of action and carry out structural change. However, the Committee noted that no conclusions had been drawn from the reviews' findings for improving financial performance. A simple consolidated version of three reviews did not provide a directly usable, cross-cutting vision, and the Court had to therefore now consider preparing an overall synthesis. Finally, it was regrettable that some aspects of the review, particularly as regards field offices, had purely document-based.

99. The Committee observed that the Registrar had included in the 2014 proposed programme budget for MP III a report on his initial efforts to limit requests for funds. The Committee encouraged the Registrar to continue his efforts, and to draw the necessary conclusions from the reorganization, within the framework of the Rome Statute and the regulations of the Court. The Committee welcomed the fact that initial studies carried out by the Registry showed that, as a result of productivity and efficiency gains, MP III could be maintained at a stable level, notwithstanding the impact of the Court's judicial activities (MP I and MP II). The Committee anticipated that costs savings would result from this process.

100. The Committee recommended that, at its twenty-second session, the Court submit to it a synthesis report clearly setting out the position of the organs of the Court on the recommendations contained in the consultant's reports. It further recommended that the Court provide it with particulars of the impact of the new strategies of the Court's organs on human resources, finance and the Court's internal procedures. Finally, the Committee encouraged the Registrar to continue with his efforts to reorganize the Registry, with a view to achieving operational rationalization and greater long-term financial transparency, and requested to be kept informed.

## 2. Procurement

101. The Committee welcomed the efforts undertaken by the Court towards cooperation in joint procurement activities with other international organizations and local government agencies, and recommended that the Procurement Unit continue to carry out these activities in accordance with rule 110.18 of the FRR, and report thereon to it at its twenty-second session. The Committee took note of the efforts made to involve private sector partners, and encouraged the Procurement Unit to continue keeping this commercial option under review.

## 3. Administrative Instructions for investment of liquid funds

102. The Committee had before it the Report of the Court on its Administrative Instruction regarding liquid funds,<sup>27</sup> explaining the changes made by the Court in 2012 to the Administrative Instruction on the Investment of Surplus Funds. The Court explained that the 2012 changes were made in response to the continuing global financial crisis, which affected many banks in Europe, and the downgrading of many European banks from AA to single A. It was the view of the Court's Investment Review Committee that the previous Administrative Instruction did not provide sufficient flexibility to allow immediate action to be taken if one or more banks unexpectedly became riskier than previously predicted. The Court also stated that, although no banks in The Netherlands had a long-term investment rating above single A,

<sup>24</sup> *Official Records... Eleventh session... 2012*(ICC-ASP/11/20), vol. II, part B.1, para. 29.

<sup>25</sup> *Ibid.*, part B.2, paras. 70 and 72.

<sup>26</sup> CBF/21/18 and CBF/21/24.

<sup>27</sup> CBF/21/5.

the Court's funds were concentrated in short-term investments, and there had been no change in the investment rating for short-term investments.

103. The Committee took note of the report, including the Court's indication that it would inform the Committee if any substantial changes were made to the Administrative Instruction.

#### **4. Junior Professional Officer programme (JPO)**

104. The Committee considered the report of the Court on the establishment of a JPO programme.<sup>28</sup> The issue had been on the Committee's agenda since 2009, and the Committee had repeatedly expressed two major potential concerns with the programme: first, that the programme might result in an unfair advantage for young professionals from donor countries, who might be fast-tracked in recruitment exercises, thereby affecting geographical representation within the institution; and second, that all costs associated with the programme might not be fully recovered from the sponsor countries, with additional financial implications for the Court.

105. The revised report presented by the Court addressed these concerns. According to the Court, it had the capacity to accommodate at least 20 JPOs. With some minor modifications of the draft guidelines and the sample memorandum of understanding between the Court and the donor country, the Committee recommended that the JPO programme be introduced to the Court on a trial basis, taking full account of the concerns raised by the Committee, in particular the possible impact on geographical representation, and subject to a comprehensive review in 2017.

#### **5. Retirement age**

106. The Committee considered the report of the Court on implementation of the increased age of separation for staff members.<sup>29</sup> In its report on the work of its twentieth session,<sup>30</sup> the Committee had expressed the view that the Court should follow the decision of the United Nations General Assembly. The Committee noted that the United Nations General Assembly had decided to increase the mandatory age of separation for all staff joining the organization on or after 1 January 2014.

107. The Committee recommended that the Court raise the mandatory age of separation to the age of 65 for new staff members joining the Court on or after 1 January 2014.

108. The Committee noted that the International Civil Service Commission had recommended that the General Assembly raise the mandatory age of separation for current United Nations staff members to the age of 65, with effect from 1 January 2016, and noted that the General Assembly would consider the proposal at its sixty-eighth session (the session beginning on 23 September 2013). Therefore, the Committee was of the view that it should consider the mandatory age of separation for current staff members after receipt of a proposal from the Court and relevant information from other international organizations on their approach, including possible General Assembly decisions. The Committee therefore requested the Court to submit a report thereon to its twenty-second session for its consideration.

109. In the meantime, pending a decision by the Assembly at its thirteenth session on the forthcoming recommendations of the Committee, the Committee recommended that the Court grant extensions up to the end of 2014 to any staff who reached the age of 62 in 2014 and would like to continue service with the Court, unless the staff member was subject to separation due to reasons other than age, in compliance with the Staff Regulations and Rules of the Court.

<sup>28</sup> ICC-ASP/12/52.

<sup>29</sup> CBF/21/22.

<sup>30</sup> ICC-ASP/12/5/Rev.1.

## C. Audit matters

### 1. Audit reports

#### (a) Financial statements of the Court for the period 1 January to 31 December 2012

110. The Committee noted the need for the Court to improve its monitoring of outstanding unliquidated obligations (ULO) in order to reduce the level of cancellations of prior period obligations. It appeared that the amount of cancelled ULOs was in the range of €1.5 million, only appearing in the records 12 months after the end of the financial year to which they related, as provided for in regulation 4.4 of the FRR.

111. The Committee therefore recommended that the Court prepare an annex to the regular year-end report on financial performance, indicating the total number of ULOs and the total amount due as at 31 December of the financial year, and the updated figures for the same period as at 31 December of the prior year, together with an update on the situation regarding the desired decrease in the number of cancelled ULOs.

#### *Accrued liabilities:*

112. The Committee noted that, in respect of employee benefits, the Court had accumulated a provision of €0.91 million as at 31 December 2012 to cover accrued annual leave, repatriation grants and other separation benefits.

113. The Court informed the Committee that a firm of auditors Deloitte Pension Advisory BV had carried out an actuarial study of the Court's liabilities. The Court's total liability in respect of employee benefits was evaluated by the auditors at €0.71 million (including expenditure relating to judges) as at 31 December 2012, namely €5.13 million for accrued annual leave, and €5.58 million for repatriation grants and other separation benefits. The auditors had also informed the Court that its potential health insurance liability amounted to €0.93 million.

114. The Court stated that this liability represented its present obligations, which were expected to result in an outflow of resources in the future, and said that it was a recommended practice in other organisations to have funds available to meet liabilities as they fell due.

115. In its 2014 proposed programme budget, all staff benefits were budgeted under staff costs, which were broken down into salary costs and all other staff benefits. The Court explained that the latter included elements budgeted on an accrual basis, as disclosed in annex V (d) to the 2014 proposed programme budget. Staff costs were estimated on the basis of the United Nations salary scales, while other staff benefits were budgeted by estimating a ratio of common staff costs to salary costs and adding this to the salary costs. For 2014, the ratio used by the Court was 44.35 per cent.

116. Accruals were thus estimated at €0.8 million for staff in the 2014 proposed programme budget.

117. The Committee considered that, in view of the fact that IPSAS standards were to be implemented with effect from the forthcoming budgetary year, the Court's provisioning policy now needed to be clearly defined.

118. The Committee observed that, while this accounting practice might represent sound management of the Court's liabilities, a provisioning policy should enable the financial calculations concerned to be better understood.

119. Furthermore, rules for the evaluation of liabilities needed to be defined by reference to clear and transparent criteria, including the following:

- A strategy to be submitted to the Assembly by the Court to cover its liabilities on a long-term basis;
- The precise nature of the benefits covered thereby; and

- Particulars of calculation methods, as well as a clear breakdown among the various component elements, in particular, as regards repatriation grants and other separation benefits.

120. According to the Court's initial calculations, including health insurance, the currently available amount of €10.91 million covered only 66 per cent of its total liabilities (€16.63 million). However, the Committee was also informed that the maximum liability paid to staff in any one year so far was €1.7 million.

121. According to the report submitted by the Court in August 2012,<sup>31</sup> the financial impact of subsidizing health insurance contributions would be relatively modest in the initial years. The cost was estimated at €7,000 for 2015 and €102,000 for 2020. The actuarial study used as basis by the Court was a long-term one, and had not been made available to the Committee. However the Committee found that, in light of the information currently available, it was not necessary to make a provision for after-retirement health insurance in the amount of €5.93 million in 2014.

122. The Committee recommended that, at its twenty-second session, the Court provide it with a detailed report on its practice in regard to provisioning for its liability in respect of staff benefits, as well as a policy statement covering all aspects of such provisioning.

123. It further recommended that the provision of €0.8 million in the 2014 proposed programme budget not be approved, pending submission of an overall policy document to the Assembly through the Committee at its twenty-second session.

**(b) Financial statements of the Trust Fund for Victims for the period 1 January to 31 December 2012**

124. Introducing his reports on the financial statements of the Court<sup>32</sup> and of the TFV,<sup>33</sup> 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 TFV and that he was able to offer an unqualified audit opinion.

125. The Committee welcomed the presentation by the External Auditor and expressed its appreciation for the quality of work provided by him.

**(c) Report of the Office of Internal Audit (OIA) and the Audit Committee**

126. The Committee received and analysed seven reports containing information on the activities of the OIA and the Audit Committee and on the action taken to implement their recommendations.

127. The Committee noted that the mandates of certain external members of the Audit Committee had been extended, but that the Audit Committee had not met since June 2012. As a result, the audit plan of the OIA for 2013 had not been approved.

128. The Committee recommended that the Court conduct an in-depth review of the Audit Committee, including terms of reference, composition and appointments, taking into consideration, in particular, regional distribution balance, as well as reporting lines and remuneration, and to report to it thereon at its twenty-second session.

129. Since the action plan of the OIA for 2013 had not been approved, the Committee was unable to review its implementation. It was informed orally of the OIA's action plan for the second semester of 2013.

130. The Committee considered that the best way of monitoring implementation of the work plan for the OIA would be to align the plan on the calendar year. That is to say, at the Committee's April session in Year N (the April session being devoted principally to administrative matters) the Committee would be presented with the results of all of the Office's activities during Year N-1, together with its preliminary audit plan for Year N+1. In other words, for twenty-second session of the Committee, in April 2014, the OIA would submit to the Committee an account of all of its work done in 2013, and of the programme

<sup>31</sup> CBF/19/13, para. 8.

<sup>32</sup> ICC-ASP/12/12.

<sup>33</sup> ICC-ASP/12/13.

of work that it envisaged for 2015. At the twenty-third session of the Committee in September 2014, the Office would present its report for purposes of its budget request for the following year.

131. The Committee expressed its appreciation of all the information it had received in various documents from the OIA, and hoped that the change in the way the OIA interacted with the Committee would enable the OIA to prepare a transparent document containing all information relevant to its activities.

132. The Committee noted the information regarding implementation of the OIA's recommendations and observed that one year after the audit, the implementation rate had been a somewhat modest 51 per cent. The Committee recommended that managers in the various sections each be made responsible for implementation of the audit recommendations concerning them, and that information on the implementation of recommendations be included in the OIA's annual report.

## **D. Legal aid**

133. The Committee took note of the Registry's reports on monitoring and assessing the implementation performance of legal aid up until the end of August 2013. The Committee noted that the new arrangements implemented on 1 April 2012 and the application of resolution ICC-ASP/11/Res.1 had already generated overall savings of over €440,000, although it was aware that the reform in question was entering into effect only gradually. The Committee was also pleased that the Registry was continuing to monitor the new legal aid system.

134. The Committee was of the view that it was now necessary to wait until the first judicial cycles draw to a close to learn all the necessary lessons from the reform and to adopt a holistic approach to the issue.

135. Finally, the Committee also considered that two sets of events might well have a direct impact on the amount of appropriations available for legal aid.

136. First, there was a financial link between the total appropriations allocated to legal aid and the judicial decisions of the Court.<sup>34</sup> Thus, in 2012, seven decisions were rendered which had a direct impact on the budget of the Registry. Obviously the decisions in question fell within the power of the judges alone. The Committee stressed once again that it believed it was almost impossible, to assess the financial repercussions in the 2014 proposed programme budget.

137. Nevertheless, the Committee recommended that the Registry conduct a study, based on key decisions already rendered, to identify common themes in the various judgments. The Registry could then identify ways to improve existing procedures, and this would make it easier to quantify financial requirements. The Committee requested that a report be submitted to the Committee at its twenty-second session.

138. Second, cases currently at the appeals stage should soon draw to a close and the Court might then be required to consider the payment of reparations, if and where applicable. This innovative procedure had no equivalent in this field and therefore a preliminary financial approach was impossible. In light of the legal texts, the Committee called on the Court to initiate joint reflection on the rules to be observed, and to report to the Committee at its twenty-second session.

## **E. Premises of the Court**

### **1. Overview**

139. The Chairman of the Oversight Committee briefed the Committee on the status of the construction and transition projects. He presented a funding mechanism proposed by the Oversight Committee to finance the transition of the Court to the new premises. The Committee had before it the Oversight Committee's progress report.<sup>35</sup> The Oversight Committee sought the Committee's advice. The Project Director provided additional explanations. Mr. Peter Timmermanns from the Dutch consultancy Brink Groep gave an update on the progress of the Working Group on the Total Cost of Ownership.

<sup>34</sup> CBF/21/09P01.

<sup>35</sup> CBF/21/20.

140. The Committee acknowledged the progress achieved in several areas. It discussed the continuing challenges and outstanding issues. The discussion focused on the review of the transition costs and the proposed mechanism for funding them.

141. The Committee noted that an amount of €95,500 had been requested for services rendered by the relevant sections of the Court to the permanent premises project upon the establishment of service agreements with the sections concerned. A fixed fee for the services rendered had been agreed for the next three years. In to render transparent the utilization of these resources, the Committee requested that it be provided with information on the implementation and allocation of these resources in the budget performance report for 2013 and during the first trimester of 2014, at the Committee's twenty-second session.

## **2. Status of the project**

142. Following the start of construction in March 2013, the permanent premises project is still within the approved budget of €90 million and the agreed timelines. In fact, savings of €6.3 million have been achieved. Risks are covered and being monitored. The project remains on target for delivery of the premises to the Court in September 2015, with full availability for use by December 2015.

## **3. A unified project**

143. Recognizing the pressing need for coordination to ensure greater efficiency, the Oversight Committee and the Court reviewed the governance of the project. They agreed to unite the construction and transition projects into a single permanent premises project, managed by the Project Director who will report to the Oversight Committee and to the Registrar. In conformity with the relevant Assembly resolutions, the Oversight Committee revised the governance accordingly. Following the merger of the projects, an overall financial envelope of a maximum of €95.7 million was adopted for the permanent premises project, comprising both construction and transition activities. The Committee welcomed the new governance arrangement as it would help to ensure that the strategies for construction and transition were fully aligned with each other.

## **4. Transition costs**

### Background

144. The construction costs were set by the Assembly at no more than €90 million at 2014 price levels. This did not include the costs of the transition of the Court to the new premises. The Court's revised estimate in April 2013 put total transition costs at €8.5 million, including the cost of non-integrated user equipment (so-called "2gv" costs). Based on a cost review by the Project Director, the Oversight Committee, in agreement with the Registrar, revised the cost estimate down to €1.3 million (excluding the Court staff costs, which in April had been put at €3.2 million within the €8.5 million estimate, and which will now remain in the regular budget at the reduced overall level of €1.5 million spread out over 2014, 2015 and 2016). This amount of €1.3 million for the transition will now have to be financed under the overall budget provision of €95.7 million for the permanent premises.

### Funding of transition costs

#### *Proposal of the Oversight Committee*

145. The Oversight Committee proposed a funding mechanism aimed at ensuring that further assessed contributions from States Parties, if any, are delayed until 2017. Accordingly, the amount of €1.3 million would be financed by making sequential use of the following instruments:

- (a) €6 million from savings on the construction cost.
  - The Project Director confirmed that these savings could be safely released.

(b) This would leave an outstanding amount of €5.7 million, which the Oversight Committee proposed could be financed from:

a. Surpluses from the 2012 to 2014 budgets, which, under the FRR would be surrendered between 2014 and 2016 following auditing of the respective accounts.

- The Court noted that the use of surplus funds for the transition project was a technically viable option. The Assembly would need to approve it through a resolution or an amendment to the FRR. The Court also confirmed that surplus funds for 2012, likely to amount to €2.5 million, would be available in 2014. Past experience suggested that further surpluses could be expected in 2015 and 2016, although such projections were still uncertain.

b. Temporary advances from Court cash reserves (2014 - 2015) until such surpluses were available.

- The Court noted that cash reserves had been established to cover for current and future liabilities. It confirmed that it would be prepared to consider prudent recourse to its reserves provided this was a measure of last resort, of a temporary nature, for a limited amount and with an agreed schedule for restitution.

c. Temporary advances from the WCF, if necessary.

- The Court strongly advised against recourse to the WCF. The WCF must be kept intact as a vital financial cushion to meet short-term liquidity problems pending receipt of assessed contributions while implementing its regular budget.

d. Any shortfall remaining upon project completion will be met out of 2017 assessed contribution.

#### Observations of the Committee

146. In the Committee's view, the funding scheme of the Oversight Committee is a viable option for the Assembly to consider.

#### *Budget relief*

147. Based on the current estimate of transition expenditure, the Oversight Committee's funding scheme would reduce the burden on the Court's regular budget by €3.33 million for 2014 and by €13.52 million for 2015, giving a combined total of €16.85 million.

#### *Financial envelope*

148. As proposed by the Oversight Committee, the overall financial envelope for construction and transition should not exceed €195.7 million; there should be a cost review mechanism consisting of (i) a periodic target review every six months until project completion, and (ii) a review aimed at reducing the cost to no more than €193.7 million by early June 2014. The Committee recommended that the Project Director identify and report separately on the spending on construction and transition activities. The Committee called upon the Court to examine, when appropriate, the scope for the prudent use of cash reserves, should this become necessary as a temporary measure of last resort. However, it agreed with the Court that using the WCF for the transition costs should not be considered, as this Fund constituted an essential element of the financial security of the Court. Any remaining financing needs for 2015, as well as the appropriate mix of financing instruments in 2015, could be reviewed towards the end of 2014, and a report thereon submitted to the Committee at its twenty-third session.

## **5. Review of "2gv" costs**

149. The Committee noted that, as the Oversight Committee had recalled, a verification of the transition requirements list had yet to be submitted. It concurred with the Oversight Committee that a meaningful review of the list should be conducted against the following background: (i) complete inventories of the Court's assets, including their value and status; (ii) short and medium-term procurement plans, including opportunities for joint

procurement; and (iii) an extension of the useful life of assets. The Committee also recalled the request from the Assembly at its eleventh session, to explore “new options for reducing the 2gv elements, including the suitability and extended use of existing equipment”.<sup>36</sup>

150. In a similar vein, the External Auditor had also recommended that the Court prepare a financial report in respect of all 2gv items, which would improve project management by providing States Parties with an overview of these costs.<sup>37</sup>

151. The Committee appreciated the recent downward revision made by the Project Director and his ongoing efforts to achieve further economies. At the same time, it agreed with the Oversight Committee that, under the new governance structure, the Project Director had now been given the managerial authority for implementing the recommendations above.

## **6. Enhanced conference capacity**

### Report of the Oversight Committee

152. The Oversight Committee informed the Committee that it had approved a change in the design of the new premises, so as to create the capacity for large-scale conference events, including possible meetings of the Assembly. It had also approved the use of up to €0.7 million to be financed from savings on the construction costs. The choice of venue would, as before, be at the discretion of the Assembly.

### Observations of the Committee

153. From the technical and financial perspective which fell within its remit, the Committee noted that the Oversight Committee and the Project Director had established a sound business case. Holding an Assembly meeting at the new premises rather than at the convention centre in The Hague would yield substantial savings. These would amortize the initial investment after less than three such meetings. The design change would facilitate the flexible, cost-efficient use of the premises throughout their lifetime.

### One-time payments

154. The Oversight Committee informed the Committee that, by the beginning of September 2013, 43 States Parties had opted for advance payments in the amount of €42.3 million. Several other States Parties had also expressed an interest in potentially paying their contributions up-front before the deadline in June 2015.

## **7. Working Group on the Total Cost of Ownership (TCO)**

155. The Oversight Committee informed the Committee that the Working Group, set up in March 2013 and headed by the Project Director, was considering the different approaches for funding the TCO, which comprised all the future costs of using and owning the new premises. The costs, estimated at between €1.5 million and €2.8 million, were expected to impact on the annual budget from 2016 onwards. The Working Group aimed to present an update on progress by the twelfth session of the Assembly in November 2013, and the final results by the thirteenth session of the Assembly in 2014.

## **8. Interim premises lease contract**

### Background

156. At its twentieth session in April 2013, the Committee had noted that, as the Oversight Committee had observed, the Court’s lease contracts for its current interim premises appeared to run into the year 2016. However, it was anticipated that the Court would have moved into its new permanent premises by the end of December 2015. Hence,

<sup>36</sup> ICC-ASP/12/5/Rev.1, paras. 98 and 99.

<sup>37</sup> ICC-ASP/12/12, recommendation 1.

the Court risked being obliged to pay rent even after it had vacated the interim premises, although some flexibility in case of unexpected delays would be convenient. The Committee had called on the Oversight Committee and the Court to come up with a strategy on how to proceed. Also, it had requested the Court to submit an analysis of all its current lease agreements, showing the termination arrangements and the ensuing financial risks, and to report at its twenty-first session.

#### The Court's report

157. The Committee had before it the Report of the Court on its current lease agreements for the interim premises.<sup>38</sup> The report provided particulars of its current lease agreements for the interim premises, an overview of the termination arrangements and possible financial risks, as well as proposals for its future strategy.

#### *Termination dates*

158. The earliest termination date for the Haagseveste premises is 30 June 2016, with 15 months' notice of termination required by 31 March 2015. The lease of the Arc building at Saturnusstraat expired initially in 2012. Following decisions of the Assembly, the Court entered into negotiations with the Dutch Housing and Construction Ministry (RGD) about the renewal of the lease. At the time when the Committee met, this lease had not been signed, since discussions between RGD and the Court on the legal terms of the contract had only just been concluded. Under these terms, the renewed contract would expire on 31 March 2016, subject to 13 months' notice of termination. The Court did, however, state, that the lease was ready for signature. The Court did not explain how it intended to proceed.

#### *Financial risks*

159. The continuation of the leases up to their terminations dates in 2016 would entail costs of up to €1.9 million.<sup>39</sup>

#### *Strategy*

160. The Court suggested that re-negotiating the terms of the leases with the building owners would be difficult through normal commercial channels. It proposed that States Parties might liaise directly with the host State. The Court also intended to liaise with RGD and the host State with a view to having the latter take over the leases prior to their official termination dates, so that refurbishment works might commence earlier than planned. For details, see chapters III and V of the report.

#### Observations of the Committee

161. The proposed contacts at State Party level are based on political considerations beyond the Committee's ambit.

162. From the financial perspective, however, the Committee agreed with the observation made by the Oversight Committee in April 2013 that the matter was urgent, as the outcome of the negotiations might depend on their early initiation. Also, the length of the notice periods of up to 15 months should be taken into account. It was not clear from the report to what extent the matter had moved forward to date. In fact, it appeared that the negotiations concerning the lease renewal for Saturnusstraat with the termination date at the end of March 2016 had been concluded while the possible conflict with the earlier target date for the Court's relocation to the new premises had come to the fore. The Committee invited the Court and the Oversight Committee to come back at its twenty-second session with a progress report identifying, where appropriate, issues of a financial or technical nature on which they might be seeking the Committee's advice.

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<sup>38</sup> ICC-ASP/12/54.

<sup>39</sup> *Ibid.*, para. 15.

## **F. Trust Fund for Victims**

### **1. Risk management policy**

163. The Committee had before it the Report of the Court and the Secretariat of the Trust Fund for Victims on the Management of Exchange Rate Risks.<sup>40</sup> The Committee recalled its earlier concerns that the TFV would be exposed to unpredictable losses, resulting from exchange rate swings. The Committee noted that the TFV's risk prioritization workshop had identified the likelihood of currency risk in the "high-risk" range, while impact and vulnerability were identified in the medium-risk range.

164. The Committee took note of the policy and mitigation measures identified by the TFV in order to address this issue, including establishing a "risk appetite" for each currency in which the TFV operates, and encouraged the TFV to implement these measures effectively as part of its risk management strategy. The Committee requested the TFV to provide a progress report on the management of currency exchange rate risks to the Committee at its twenty-second session.

165. The Committee was informed that Trial Chamber I, in its decision in the Lubanga case had assigned significant roles and responsibilities to the TFV in the development and implementation of appropriate reparations awards. It was noted that, pending the outcome of the appeals proceedings in the case, the potential costs to the TFV Secretariat could not yet be quantified or addressed.

## **G. Other matters**

### **1. Intermediaries**

166. The Committee received the Second report of the Court on the financial implications of the draft Guidelines governing the relations between the Court and intermediaries.<sup>41</sup> At its previous session in April 2013, the Committee had taken note of the policy proposed by the Court in relation to the use of intermediaries.

167. The Committee pointed out that, on the Court's own admission, the data supplied by it were only partial, and that, at the present time, the relevant costs could not readily be identified. Three Registry sections were stated to be involved.<sup>42</sup> For its part, the OTP estimated its costs in this regard, for 2012, at €5,490, but expected this amount to rise in 2013.

168. The Committee welcomed these draft Guidelines and considered that they should now be discussed by the Assembly. Their adoption would undoubtedly enhance the security of the Court's proceedings if intermediaries were utilized with prudence and in a way that was clearly understandable by the parties.

### **2. Documentation submitted to the Committee on Budget and Finance**

169. The Committee noted that the Court continued to submit some documents after the deadline. The Committee reiterated the importance of the timely submission of all documents requested for each session if it was to do its work in an effective manner. The Committee recommended that the Court provide all the documents and papers requested from the Court at least 45 days prior to a session of the Committee.

### **3. Future meetings of the Committee**

170. The Committee decided, tentatively, to hold its twenty-second and twenty-third sessions in The Hague, from 28 April to 2 May 2014, and from 7 to 17 October 2014, respectively.

<sup>40</sup> CBF/21/21.

<sup>41</sup> ICC-ASP/12/53.

<sup>42</sup> Victims Participation and Reparations section, Victims and Witnesses Unit, Security and Safety Section.

## Annex I

### List of documents

<i>CBF document symbol</i>	<i>Title</i>	<i>CBF document symbol was converted to</i>
CBF/21/1	Provisional agenda	
CBF/21/1/Add.1	Annotated list of items included in the provisional agenda	
CBF/21/2	Registry's second quarterly report on monitoring and assessing the implementation performance of legal aid	ICC-ASP/12/50
CBF/21/3	Refined report of the Court on Junior Professional Officer programme	ICC-ASP/12/52
CBF/21/4	Report of the Court on Procurement	
CBF/21/5	Report of the Court on its Administrative Instruction regarding liquid funds	
CBF/21/6	Report of the Court on its Working Capital Fund	
CBF/21/7	Report of the Court on the amendments to the Financial Regulations and Rules necessitated by IPSAS implementation	ICC/ASP/12/18
CBF/21/8	Second Report of the Court on the financial implications of the draft Guidelines governing the relations between the Court and Intermediaries	ICC-ASP/12/53
CBF/21/9	Second report of the Court on the assessment and review of asset replacement and write-off policies	
CBF/21/10	Report on the composition and rules governing the Audit Committee	
CBF/21/11	Annual Report of the Office of Internal Audit - 2nd half of 2012	
CBF/21/12	Annual report of the Office of Internal Audit - 1st semester 2013	
CBF/21/13	Annual report of the Office of Internal Audit - Implementation of audit recommendations: situation as of 30/06/13	
CBF/21/14	Report on the procedure for closing the recommendations of the Office of Internal Audit - June 2013	
CBF/21/15	Office of Internal Audit - 2014-2015 IT Audit Strategy Plan & 2013 IT Audit Plan	
CBF/21/16	Report of the Office of Internal Audit on its activities for 2014	
CBF/21/17	Report of the Court on the funding of multi-year projects	ICC-ASP/12/22
CBF/21/18	Report on the organizational structure of the Court	
CBF/21/19	Third Quarterly Report of the Registry on monitoring and assessing the implementation performance of legal aid from the time the amendments came into force to the end of August 2013	ICC-ASP/12/51
CBF/21/20	Second interim report on the activities of the Oversight Committee	
CBF/21/21	Report of the Court and the Secretariat of the Trust Fund for Victims on the Management of Exchange Rate Risks	
CBF/21/22	Report of the Court on implementation of the increased age of separation for staff members joining on or after 1 January 2014 and for existing staff members	
CBF/21/23	Report of the Court on its current lease agreements for the interim premises	ICC-ASP/12/54
CBF/21/24	Comprehensive report on the organizational structure of the Court	
ICC-ASP/12/10	Proposed Programme Budget for 2014 of the International Criminal Court	
ICC-ASP/12/11	Report of the Court on the impact of measures	
ICC-ASP/12/12	Financial statements for the period 1 January to 31 December 2012	
ICC-ASP/12/13	Trust Fund for Victims: Financial statements for the period 1 January to 31 December 2012	
ICC-ASP/12/14	Report to the Assembly of States Parties on the projects and the activities of the Board of Directors of the Trust Fund for Victims for the period 1 July 2011 to 30 June 2013	
ICC-ASP/12/24	Report on Budget Performance of the ICC as at 30 June 2013	

## Annex II

## Status of contributions as at 13 September 2013 (in euros)

	<i>States Parties</i>	<i>Prior Years' Assessed Contributions</i>	<i>Prior Years' Receipts and Credits</i>	<i>Prior Years' Outstanding Contributions</i>	<i>2013 Assessed Contributions</i>	<i>2013 Receipts and Credits</i>	<i>2013 Outstanding Contributions</i>	<i>Outstanding contributions Contingency Fund</i>	<i>Total Outstanding contributions</i>
1	Afghanistan	31,598	31,598	-	8,851	8,851	-	-	-
2	Albania	94,584	94,584	-	17,814	17,814	-	-	-
3	Andorra	90,707	90,707	-	14,229	14,229	-	-	-
4	Antigua and Barbuda	31,602	26,205	5,397	3,585	-	3,585	92	9,074
5	Argentina	7,297,111	7,297,111	-	769,264	769,264	-	-	-
6	Australia	24,387,158	24,387,158	-	3,693,161	3,693,161	-	-	-
7	Austria	11,963,213	11,963,213	-	1,420,998	1,420,998	-	-	-
8	Bangladesh	40,473	40,473	-	11,204	11,204	-	-	-
9	Barbados	121,142	121,142	-	14,229	13,354	875	64	939
10	Belgium	14,924,036	14,924,036	-	1,777,060	1,777,060	-	-	-
11	Belize	13,762	13,762	-	1,793	1,679	114	8	122
12	Benin	27,832	23,035	4,797	5,378	-	5,378	24	10,199
13	Bolivia (Plurinational State of)	100,740	100,740	-	16,022	-	16,022	72	16,094
14	Bosnia and Herzegovina	106,610	106,610	-	30,251	30,251	-	-	-
15	Botswana	200,811	200,811	-	30,251	30,073	178	135	313
16	Brazil	19,030,288	19,030,288	-	5,224,519	-	5,224,519	23,316	5,247,835
17	Bulgaria	343,088	343,088	-	83,694	83,694	-	-	-
18	Burkina Faso	29,876	25,045	4,831	5,378	-	5,378	56	10,265
19	Burundi	12,138	12,138	-	1,793	1,684	109	8	117
20	Cambodia	27,832	27,832	-	7,171	7,171	-	-	-
21	Canada	41,126,985	41,126,985	-	5,313,478	5,313,478	-	-	-
22	Cape Verde	1,610	1,603	7	1,793	-	1,793	8	1,808
23	Central African Republic	13,762	11,744	2,018	1,793	-	1,793	46	3,857
24	Chad	13,750	13,750	-	3,585	46	3,539	16	3,555
25	Chile	1,183,118	1,183,118	-	594,706	297,249	297,457	2,654	300,111
26	Colombia	1,872,973	1,872,973	-	461,155	461,155	-	-	-
27	Comoros	9,332	605	8,727	1,793	-	1,793	46	10,566
28	Congo	21,877	17,046	4,831	8,851	-	8,851	73	13,755
29	Cook Islands	6,452	6,452	-	1,793	1,664	129	8	137
30	Costa Rica	434,224	434,224	-	67,672	59,910	7,762	302	8,064

	<i>States Parties</i>	<i>Prior Years' Assessed Contributions</i>	<i>Prior Years' Receipts and Credits</i>	<i>Prior Years' Outstanding Contributions</i>	<i>2013 Assessed Contributions</i>	<i>2013 Receipts and Credits</i>	<i>2013 Outstanding Contributions</i>	<i>Outstanding contributions Contingency Fund</i>	<i>Total Outstanding contributions</i>
31	Côte d'Ivoire	-	-	-	12,436	12,436	-	-	-
32	Croatia	848,674	848,674	-	224,415	224,415	-	-	-
33	Cyprus	590,852	590,852	-	83,694	83,694	-	-	-
34	Czech Republic	1,736,583	1,736,583	-	687,363	687,363	-	-	-
35	Democratic Republic of the Congo	41,904	41,904	-	5,378	65	5,313	24	5,337
36	Denmark	10,078,459	10,078,459	-	1,201,961	1,201,961	-	-	-
37	Djibouti	13,566	5,245	8,321	1,793	-	1,793	46	10,160
38	Dominica	13,762	9,368	4,394	1,793	-	1,793	46	6,233
39	Dominican Republic	378,099	250,093	128,006	80,108	-	80,108	1,955	210,069
40	Ecuador	372,412	372,412	-	78,316	426	77,890	350	78,240
41	Estonia	312,702	312,702	-	71,257	71,257	-	-	-
42	Fiji	50,679	50,679	-	5,378	2,641	2,737	24	2,761
43	Finland	7,620,082	7,620,082	-	924,215	924,215	-	-	-
44	France	84,892,253	84,892,253	-	9,959,312	9,959,312	-	-	-
45	Gabon	146,018	73,928	72,090	35,629	-	35,629	691	108,410
46	Gambia	13,762	13,762	-	1,793	1,793	-	-	-
47	Georgia	53,693	53,693	-	12,436	12,436	-	-	-
48	Germany	116,522,250	116,522,250	-	12,715,822	12,715,822	-	-	-
49	Ghana	65,048	55,376	9,672	24,985	-	24,985	178	34,835
50	Greece	8,344,460	8,344,460	-	1,136,082	21,647	1,114,435	5,070	1,119,505
51	Grenada	2,251	-	2,251	1,793	-	1,793	24	4,068
52	Guatemala	22,565	-	-	48,065	45,691	2,374	215	2,589
53	Guinea	27,137	21,100	6,037	1,793	-	1,793	84	7,914
54	Guyana	12,138	12,138	-	1,793	1,793	-	-	-
55	Honduras	82,721	82,721	-	14,229	9,488	4,741	64	4,805
56	Hungary	3,020,742	3,020,742	-	473,703	473,703	-	-	-
57	Iceland	517,976	517,976	-	48,065	48,065	-	-	-
58	Ireland	5,892,756	5,892,756	-	744,279	744,279	-	-	-
59	Italy	68,734,639	68,734,639	-	7,920,415	7,920,415	-	-	-
60	Japan	104,685,721	104,685,721	-	19,290,082	19,290,082	-	-	-
61	Jordan	167,985	167,985	-	39,214	-	39,214	175	39,389
62	Kenya	121,688	121,688	-	23,192	23,192	-	-	-
63	Latvia	324,321	324,321	-	83,694	62,100	21,594	374	21,968
64	Lesotho	13,762	13,762	-	1,793	1,685	108	8	116
65	Liberia	12,138	6,527	5,611	1,793	-	1,793	46	7,450

	<i>States Parties</i>	<i>Prior Years' Assessed Contributions</i>	<i>Prior Years' Receipts and Credits</i>	<i>Prior Years' Outstanding Contributions</i>	<i>2013 Assessed Contributions</i>	<i>2013 Receipts and Credits</i>	<i>2013 Outstanding Contributions</i>	<i>Outstanding contributions Contingency Fund</i>	<i>Total Outstanding contributions</i>
66	Liechtenstein	110,071	110,071	-	16,022	16,022	-	-	-
67	Lithuania	541,601	541,601	-	129,966	129,966	-	-	-
68	Luxembourg	1,157,592	1,157,592	-	144,195	144,195	-	-	-
69	Madagascar	18,488	13,574	4,914	5,378	-	5,378	138	10,430
70	Malawi	14,143	12,533	1,610	3,585	-	3,585	26	5,221
71	Maldives	1,738	1,738	-	1,793	1,793	-	-	-
72	Mali	27,832	27,832	-	7,171	4,820	2,351	32	2,383
73	Malta	217,553	217,553	-	28,458	28,458	-	-	-
74	Marshall Islands	13,762	8,445	5,317	1,793	-	1,793	46	7,156
75	Mauritius	151,400	151,400	-	23,192	18,045	5,147	104	5,251
76	Mexico	23,937,199	23,937,199	-	3,279,959	3,279,959	-	-	-
77	Mongolia	18,447	18,447	-	5,378	5,378	-	-	-
78	Montenegro	24,067	24,067	-	8,851	8,851	-	-	-
79	Namibia	92,571	92,571	-	17,814	17,814	-	-	-
80	Nauru	13,762	13,762	-	1,793	1,708	85	8	93
81	Netherlands	24,866,342	24,866,342	-	2,945,185	2,945,185	-	-	-
82	New Zealand	3,451,359	3,451,359	-	450,511	450,511	-	-	-
83	Niger	18,447	7,943	10,504	3,585	-	3,585	92	14,181
84	Nigeria	787,256	787,256	-	160,217	117,399	42,818	715	43,533
85	Norway	10,676,869	10,676,869	-	1,515,336	1,515,336	-	-	-
86	Panama	292,466	292,466	-	46,272	46,272	-	-	-
87	Paraguay	113,545	113,545	-	17,814	17,713	101	80	181
88	Peru	1,211,776	1,211,776	-	208,394	163,311	45,083	930	46,013
89	Philippines	168,138	168,138	-	274,273	274,273	-	-	-
90	Poland	8,179,920	8,179,920	-	1,640,036	1,640,036	-	-	-
91	Portugal	6,906,175	6,906,175	-	843,994	16,104	827,890	3,767	831,657
92	Republic of Korea	28,214,381	28,214,381	-	3,550,647	3,550,647	-	-	-
93	Republic of Moldova	6,295	6,295	-	5,378	5,378	-	-	-
94	Romania	1,417,014	1,417,014	-	402,446	288,373	114,073	1,796	115,869
95	Saint Kitts and Nevis	9,332	9,332	-	1,793	1,793	-	-	-
96	Saint Lucia	3,404	-	3,404	1,793	-	1,793	46	5,243
97	Saint Vincent and the Grenadines	13,566	11,956	1,610	1,793	-	1,793	11	3,414
98	Samoa	13,644	13,644	-	1,793	1,793	-	-	-
99	San Marino	40,668	40,668	-	5,378	5,378	-	-	-
100	Senegal	69,128	59,524	9,604	10,644	-	10,644	48	20,296

<i>States Parties</i>	<i>Prior Years' Assessed Contributions</i>	<i>Prior Years' Receipts and Credits</i>	<i>Prior Years' Outstanding Contributions</i>	<i>2013 Assessed Contributions</i>	<i>2013 Receipts and Credits</i>	<i>2013 Outstanding Contributions</i>	<i>Outstanding contributions Contingency Fund</i>	<i>Total Outstanding contributions</i>
101 Serbia	355,264	355,264	-	71,257	71,257	-	-	-
102 Seychelles	6,808	6,808	-	1,793	1,793	-	-	-
103 Sierra Leone	13,762	9,367	4,395	1,793	-	1,793	46	6,234
104 Slovakia	1,176,147	1,176,147	-	304,524	304,524	-	-	-
105 Slovenia	1,287,707	1,287,707	-	178,031	178,031	-	-	-
106 South Africa	4,518,268	4,518,268	-	662,378	662,378	-	-	-
107 Spain	39,727,262	39,727,262	-	5,293,983	5,293,983	-	-	-
108 Suriname	15,825	15,825	-	7,171	4,816	2,355	32	2,387
109 Sweden	14,383,826	14,383,826	-	1,709,500	1,709,500	-	-	-
110 Switzerland	16,291,293	16,291,293	-	1,864,339	1,864,339	-	-	-
111 Tajikistan	18,447	18,447	-	5,378	3,213	2,165	24	2,189
112 The former Yugoslav Republic of Macedonia	82,889	82,889	-	14,229	11,549	2,680	64	2,744
113 Timor-Leste	13,644	13,603	41	3,585	-	3,585	16	3,642
114 Trinidad and Tobago	424,114	424,114	-	78,316	78,316	-	-	-
115 Tunisia	63,738	63,738	-	64,087	49,602	14,485	286	14,771
116 Uganda	68,829	68,829	-	10,644	51	10,593	48	10,641
117 United Kingdom of Great Britain and Northern Ireland	88,460,083	88,460,083	-	9,222,092	9,222,092	-	-	-
118 United Republic of Tanzania	90,401	65,966	24,435	11,204	-	11,204	354	35,993
119 Uruguay	490,180	488,459	1,721	92,545	-	92,545	413	94,679
120 Vanuatu	1,480	-	1,480	1,793	-	1,793	8	3,281
121 Venezuela (Bolivarian Republic of)	3,174,062	3,174,062	-	1,116,475	176,721	939,754	4,983	944,737
122 Zambia	32,134	32,134	-	10,644	-	10,644	48	10,692
<i>Rounding diff.</i>				-124				
	<b>822,788,596</b>	<b>822,430,006</b>	<b>336,025</b>	<b>112,039,600</b>	<b>102,882,641</b>	<b>9,157,083</b>	<b>50,463</b>	<b>9,543,571</b>

Note: The table includes outstanding assessed programme budget contributions and outstanding contributions to replenishments of the Contingency Fund; it does not include outstanding advances to the Working Capital Fund.

## Annex III

### List of potential developments which could impact on the 2014 proposed programme budget

#### I. Procedural developments provided for by the Rome Statute but not yet certain

- a) *Gbagbo* trial preparation following the confirmation of charges: July – December 2014 (possible financial implications: €640,000)
- b) *Ntaganda* trial preparation following the confirmation of charges: July – December 2014 (possible financial implications: €640,000)

#### II. Procedural developments leading to delays in on-going proceedings

- a) Delays in proceedings due to unexpected evidentiary obstacles (example: (temporary) unavailability of witnesses)
- b) Delays in proceedings due to health issues of the accused (example: Pre-Trial Proceedings in 2012 in the *Gbagbo* case)
- c) Katanga: possibility that Defence requests further witnesses to be called for final determination of the mode of liability, leading to an extension of proceedings into early 2014
- d) Issues subject to interlocutory appeals before the Appeals Chamber: any interlocutory appeals (requiring suspensive effect) in cases on trial, slowing down progress in proceedings on the merits

#### III. Procedural developments currently unforeseeable

- a) United Nations Security Council referral of a situation to the Court;
- b) State Party referral
- c) Prosecutor opening a *proprio motu* investigation in a new situation (after having sought and obtained permission to do so by the Pre-Trial Chamber)
- d) Arrest or surrender to the Court of persons sought with an arrest warrant (example: Bosco Ntaganda earlier this year)
- e) Surrender to the Court of persons sought with an arrest warrant and already detained in other countries (examples: Simone Gbagbo; Saif Al-Islam Gaddafi; Abdullah Al-Senussi)
- f) (Temporary) unavailability of a judge or other key party to the proceedings due to serious illness

## Annex IV

## Requests to access the Contingency Fund – 2013

<i>No</i>	<i>Date</i>	<i>Description of the request</i>	<i>Initial amount</i>	<i>First review</i>	<i>Second review</i>
1	17/12/2012	Extension of judges for Democratic Republic of the Congo and the related requirements for additional legal aid for the defence team in the case of The Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui.	€311,087	€244,800	€244,800
2	17/12/2012	Continuation of Pre-trial proceedings in the case of The Prosecutor v. Laurent Gbagbo in the first seven months of 2013.	€509,100	€66,900	€66,900
3	09/04/2013	To meet unavoidable cost for the Mali situation.	€4,279,200	€3,791,200	€3,241,200
4	15/04/2013	Unavoidable costs in the case of The Prosecutor v. Germain Katanga in the situation of the Democratic Republic of the Congo, namely the need to further extend the mandates of two judges of the Trial Chamber II beyond their extended mandates.	€14,500	€14,500	€14,500
5	18/04/2013	Unavoidable unexpected costs relating to the transfer of suspects to the seat of the Court.	€24,554	€24,554	€24,554
6	12/06/2013	Unavoidable costs in the case of The Prosecutor v. Jean-Pierre Bemba Gombo.	€30,500	€30,500	€30,500
7	18/06/2013	Unavoidable costs in the case of The Prosecutor v. Bosco Ntaganda in the situation of the Democratic Republic of the Congo.	€2,588,600	€2,588,600	€2,588,600
<b>Total amount of notifications</b>			<b>€8,457,541</b>	<b>€7,761,054</b>	<b>€7,211,054</b>

## 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 (thousands of euros)

**Table 1: Total of all Major Programmes**

Total ICC	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total
<i>Judges</i>	3,835.6		3,835.6	3,835.6		3,835.6			
Professional staff	20,945.8	21,946.5	42,892.3	20,739.8	21,732.8	42,472.6	-206.0	-213.7	-419.7
General Service staff	11,885.6	9,547.4	21,433.0	11,768.1	9,470.3	21,238.4	-117.5	-77.1	-194.6
<i>Subtotal staff</i>	<i>32,831.4</i>	<i>31,493.9</i>	<i>64,325.3</i>	<i>32,507.9</i>	<i>31,203.1</i>	<i>63,711.0</i>	<i>-323.5</i>	<i>-290.8</i>	<i>-614.3</i>
General temporary assistance	3,125.3	16,896.7	20,022.0	2,823.4	14,200.7	17,024.1	-301.9	-2,696.0	-2,997.9
Temporary assistance for meetings	474.7	68.8	543.5	474.7	68.8	543.5			
Overtime	260.4	141.6	402.0	260.4	98.1	358.5		-43.5	-43.5
Consultants	34.6	244.0	278.6	33.4	240.3	273.7	-1.2	-3.7	-4.9
<i>Subtotal other staff</i>	<i>3,895.0</i>	<i>17,351.1</i>	<i>21,246.1</i>	<i>3,591.9</i>	<i>14,607.9</i>	<i>18,199.8</i>	<i>-303.1</i>	<i>-2,743.2</i>	<i>-3,046.3</i>
Travel	1,135.7	4,338.5	5,474.2	1,127.7	4,056.9	5,184.6	-8.0	-281.6	-289.6
Hospitality	40.0		40.0	31.0		31.0	-9.0		-9.0
Contractual services	2,349.3	2,145.1	4,494.4	2,305.1	2,100.0	4,405.1	-44.2	-45.1	-89.3
Training	473.9	255.0	728.9	473.9	229.9	703.8		-25.1	-25.1
Counsel for Defence		2,866.4	2,866.4		2,866.4	2,866.4			
Counsel for Victims		3,000.7	3,000.7		3,000.7	3,000.7			
General operating expenses	12,200.6	5,745.3	17,945.9	12,188.6	5,395.2	17,583.8	-12.0	-350.1	-362.1
Supplies and materials	721.4	294.0	1,015.4	721.4	294.0	1,015.4			
Furniture and equipment	625.9	472.9	1,098.8	584.8	428.2	1,013.0	-41.1	-44.7	-85.8
<i>Subtotal non-staff</i>	<i>17,546.8</i>	<i>19,117.9</i>	<i>36,664.7</i>	<i>17,432.5</i>	<i>18,371.3</i>	<i>35,803.8</i>	<i>-114.3</i>	<i>-746.6</i>	<i>-860.9</i>
<b>Total</b>	<b>58,108.8</b>	<b>67,962.9</b>	<b>126,071.7</b>	<b>57,367.9</b>	<b>64,182.3</b>	<b>121,550.2</b>	<b>-740.9</b>	<b>-3,780.6</b>	<b>-4,521.5</b>

**Table 2: Major Programme I: Judiciary**

Major Programme I Judiciary	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total
Judges	3,835.6		3,835.6	3,835.6		3,835.6			
Professional staff	3,119.1	516.0	3,635.1	3,088.3	511.0	3,599.3	-30.8	-5.0	-35.8
General Service staff	898.5	204.2	1,102.7	889.8	202.1	1,091.9	-8.7	-2.1	-10.8
<i>Subtotal staff</i>	<i>4,017.6</i>	<i>720.2</i>	<i>4,737.8</i>	<i>3,978.1</i>	<i>713.1</i>	<i>4,691.2</i>	<i>-39.5</i>	<i>-7.1</i>	<i>-46.6</i>
General temporary assistance	115.4	1,225.2	1,340.6	114.2	1,108.9	1,223.1	-1.2	-116.3	-117.5
Temporary assistance for meetings									
Overtime									
Consultants	15.0		15.0	15.0		15.0			
<i>Subtotal other staff</i>	<i>130.4</i>	<i>1,225.2</i>	<i>1,355.6</i>	<i>129.2</i>	<i>1,108.9</i>	<i>1,238.1</i>	<i>-1.2</i>	<i>-116.3</i>	<i>-117.5</i>
Travel	167.5		167.5	167.5		167.5			
Hospitality	17.0		17.0	12.0		12.0	-5.0		-5.0
Contractual services	5.0		5.0	5.0		5.0			
Training	24.0		24.0	24.0		24.0			
General operating expenses	67.4		67.4	67.4		67.4			
Supplies and materials	5.0		5.0	5.0		5.0			
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>285.9</i>		<i>285.9</i>	<i>280.9</i>		<i>280.9</i>	<i>-5.0</i>		<i>-5.0</i>
<b>Total</b>	<b>8,269.5</b>	<b>1,945.4</b>	<b>10,214.9</b>	<b>8,223.8</b>	<b>1,822.0</b>	<b>10,045.8</b>	<b>-45.7</b>	<b>-123.4</b>	<b>-169.1</b>

**Table 3: Programme 1100: The Presidency**

1100 The Presidency	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total
Judges	28.0		28.0	28.0		28.0			
Professional staff	798.8		798.8	790.9		790.9	-7.9		-7.9
General Service staff	289.5		289.5	286.7		286.7	-2.8		-2.8
<i>Subtotal staff</i>	<i>1,088.3</i>		<i>1,088.3</i>	<i>1,077.6</i>		<i>1,077.6</i>	<i>-10.7</i>		<i>-10.7</i>
General temporary assistance	115.4		115.4	114.2		114.2	-1.2		-1.2
Temporary assistance for meetings									
Overtime									
Consultants	5.0		5.0	5.0		5.0			
<i>Subtotal other staff</i>	<i>120.4</i>		<i>120.4</i>	<i>119.2</i>		<i>119.2</i>	<i>-1.2</i>		<i>-1.2</i>
Travel	159.9		159.9	159.9		159.9			
Hospitality	15.0		15.0	10.0		10.0	-5.0		-5.0
Contractual services									
Training	6.0		6.0	6.0		6.0			
General operating expenses									
Supplies and materials									
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>180.9</i>		<i>180.9</i>	<i>175.9</i>		<i>175.9</i>	<i>-5.0</i>		<i>-5.0</i>
<b>Total</b>	<b>1,417.6</b>		<b>1,417.6</b>	<b>1,400.7</b>		<b>1,400.7</b>	<b>-16.9</b>		<b>-16.9</b>

**Table 4: Programme 1200: Chambers**

1200 Chambers	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total
Judges	3,807.6		3,807.6	3,807.6		3,807.6			
Professional staff	2,150.4	516.0	2,666.4	2,129.2	511.0	2,640.2	-21.2	-5.0	-26.2
General Service staff	544.4	204.2	748.6	539.1	202.1	741.2	-5.3	-2.1	-7.4
<i>Subtotal staff</i>	<i>2,694.8</i>	<i>720.2</i>	<i>3,415.0</i>	<i>2,668.3</i>	<i>713.1</i>	<i>3,381.4</i>	<i>-26.5</i>	<i>-7.1</i>	<i>-33.6</i>
General temporary assistance		1,225.2	1,225.2		1,108.9	1,108.9		-116.3	-116.3
Temporary assistance for meetings									
Overtime									
Consultants	10.0		10.0	10.0		10.0			
<i>Subtotal other staff</i>	<i>10.0</i>	<i>1,225.2</i>	<i>1,235.2</i>	<i>10.0</i>	<i>1,108.9</i>	<i>1,118.9</i>		<i>-116.3</i>	<i>-116.3</i>
Travel									
Hospitality	1.0		1.0	1.0		1.0			
Contractual services									
Training	18.0		18.0	18.0		18.0			
General operating expenses									
Supplies and materials									
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>19.0</i>		<i>19.0</i>	<i>19.0</i>		<i>19.0</i>			
<b>Total</b>	<b>6,531.4</b>	<b>1,945.4</b>	<b>8,476.8</b>	<b>6,504.9</b>	<b>1,822.0</b>	<b>8,326.9</b>	<b>-26.5</b>	<b>-123.4</b>	<b>-149.9</b>

**Table 5: Sub-programme 1310: New York Liaison Office**

1310 New York Liaison Office	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total
Judges									
Professional staff	169.9		169.9	168.2		168.2	-1.7		-1.7
General Service staff	64.6		64.6	64.0		64.0	-0.6		-0.6
<i>Subtotal staff</i>	<i>234.5</i>		<i>234.5</i>	<i>232.2</i>		<i>232.2</i>	<i>-2.3</i>		<i>-2.3</i>
General temporary assistance									
Temporary assistance for meetings									
Overtime									
Consultants									
<i>Subtotal other staff</i>									
Travel	7.6		7.6	7.6		7.6			
Hospitality	1.0		1.0	1.0		1.0			
Contractual services	5.0		5.0	5.0		5.0			
Training									
General operating expenses	67.4		67.4	67.4		67.4			
Supplies and materials	5.0		5.0	5.0		5.0			
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>86.0</i>		<i>86.0</i>	<i>86.0</i>		<i>86.0</i>			
<b>Total</b>	<b>320.5</b>		<b>320.5</b>	<b>318.2</b>		<b>318.2</b>	<b>-2.3</b>		<b>-2.3</b>

**Table 6: Major Programme II: Office of the Prosecutor**

Major Programme II Office of The Prosecutor	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total
Professional staff	4,159.8	12,533.0	16,692.8	4,118.9	12,409.7	16,528.6	-40.9	-123.3	-164.2
General Service staff	1,071.2	2,955.2	4,026.4	1,060.7	2,927.5	3,988.2	-10.5	-27.7	-38.2
<i>Subtotal staff</i>	<i>5,231.0</i>	<i>15,488.2</i>	<i>20,719.2</i>	<i>5,179.6</i>	<i>15,337.2</i>	<i>20,516.8</i>	<i>-51.4</i>	<i>-151.0</i>	<i>-202.4</i>
General temporary assistance	93.5	11,702.3	11,795.8	92.5	9,627.5	9,720.0	-1.0	-2,074.8	-2,075.8
Temporary assistance for meetings									
Overtime									
Consultants		86.9	86.9		86.9	86.9			
<i>Subtotal other staff</i>	<i>93.5</i>	<i>11,789.2</i>	<i>11,882.7</i>	<i>92.5</i>	<i>9,714.4</i>	<i>9,806.9</i>	<i>-1.0</i>	<i>-2,074.8</i>	<i>-2,075.8</i>
Travel	278.9	1,960.2	2,239.1	248.1	1,747.7	1,995.8	-30.8	-212.5	-243.3
Hospitality	8.0		8.0	5.0		5.0	-3.0		-3.0
Contractual services	25.0	347.5	372.5	25.0	347.5	372.5			
Training	35.0	65.0	100.0	35.0	65.0	100.0			
General operating expenses		315.0	315.0		315.0	315.0			
Supplies and materials	38.0	20.0	58.0	38.0	20.0	58.0			
Furniture and equipment		50.0	50.0		50.0	50.0			
<i>Subtotal non-staff</i>	<i>384.9</i>	<i>2,757.7</i>	<i>3,142.6</i>	<i>351.1</i>	<i>2,545.2</i>	<i>2,896.3</i>	<i>-33.8</i>	<i>-212.5</i>	<i>-246.3</i>
<b>Total</b>	<b>5,709.4</b>	<b>30,035.1</b>	<b>35,744.5</b>	<b>5,623.2</b>	<b>27,596.8</b>	<b>33,220.0</b>	<b>-86.2</b>	<b>-2,438.3</b>	<b>-2,524.5</b>

**Table 7: Programme 2100: The Prosecutor**

2100 The Prosecutor	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total
Professional staff	2,239.4	450.1	2,689.5	2,217.4	445.7	2,663.1	-22.0	-4.4	-26.4
General Service staff	675.8	724.9	1,400.7	669.2	717.8	1,387.0	-6.6	-7.1	-13.7
<i>Subtotal staff</i>	<i>2,915.2</i>	<i>1,175.0</i>	<i>4,090.2</i>	<i>2,886.6</i>	<i>1,163.5</i>	<i>4,050.1</i>	<i>-28.6</i>	<i>-11.5</i>	<i>-40.1</i>
General temporary assistance	93.5	2,405.3	2,498.8	92.5	2,381.3	2,473.8	-1.0	-24.0	-25.0
Temporary assistance for meetings									
Overtime									
Consultants		86.9	86.9		86.9	86.9			
<i>Subtotal other staff</i>	<i>93.5</i>	<i>2,492.2</i>	<i>2,585.7</i>	<i>92.5</i>	<i>2,468.2</i>	<i>2,560.7</i>	<i>-1.0</i>	<i>-24.0</i>	<i>-25.0</i>
Travel	119.6	358.2	477.8	103.3	323.2	426.5	-16.3	-35.0	-51.3
Hospitality	8.0		8.0	5.0		5.0	-3.0		-3.0
Contractual services	25.0	237.5	262.5	25.0	237.5	262.5			
Training	35.0	65.0	100.0	35.0	65.0	100.0			
General operating expenses		30.0	30.0		30.0	30.0			
Supplies and materials	38.0	20.0	58.0	38.0	20.0	58.0			
Furniture and equipment		50.0	50.0		50.0	50.0			
<i>Subtotal non-staff</i>	<i>225.6</i>	<i>760.7</i>	<i>986.3</i>	<i>206.3</i>	<i>725.7</i>	<i>932.0</i>	<i>-19.3</i>	<i>-35.0</i>	<i>-54.3</i>
<b>Total</b>	<b>3,234.3</b>	<b>4,427.9</b>	<b>7,662.2</b>	<b>3,185.4</b>	<b>4,357.4</b>	<b>7,542.8</b>	<b>-48.9</b>	<b>-70.5</b>	<b>-119.4</b>

**Table 8: Sub-programme 2110: Immediate Office of the Prosecutor**

2110 Immediate Office of the Prosecutor	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
Professional staff	1,094.2		1,094.2	1,083.5		1,083.5	-10.7		-10.7
General Service staff	346.3		346.3	342.9		342.9	-3.4		-3.4
<i>Subtotal staff</i>	<i>1,440.5</i>		<i>1,440.5</i>	<i>1,426.4</i>		<i>1,426.4</i>	<i>-14.1</i>		<i>-14.1</i>
General temporary assistance	93.5	82.9	176.4	92.5	82.1	174.6	-1.0	-0.8	-1.8
Temporary assistance for meetings									
Overtime									
Consultants		86.9	86.9		86.9	86.9			
<i>Subtotal other staff</i>	<i>93.5</i>	<i>169.8</i>	<i>263.3</i>	<i>92.5</i>	<i>169.0</i>	<i>261.5</i>	<i>-1.0</i>	<i>-0.8</i>	<i>-1.8</i>
Travel	81.2	84.6	165.8	67.9	70.8	138.7	-13.3	-13.8	-27.1
Hospitality	8.0		8.0	5.0		5.0	-3.0		-3.0
Contractual services		50.0	50.0		50.0	50.0			
Training	35.0	65.0	100.0	35.0	65.0	100.0			
General operating expenses									
Supplies and materials									
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>124.2</i>	<i>199.6</i>	<i>323.8</i>	<i>107.9</i>	<i>185.8</i>	<i>293.7</i>	<i>-16.3</i>	<i>-13.8</i>	<i>-30.1</i>
<b>Total</b>	<b>1,658.2</b>	<b>369.4</b>	<b>2,027.6</b>	<b>1,626.8</b>	<b>354.8</b>	<b>1,981.6</b>	<b>-31.4</b>	<b>-14.6</b>	<b>-46.0</b>

**Table 9: Sub-programme 2120: Services Section**

2120 Services Section	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
Professional staff	1,145.2	450.1	1,595.3	1,133.9	445.7	1,579.6	-11.3	-4.4	-15.7
General Service staff	329.5	724.9	1,054.4	326.3	717.8	1,044.1	-3.2	-7.1	-10.3
<i>Subtotal staff</i>	<i>1,474.7</i>	<i>1,175.0</i>	<i>2,649.7</i>	<i>1,460.2</i>	<i>1,163.5</i>	<i>2,623.7</i>	<i>-14.5</i>	<i>-11.5</i>	<i>-26.0</i>
General temporary assistance		2,322.4	2,322.4		2,299.2	2,299.2		-23.2	-23.2
Temporary assistance for meetings									
Overtime									
Consultants									
<i>Subtotal other staff</i>		<i>2,322.4</i>	<i>2,322.4</i>		<i>2,299.2</i>	<i>2,299.2</i>		<i>-23.2</i>	<i>-23.2</i>
Travel	38.4	273.6	312.0	35.4	252.4	287.8	-3.0	-21.2	-24.2
Hospitality									
Contractual services	25.0	187.5	212.5	25.0	187.5	212.5			
Training									
General operating expenses		30.0	30.0		30.0	30.0			
Supplies and materials	38.0	20.0	58.0	38.0	20.0	58.0			
Furniture and equipment		50.0	50.0		50.0	50.0			
<i>Subtotal non-staff</i>	<i>101.4</i>	<i>561.1</i>	<i>662.5</i>	<i>98.4</i>	<i>539.9</i>	<i>638.3</i>	<i>-3.0</i>	<i>-21.2</i>	<i>-24.2</i>
<b>Total</b>	<b>1,576.1</b>	<b>4,058.5</b>	<b>5,634.6</b>	<b>1,558.6</b>	<b>4,002.6</b>	<b>5,561.2</b>	<b>-17.5</b>	<b>-55.9</b>	<b>-73.4</b>

**Table 10: Programme 2200: Jurisdiction, Complementarity and Cooperation Division (JCCD)**

2200 Jurisdiction, Complementarity and Cooperation Division	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
Professional staff	781.0	947.9	1,728.9	773.3	938.6	1,711.9	-7.7	-9.3	-17.0
General Service staff	131.8		131.8	130.5		130.5	-1.3		-1.3
<i>Subtotal staff</i>	<i>912.8</i>	<i>947.9</i>	<i>1,860.7</i>	<i>903.8</i>	<i>938.6</i>	<i>1,842.4</i>	<i>-9.0</i>	<i>-9.3</i>	<i>-18.3</i>
General temporary assistance		1,086.0	1,086.0		960.8	960.8		-125.2	-125.2
Temporary assistance for meetings									
Overtime									
Consultants									
<i>Subtotal other staff</i>		<i>1,086.0</i>	<i>1,086.0</i>		<i>960.8</i>	<i>960.8</i>		<i>-125.2</i>	<i>-125.2</i>
Travel	144.3	313.3	457.6	131.5	285.4	416.9	-12.8	-27.9	-40.7
Hospitality									
Contractual services									
Training									
General operating expenses									
Supplies and materials									
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>144.3</i>	<i>313.3</i>	<i>457.6</i>	<i>131.5</i>	<i>285.4</i>	<i>416.9</i>	<i>-12.8</i>	<i>-27.9</i>	<i>-40.7</i>
<b>Total</b>	<b>1,057.1</b>	<b>2,347.2</b>	<b>3,404.3</b>	<b>1,035.3</b>	<b>2,184.8</b>	<b>3,220.1</b>	<b>-21.8</b>	<b>-162.4</b>	<b>-184.2</b>

**Table 11: Programme 2300: Investigation Division**

2300 Investigation Division	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
Professional staff	305.7	7,616.7	7,922.4	302.7	7,541.8	7,844.5	-3.0	-74.9	-77.9
General Service staff	131.8	1,769.0	1,900.8	130.5	1,752.8	1,883.3	-1.3	-16.2	-17.5
<i>Subtotal staff</i>	<i>437.5</i>	<i>9,385.7</i>	<i>9,823.2</i>	<i>433.2</i>	<i>9,294.6</i>	<i>9,727.8</i>	<i>-4.3</i>	<i>-91.1</i>	<i>-95.4</i>
General temporary assistance		4,592.3	4,592.3		3,261.4	3,261.4		-1,330.9	-1,330.9
Temporary assistance for meetings									
Overtime									
Consultants									
<i>Subtotal other staff</i>		<i>4,592.3</i>	<i>4,592.3</i>		<i>3,261.4</i>	<i>3,261.4</i>		<i>-1,330.9</i>	<i>-1,330.9</i>
Travel		1,075.4	1,075.4		949.9	949.9		-125.5	-125.5
Hospitality									
Contractual services		110.0	110.0		110.0	110.0			
Training									
General operating expenses		285.0	285.0		285.0	285.0			
Supplies and materials									
Furniture and equipment									
<i>Subtotal non-staff</i>		<i>1,470.4</i>	<i>1,470.4</i>		<i>1,344.9</i>	<i>1,344.9</i>		<i>-125.5</i>	<i>-125.5</i>
<b>Total</b>	<b>437.5</b>	<b>15,448.4</b>	<b>15,885.9</b>	<b>433.2</b>	<b>13,900.9</b>	<b>14,334.1</b>	<b>-4.3</b>	<b>-1,547.5</b>	<b>-1,551.8</b>

**Table 12: Sub-programme 2320: Planning and Operations Section**

2320 Planning and Operations Section	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total
Professional staff	305.7	3,160.7	3,466.4	302.7	3,129.9	3,432.6	-3.0	-30.8	-33.8
General Service staff	131.8	1,439.5	1,571.3	130.5	1,426.5	1,557.0	-1.3	-13.0	-14.3
<i>Subtotal staff</i>	<i>437.5</i>	<i>4,600.2</i>	<i>5,037.7</i>	<i>433.2</i>	<i>4,556.4</i>	<i>4,989.6</i>	<i>-4.3</i>	<i>-43.8</i>	<i>-48.1</i>
General temporary assistance		2,020.6	2,020.6		1,986.8	1,986.8		-33.8	-33.8
Temporary assistance for meetings									
Overtime									
Consultants									
<i>Subtotal other staff</i>		<i>2,020.6</i>	<i>2,020.6</i>		<i>1,986.8</i>	<i>1,986.8</i>		<i>-33.8</i>	<i>-33.8</i>
Travel		290.8	290.8		263.1	263.1		-27.7	-27.7
Hospitality									
Contractual services		110.0	110.0		110.0	110.0			
Training									
General operating expenses									
Supplies and materials									
Furniture and equipment									
<i>Subtotal non-staff</i>		<i>400.8</i>	<i>400.8</i>		<i>373.1</i>	<i>373.1</i>		<i>-27.7</i>	<i>-27.7</i>
<b>Total</b>	<b>437.5</b>	<b>7,021.6</b>	<b>7,459.1</b>	<b>433.2</b>	<b>6,916.3</b>	<b>7,349.5</b>	<b>-4.3</b>	<b>-105.3</b>	<b>-109.6</b>

**Table 13: Sub-programme 2330: Investigation Teams**

2330 Investigation Teams	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total
Professional staff		4,456.0	4,456.0		4,411.9	4,411.9		-44.1	-44.1
General Service staff		329.5	329.5		326.3	326.3		-3.2	-3.2
<i>Subtotal staff</i>		<i>4,785.5</i>	<i>4,785.5</i>		<i>4,738.2</i>	<i>4,738.2</i>		<i>-47.3</i>	<i>-47.3</i>
General temporary assistance		2,571.7	2,571.7		1,274.6	1,274.6		-1,297.1	-1,297.1
Temporary assistance for meetings									
Overtime									
Consultants									
<i>Subtotal other staff</i>		<i>2,571.7</i>	<i>2,571.7</i>		<i>1,274.6</i>	<i>1,274.6</i>		<i>-1,297.1</i>	<i>-1,297.1</i>
Travel		784.6	784.6		686.8	686.8		-97.8	-97.8
Hospitality									
Contractual services									
Training									
General operating expenses		285.0	285.0		285.0	285.0			
Supplies and materials									
Furniture and equipment									
<i>Subtotal non-staff</i>		<i>1,069.6</i>	<i>1,069.6</i>		<i>971.8</i>	<i>971.8</i>		<i>-97.8</i>	<i>-97.8</i>
<b>Total</b>		<b>8,426.8</b>	<b>8,426.8</b>		<b>6,984.6</b>	<b>6,984.6</b>		<b>-1,442.2</b>	<b>-1,442.2</b>

**Table 14: Programme 2400: Prosecution Division**

2400 Prosecution Division	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total
Professional staff	833.7	3,518.3	4,352.0	825.5	3,483.6	4,309.1	-8.2	-34.7	-42.9
General Service staff	131.8	461.3	593.1	130.5	456.9	587.4	-1.3	-4.4	-5.7
<i>Subtotal staff</i>	<i>965.5</i>	<i>3,979.6</i>	<i>4,945.1</i>	<i>956.0</i>	<i>3,940.5</i>	<i>4,896.5</i>	<i>-9.5</i>	<i>-39.1</i>	<i>-48.6</i>
General temporary assistance		3,618.7	3,618.7		3,024.0	3,024.0		-594.7	-594.7
Temporary assistance for meetings									
Overtime									
Consultants									
<i>Subtotal other staff</i>		<i>3,618.7</i>	<i>3,618.7</i>		<i>3,024.0</i>	<i>3,024.0</i>		<i>-594.7</i>	<i>-594.7</i>
Travel	15.0	213.3	228.3	13.3	189.2	202.5	-1.7	-24.1	-25.8
Hospitality									
Contractual services									
Training									
General operating expenses									
Supplies and materials									
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>15.0</i>	<i>213.3</i>	<i>228.3</i>	<i>13.3</i>	<i>189.2</i>	<i>202.5</i>	<i>-1.7</i>	<i>-24.1</i>	<i>-25.8</i>
<b>Total</b>	<b>980.5</b>	<b>7,811.6</b>	<b>8,792.1</b>	<b>969.3</b>	<b>7,153.7</b>	<b>8,123.0</b>	<b>-11.2</b>	<b>-657.9</b>	<b>-669.1</b>

**Table 15: Major Programme III: The Registry**

Major Programme III The Registry	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total
Professional staff	12,199.2	8,460.0	20,659.2	12,079.3	8,378.8	20,458.1	-119.9	-81.2	-201.1
General Service staff	9,496.2	6,323.5	15,819.7	9,402.2	6,276.9	15,679.1	-94.0	-46.6	-140.6
<i>Subtotal staff</i>	<i>21,695.4</i>	<i>14,783.5</i>	<i>36,478.9</i>	<i>21,481.5</i>	<i>14,655.7</i>	<i>36,137.2</i>	<i>-213.9</i>	<i>-127.8</i>	<i>-341.7</i>
General temporary assistance	2,158.3	3,900.1	6,058.4	1,866.1	3,395.2	5,261.3	-292.2	-504.9	-797.1
Temporary assistance for meetings	254.7	68.8	323.5	254.7	68.8	323.5			
Overtime	222.4	141.6	364.0	222.4	98.1	320.5		-43.5	-43.5
Consultants	19.6	47.1	66.7	18.4	43.4	61.8	-1.2	-3.7	-4.9
<i>Subtotal other staff</i>	<i>2,655.0</i>	<i>4,157.6</i>	<i>6,812.6</i>	<i>2,361.6</i>	<i>3,605.5</i>	<i>5,967.1</i>	<i>-293.4</i>	<i>-552.1</i>	<i>-845.5</i>
Travel	196.0	2,252.3	2,448.3	196.0	2,183.2	2,379.2		-69.1	-69.1
Hospitality	4.0		4.0	4.0		4.0			
Contractual services	835.3	1,717.6	2,552.9	791.1	1,672.5	2,463.6	-44.2	-45.1	-89.3
Training	389.3	174.4	563.7	389.3	149.3	538.6		-25.1	-25.1
Counsel for Defence		2,866.4	2,866.4		2,866.4	2,866.4			
Counsel for Victims		3,000.7	3,000.7		3,000.7	3,000.7			
General operating expenses	6,028.8	5,420.3	11,449.1	6,016.8	5,070.2	11,087.0	-12.0	-350.1	-362.1
Supplies and materials	649.2	274.0	923.2	649.2	274.0	923.2			
Furniture and equipment	593.9	417.9	1,011.8	552.8	373.2	926.0	-41.1	-44.7	-85.8
<i>Subtotal non-staff</i>	<i>8,696.5</i>	<i>16,123.6</i>	<i>24,820.1</i>	<i>8,599.2</i>	<i>15,589.5</i>	<i>24,188.7</i>	<i>-97.3</i>	<i>-534.1</i>	<i>-631.4</i>
<b>Total</b>	<b>33,046.9</b>	<b>35,064.7</b>	<b>68,111.6</b>	<b>32,442.3</b>	<b>33,850.7</b>	<b>66,293.0</b>	<b>-604.6</b>	<b>-1,214.0</b>	<b>-1,818.6</b>

**Table 16: Programme 3100: Office of the Registrar**

3100 Office of the Registrar	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total
Professional staff	2,588.7	1,623.4	4,212.1	2,563.3	1,608.1	4,171.4	-25.4	-15.3	-40.7
General Service staff	2,676.0	2,091.0	4,767.0	2,649.9	2,079.1	4,729.0	-26.1	-11.9	-38.0
<i>Subtotal staff</i>	<i>5,264.7</i>	<i>3,714.4</i>	<i>8,979.1</i>	<i>5,213.2</i>	<i>3,687.2</i>	<i>8,900.4</i>	<i>-51.5</i>	<i>-27.2</i>	<i>-78.7</i>
General temporary assistance	1,082.4	607.5	1,689.9	1,082.4	587.1	1,669.5		-20.4	-20.4
Temporary assistance for meetings									
Overtime	124.4	50.3	174.7	124.4	50.3	174.7			
Consultants									
<i>Subtotal other staff</i>	<i>1,206.8</i>	<i>657.8</i>	<i>1,864.6</i>	<i>1,206.8</i>	<i>637.4</i>	<i>1,844.2</i>		-20.4	-20.4
Travel	37.5	637.5	675.0	37.5	629.8	667.3		-7.7	-7.7
Hospitality	4.0		4.0	4.0		4.0			
Contractual services	112.0	463.9	575.9	107.0	418.8	525.8	-5.0	-45.1	-50.1
Training	97.2	108.1	205.3	97.2	108.1	205.3			
Counsel for Defence		2,866.4	2,866.4		2,866.4	2,866.4			
Counsel for Victims		3,000.7	3,000.7		3,000.7	3,000.7			
General operating expenses	165.0	563.5	728.5	165.0	563.5	728.5			
Supplies and materials	63.3	159.8	223.1	63.3	159.8	223.1			
Furniture and equipment	0.9	1.8	2.7	0.9	1.8	2.7			
<i>Subtotal non-staff</i>	<i>479.9</i>	<i>7,801.7</i>	<i>8,281.6</i>	<i>474.9</i>	<i>7,748.9</i>	<i>8,223.8</i>	<i>-5.0</i>	<i>-52.8</i>	<i>-57.8</i>
<b>Total</b>	<b>6,951.4</b>	<b>12,173.9</b>	<b>19,125.3</b>	<b>6,894.9</b>	<b>12,073.5</b>	<b>18,968.4</b>	<b>-56.5</b>	<b>-100.4</b>	<b>-156.9</b>

**Table 17: Sub-programme 3110: Immediate Office of the Registrar**

3110 Immediate Office of the Registrar	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total
Professional staff	958.1		958.1	948.7		948.7	-9.4		-9.4
General Service staff	207.8		207.8	207.8		207.8			
<i>Subtotal staff</i>	<i>1,165.9</i>		<i>1,165.9</i>	<i>1,156.5</i>		<i>1,156.5</i>	<i>-9.4</i>		<i>-9.4</i>
General temporary assistance									
Temporary assistance for meetings									
Overtime									
Consultants									
<i>Subtotal other staff</i>									
Travel	21.4	32.5	53.9	21.4	32.5	53.9			
Hospitality	4.0		4.0	4.0		4.0			
Contractual services									
Training									
General operating expenses									
Supplies and materials									
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>25.4</i>	<i>32.5</i>	<i>57.9</i>	<i>25.4</i>	<i>32.5</i>	<i>57.9</i>			
<b>Total</b>	<b>1,191.3</b>	<b>32.5</b>	<b>1,223.8</b>	<b>1,181.9</b>	<b>32.5</b>	<b>1,214.4</b>	<b>-9.4</b>		<b>-9.4</b>

**Table 18: Sub-programme 3130: Legal Advisory Services Section**

3130 Legal Advisory Services Section	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
Professional staff	592.7		592.7	586.9		586.9	-5.8		-5.8
General Service staff	128.9		128.9	127.7		127.7	-1.2		-1.2
<i>Subtotal staff</i>	<i>721.6</i>		<i>721.6</i>	<i>714.6</i>		<i>714.6</i>	<i>-7.0</i>		<i>-7.0</i>
General temporary assistance									
Temporary assistance for meetings									
Overtime									
Consultants									
<i>Subtotal other staff</i>									
Travel									
Hospitality									
Contractual services	17.5		17.5	17.5		17.5			
Training									
General operating expenses									
Supplies and materials									
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>17.5</i>		<i>17.5</i>	<i>17.5</i>		<i>17.5</i>			
<b>Total</b>	<b>739.1</b>		<b>739.1</b>	<b>732.1</b>		<b>732.1</b>	<b>-7.0</b>		<b>-7.0</b>

**Table 19: Sub-programme 3140: Security and Safety Section**

3140 Security and Safety Section	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
Professional staff	592.7	557.2	1,149.9	586.9	552.0	1,138.9	-5.8	-5.2	-11.0
General Service staff	2,208.4	1,423.2	3,631.6	2,186.7	1,413.9	3,600.6	-21.7	-9.3	-31.0
<i>Subtotal staff</i>	<i>2,801.1</i>	<i>1,980.4</i>	<i>4,781.5</i>	<i>2,773.6</i>	<i>1,965.9</i>	<i>4,739.5</i>	<i>-27.5</i>	<i>-14.5</i>	<i>-42.0</i>
General temporary assistance	1,082.4	208.0	1,290.4	1,082.4	206.1	1,288.5		-1.9	-1.9
Temporary assistance for meetings									
Overtime	124.4	50.3	174.7	124.4	50.3	174.7			
Consultants									
<i>Subtotal other staff</i>	<i>1,206.8</i>	<i>258.3</i>	<i>1,465.1</i>	<i>1,206.8</i>	<i>256.4</i>	<i>1,463.2</i>		<i>-1.9</i>	<i>-1.9</i>
Travel	9.5	390.5	400.0	9.5	390.5	400.0			
Hospitality									
Contractual services	94.5	217.2	311.7	89.5	217.2	306.7	-5.0		-5.0
Training	97.2	100.7	197.9	97.2	100.7	197.9			
General operating expenses	165.0	120.6	285.6	165.0	120.6	285.6			
Supplies and materials	63.3	16.2	79.5	63.3	16.2	79.5			
Furniture and equipment	0.9	1.8	2.7	0.9	1.8	2.7			
<i>Subtotal non-staff</i>	<i>430.4</i>	<i>847.0</i>	<i>1,277.4</i>	<i>425.4</i>	<i>847.0</i>	<i>1,272.4</i>	<i>-5.0</i>		<i>-5.0</i>
<b>Total</b>	<b>4,438.3</b>	<b>3,085.7</b>	<b>7,524.0</b>	<b>4,405.8</b>	<b>3,069.3</b>	<b>7,475.1</b>	<b>-32.5</b>	<b>-16.4</b>	<b>-48.9</b>

**Table 20: Sub-programme 3180: Field Operations Section**

3180 Field Operations Section	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total
Professional staff		854.3	854.3		846.3	846.3		-8.0	-8.0
General Service staff		603.3	603.3		601.4	601.4		-1.9	-1.9
<i>Subtotal staff</i>		<i>1,457.6</i>	<i>1,457.6</i>		<i>1,447.7</i>	<i>1,447.7</i>		<i>-9.9</i>	<i>-9.9</i>
General temporary assistance		306.0	306.0		303.9	303.9		-2.1	-2.1
Temporary assistance for meetings									
Overtime									
Consultants									
<i>Subtotal other staff</i>		<i>306.0</i>	<i>306.0</i>		<i>303.9</i>	<i>303.9</i>		<i>-2.1</i>	<i>-2.1</i>
Travel		137.0	137.0		137.0	137.0			
Hospitality									
Contractual services		246.7	246.7		201.6	201.6		-45.1	-45.1
Training		7.4	7.4		7.4	7.4			
General operating expenses		441.9	441.9		441.9	441.9			
Supplies and materials		143.6	143.6		143.6	143.6			
Furniture and equipment									
<i>Subtotal non-staff</i>		<i>976.6</i>	<i>976.6</i>		<i>931.5</i>	<i>931.5</i>		<i>-45.1</i>	<i>-45.1</i>
<b>Total</b>		<b>2,740.2</b>	<b>2,740.2</b>		<b>2,683.1</b>	<b>2,683.1</b>		<b>-57.1</b>	<b>-57.1</b>

**Table 21: Sub-programme 3190: Counsel Support Section**

3190 Counsel Support Section	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total
Professional staff	445.2	211.9	657.1	440.8	209.8	650.6	-4.4	-2.1	-6.5
General Service staff	128.9	64.5	193.4	127.7	63.8	191.5	-1.2	-0.7	-1.9
<i>Subtotal staff</i>	<i>574.1</i>	<i>276.4</i>	<i>850.5</i>	<i>568.5</i>	<i>273.6</i>	<i>842.1</i>	<i>-5.6</i>	<i>-2.8</i>	<i>-8.4</i>
General temporary assistance		93.5	93.5		77.1	77.1		-16.4	-16.4
Temporary assistance for meetings									
Overtime									
Consultants									
<i>Subtotal other staff</i>		<i>93.5</i>	<i>93.5</i>		<i>77.1</i>	<i>77.1</i>		<i>-16.4</i>	<i>-16.4</i>
Travel	6.6	77.5	84.1	6.6	69.8	76.4		-7.7	-7.7
Hospitality									
Contractual services									
Training									
Counsel for Defence		2,866.4	2,866.4		2,866.4	2,866.4			
Counsel for Victims		3,000.7	3,000.7		3,000.7	3,000.7			
General operating expenses		1.0	1.0		1.0	1.0			
Supplies and materials									
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>6.6</i>	<i>5,945.6</i>	<i>5,952.2</i>	<i>6.6</i>	<i>5,937.9</i>	<i>5,944.5</i>		<i>-7.7</i>	<i>-7.7</i>
<b>Total</b>	<b>580.7</b>	<b>6,315.5</b>	<b>6,896.2</b>	<b>575.1</b>	<b>6,288.6</b>	<b>6,863.7</b>	<b>-5.6</b>	<b>-26.9</b>	<b>-32.5</b>

**Table 22: Programme 3200: Common Administrative Services Division**

3200 Common Administrative Services Division	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
Professional staff	3,637.5	567.0	4,204.5	3,601.7	561.4	4,163.1	-35.8	-5.6	-41.4
General Service staff	5,385.2	1,534.3	6,919.5	5,332.0	1,519.4	6,851.4	-53.2	-14.9	-68.1
<i>Subtotal staff</i>	<i>9,022.7</i>	<i>2,101.3</i>	<i>11,124.0</i>	<i>8,933.7</i>	<i>2,080.8</i>	<i>11,014.5</i>	<i>-89.0</i>	<i>-20.5</i>	<i>-109.5</i>
General temporary assistance	812.3	330.0	1,142.3	522.7	294.7	817.4	-289.6	-35.3	-324.9
Temporary assistance for meetings	20.0		20.0	20.0		20.0			
Overtime	98.0	32.8	130.8	98.0	32.8	130.8			
Consultants	14.6		14.6	14.6		14.6			
<i>Subtotal other staff</i>	<i>944.9</i>	<i>362.8</i>	<i>1,307.7</i>	<i>655.3</i>	<i>327.5</i>	<i>982.8</i>	<i>-289.6</i>	<i>-35.3</i>	<i>-324.9</i>
Travel	74.9	65.0	139.9	74.9	65.0	139.9			
Hospitality									
Contractual services	396.8	187.0	583.8	357.6	187.0	544.6	-39.2		-39.2
Training	247.2		247.2	247.2		247.2			
General operating expenses	4,410.9	1,698.7	6,109.6	4,398.9	1,680.7	6,079.6	-12.0	-18.0	-30.0
Supplies and materials	431.7		431.7	431.7		431.7			
Furniture and equipment	593.0	416.1	1,009.1	551.9	371.4	923.3	-41.1	-44.7	-85.8
<i>Subtotal non-staff</i>	<i>6,154.5</i>	<i>2,366.8</i>	<i>8,521.3</i>	<i>6,062.2</i>	<i>2,304.1</i>	<i>8,366.3</i>	<i>-92.3</i>	<i>-62.7</i>	<i>-155.0</i>
<b>Total</b>	<b>16,122.1</b>	<b>4,830.9</b>	<b>20,953.0</b>	<b>15,651.2</b>	<b>4,712.4</b>	<b>20,363.6</b>	<b>-470.9</b>	<b>-118.5</b>	<b>-589.4</b>

**Table 23: Sub-programme 3210: Office of the Director CASD**

3210 Office of the Director CASD	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
Professional staff	379.0		379.0	375.2		375.2	-3.8		-3.8
General Service staff	64.5		64.5	63.8		63.8	-0.7		-0.7
<i>Subtotal staff</i>	<i>443.5</i>		<i>443.5</i>	<i>439.0</i>		<i>439.0</i>	<i>-4.5</i>		<i>-4.5</i>
General temporary assistance									
Temporary assistance for meetings									
Overtime									
Consultants									
<i>Subtotal other staff</i>									
Travel	19.7		19.7	19.7		19.7			
Hospitality									
Contractual services									
Training									
General operating expenses									
Supplies and materials									
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>19.7</i>		<i>19.7</i>	<i>19.7</i>		<i>19.7</i>			
<b>Total</b>	<b>463.2</b>		<b>463.2</b>	<b>458.7</b>		<b>458.7</b>	<b>-4.5</b>		<b>-4.5</b>

**Table 24: Sub-programme 3220: Human Resources Section**

3220 Human Resources Section	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total
Professional staff	800.4		800.4	792.5		792.5	-7.9		-7.9
General Service staff	806.5	193.4	999.9	798.5	191.5	990.0	-8.0	-1.9	-9.9
<i>Subtotal staff</i>	<i>1,606.9</i>	<i>193.4</i>	<i>1,800.3</i>	<i>1,591.0</i>	<i>191.5</i>	<i>1,782.5</i>	<i>-15.9</i>	<i>-1.9</i>	<i>-17.8</i>
General temporary assistance	322.2		322.2	319.1		319.1	-3.1		-3.1
Temporary assistance for meetings									
Overtime									
Consultants	14.6		14.6	14.6		14.6			
<i>Subtotal other staff</i>	<i>336.8</i>		<i>336.8</i>	<i>333.7</i>		<i>333.7</i>	<i>-3.1</i>		<i>-3.1</i>
Travel	6.0	11.0	17.0	6.0	11.0	17.0			
Hospitality									
Contractual services	16.7		16.7	16.7		16.7			
Training	160.0		160.0	160.0		160.0			
General operating expenses									
Supplies and materials	45.2		45.2	45.2		45.2			
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>227.9</i>	<i>11.0</i>	<i>238.9</i>	<i>227.9</i>	<i>11.0</i>	<i>238.9</i>			
<b>Total</b>	<b>2,171.6</b>	<b>204.4</b>	<b>2,376.0</b>	<b>2,152.6</b>	<b>202.5</b>	<b>2,355.1</b>	<b>-19.0</b>	<b>-1.9</b>	<b>-20.9</b>

**Table 25: Sub-programme 3240: Budget and Finance Section**

3240 Budget and Finance Section	Proposed Budget 2014				Proposed Budget 2014				Difference			
	Before CBF recommendations				After CBF recommendations				Before CBF vs After CBF			
	Basic	Situation-related	IPSAS	Total	Basic	Situation-related	IPSAS	Total	Basic	Situation-related	IPSAS	Total
Professional staff	756.7			756.7	749.3			749.3	-7.4			-7.4
General Service staff	773.7	338.8		1,112.5	766.0	335.4		1,101.4	-7.7	-3.4		-11.1
<i>Subtotal staff</i>	<i>1,530.4</i>	<i>338.8</i>		<i>1,869.2</i>	<i>1,515.3</i>	<i>335.4</i>		<i>1,850.7</i>	<i>-15.1</i>	<i>-3.4</i>		<i>-18.5</i>
General temporary assistance	170.0		248.5	418.5	132.7			132.7	-37.3		-248.5	-285.8
Temporary assistance for meetings												
Overtime	8.0			8.0	8.0			8.0				
Consultants												
<i>Subtotal other staff</i>	<i>178.0</i>		<i>248.5</i>	<i>426.5</i>	<i>140.7</i>			<i>140.7</i>	<i>-37.3</i>		<i>-248.5</i>	<i>-285.8</i>
Travel	10.2		10.0	20.2	10.2		10.0	20.2				
Hospitality												
Contractual services	86.1		56.8	142.9	88.4		15.3	103.7	2.3		-41.5	-39.2
Training			30.0	30.0			30.0	30.0				
General operating expenses	43.2			43.2	43.2			43.2				
Supplies and materials												
Furniture and equipment												
<i>Subtotal non-staff</i>	<i>139.5</i>		<i>96.8</i>	<i>236.3</i>	<i>141.8</i>		<i>55.3</i>	<i>197.1</i>	<i>2.3</i>		<i>-41.5</i>	<i>-39.2</i>
<b>Total</b>	<b>1,847.9</b>	<b>338.8</b>	<b>345.3</b>	<b>2,532.0</b>	<b>1,797.8</b>	<b>335.4</b>	<b>55.3</b>	<b>2,188.5</b>	<b>-50.1</b>	<b>-3.4</b>	<b>-290.0</b>	<b>-343.5</b>

**Table 26: Sub-programme 3250: General Services Section**

3250 General Services Section	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total
Professional staff	568.8		568.8	563.2		563.2	-5.6		-5.6
General Service staff	2,370.2		2,370.2	2,346.9		2,346.9	-23.3		-23.3
<i>Subtotal staff</i>	<i>2,939.0</i>		<i>2,939.0</i>	<i>2,910.1</i>		<i>2,910.1</i>	<i>-28.9</i>		<i>-28.9</i>
General temporary assistance	71.6		71.6	70.9		70.9	-0.7		-0.7
Temporary assistance for meetings									
Overtime	55.0	32.8	87.8	55.0	32.8	87.8			
Consultants									
<i>Subtotal other staff</i>	<i>126.6</i>	<i>32.8</i>	<i>159.4</i>	<i>125.9</i>	<i>32.8</i>	<i>158.7</i>	<i>-0.7</i>		<i>-0.7</i>
Travel	3.1	11.7	14.8	3.1	11.7	14.8			
Hospitality									
Contractual services	42.0		42.0	42.0		42.0			
Training	16.3		16.3	16.3		16.3			
General operating expenses	2,281.9	44.1	2,326.0	2,281.9	44.1	2,326.0			
Supplies and materials	201.5		201.5	201.5		201.5			
Furniture and equipment	68.0		68.0	68.0		68.0			
<i>Subtotal non-staff</i>	<i>2,612.8</i>	<i>55.8</i>	<i>2,668.6</i>	<i>2,612.8</i>	<i>55.8</i>	<i>2,668.6</i>			
<b>Total</b>	<b>5,678.4</b>	<b>88.6</b>	<b>5,767.0</b>	<b>5,648.8</b>	<b>88.6</b>	<b>5,737.4</b>	<b>-29.6</b>		<b>-29.6</b>

**Table 27: Sub-programme 3260: Information and Communication Technologies Section**

3260 Information and Communication Technologies Section	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total
Professional staff	1,132.6	567.0	1,699.6	1,121.5	561.4	1,682.9	-11.1	-5.6	-16.7
General Service staff	1,370.3	1,002.1	2,372.4	1,356.8	992.5	2,349.3	-13.5	-9.6	-23.1
<i>Subtotal staff</i>	<i>2,502.9</i>	<i>1,569.1</i>	<i>4,072.0</i>	<i>2,478.3</i>	<i>1,553.9</i>	<i>4,032.2</i>	<i>-24.6</i>	<i>-15.2</i>	<i>-39.8</i>
General temporary assistance		330.0	330.0		294.7	294.7		-35.3	-35.3
Temporary assistance for meetings	20.0		20.0	20.0		20.0			
Overtime	35.0		35.0	35.0		35.0			
Consultants									
<i>Subtotal other staff</i>	<i>55.0</i>	<i>330.0</i>	<i>385.0</i>	<i>55.0</i>	<i>294.7</i>	<i>349.7</i>		<i>-35.3</i>	<i>-35.3</i>
Travel	25.9	42.3	68.2	25.9	42.3	68.2			
Hospitality									
Contractual services	195.2	187.0	382.2	195.2	187.0	382.2			
Training	40.9		40.9	40.9		40.9			
General operating expenses	2,085.8	1,654.6	3,740.4	2,073.8	1,636.6	3,710.4	-12.0	-18.0	-30.0
Supplies and materials	185.0		185.0	185.0		185.0			
Furniture and equipment	525.0	416.1	941.1	483.9	371.4	855.3	-41.1	-44.7	-85.8
<i>Subtotal non-staff</i>	<i>3,057.8</i>	<i>2,300.0</i>	<i>5,357.8</i>	<i>3,004.7</i>	<i>2,237.3</i>	<i>5,242.0</i>	<i>-53.1</i>	<i>-62.7</i>	<i>-115.8</i>
<b>Total</b>	<b>5,615.7</b>	<b>4,199.1</b>	<b>9,814.8</b>	<b>5,538.0</b>	<b>4,085.9</b>	<b>9,623.9</b>	<b>-77.7</b>	<b>-113.2</b>	<b>-190.9</b>

**Table 28: Programme 3300: Division of Court Services**

3300 Division of Court Services	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total
Professional staff	4,130.4	4,889.9	9,020.3	4,089.9	4,842.6	8,932.5	-40.5	-47.3	-87.8
General Service staff	644.8	2,458.7	3,103.5	638.2	2,438.9	3,077.1	-6.6	-19.8	-26.4
<i>Subtotal staff</i>	<i>4,775.2</i>	<i>7,348.6</i>	<i>12,123.8</i>	<i>4,728.1</i>	<i>7,281.5</i>	<i>12,009.6</i>	<i>-47.1</i>	<i>-67.1</i>	<i>-114.2</i>
General temporary assistance		2,775.6	2,775.6		2,328.3	2,328.3		-447.3	-447.3
Temporary assistance for meetings	234.7	68.8	303.5	234.7	68.8	303.5			
Overtime		58.5	58.5		15.0	15.0		-43.5	-43.5
Consultants	5.0	47.1	52.1	3.8	43.4	47.2	-1.2	-3.7	-4.9
<i>Subtotal other staff</i>	<i>239.7</i>	<i>2,950.0</i>	<i>3,189.7</i>	<i>238.5</i>	<i>2,455.5</i>	<i>2,694.0</i>	<i>-1.2</i>	<i>-494.5</i>	<i>-495.7</i>
Travel	55.6	1,357.4	1,413.0	55.6	1,296.0	1,351.6		-61.4	-61.4
Hospitality									
Contractual services	55.0	290.1	345.1	55.0	290.1	345.1			
Training	16.1	64.1	80.2	16.1	39.0	55.1		-25.1	-25.1
General operating expenses	1,385.9	3,135.6	4,521.5	1,385.9	2,803.5	4,189.4		-332.1	-332.1
Supplies and materials	29.2	114.2	143.4	29.2	114.2	143.4			
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>1,541.8</i>	<i>4,961.4</i>	<i>6,503.2</i>	<i>1,541.8</i>	<i>4,542.8</i>	<i>6,084.6</i>		<i>-418.6</i>	<i>-418.6</i>
<b>Total</b>	<b>6,556.7</b>	<b>15,260.0</b>	<b>21,816.7</b>	<b>6,508.4</b>	<b>14,279.8</b>	<b>20,788.2</b>	<b>-48.3</b>	<b>-980.2</b>	<b>-1,028.5</b>

**Table 29: Sub-programme 3310: Office of the Director DCS**

3310 Office of the Director DCS	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total
Professional staff	171.3	291.8	463.1	169.6	288.9	458.5	-1.7	-2.9	-4.6
General Service staff	64.5		64.5	63.8		63.8	-0.7		-0.7
<i>Subtotal staff</i>	<i>235.8</i>	<i>291.8</i>	<i>527.6</i>	<i>233.4</i>	<i>288.9</i>	<i>522.3</i>	<i>-2.4</i>	<i>-2.9</i>	<i>-5.3</i>
General temporary assistance									
Temporary assistance for meetings									
Overtime									
Consultants	5.0	15.0	20.0	3.8	11.3	15.1	-1.2	-3.7	-4.9
<i>Subtotal other staff</i>	<i>5.0</i>	<i>15.0</i>	<i>20.0</i>	<i>3.8</i>	<i>11.3</i>	<i>15.1</i>	<i>-1.2</i>	<i>-3.7</i>	<i>-4.9</i>
Travel	19.7	22.4	42.1	19.7	22.4	42.1			
Hospitality									
Contractual services									
Training	12.1		12.1	12.1		12.1			
General operating expenses		61.0	61.0		46.0	46.0		-15.0	-15.0
Supplies and materials									
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>31.8</i>	<i>83.4</i>	<i>115.2</i>	<i>31.8</i>	<i>68.4</i>	<i>100.2</i>		<i>-15.0</i>	<i>-15.0</i>
<b>Total</b>	<b>272.6</b>	<b>390.2</b>	<b>662.8</b>	<b>269.0</b>	<b>368.6</b>	<b>637.6</b>	<b>-3.6</b>	<b>-21.6</b>	<b>-25.2</b>

**Table 30: Sub-programme 3320: Court Management Section**

3320 Court Management Section	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total
Professional staff	421.3	776.7	1,198.0	417.2	769.1	1,186.3	-4.1	-7.6	-11.7
General Service staff	128.9	725.6	854.5	127.7	718.4	846.1	-1.2	-7.2	-8.4
<i>Subtotal staff</i>	<i>550.2</i>	<i>1,502.3</i>	<i>2,052.5</i>	<i>544.9</i>	<i>1,487.5</i>	<i>2,032.4</i>	<i>-5.3</i>	<i>-14.8</i>	<i>-20.1</i>
General temporary assistance		352.1	352.1		325.3	325.3		-26.8	-26.8
Temporary assistance for meetings									
Overtime		15.0	15.0		15.0	15.0			
Consultants									
<i>Subtotal other staff</i>		<i>367.1</i>	<i>367.1</i>		<i>340.3</i>	<i>340.3</i>		<i>-26.8</i>	<i>-26.8</i>
Travel									
Hospitality									
Contractual services		56.3	56.3		56.3	56.3			
Training	4.0	15.0	19.0	4.0	15.0	19.0			
General operating expenses	5.9		5.9	5.9		5.9			
Supplies and materials	13.0	88.0	101.0	13.0	88.0	101.0			
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>22.9</i>	<i>159.3</i>	<i>182.2</i>	<i>22.9</i>	<i>159.3</i>	<i>182.2</i>			
<b>Total</b>	<b>573.1</b>	<b>2,028.7</b>	<b>2,601.8</b>	<b>567.8</b>	<b>1,987.1</b>	<b>2,554.9</b>	<b>-5.3</b>	<b>-41.6</b>	<b>-46.9</b>

**Table 31: Sub-programme 3330: Detention Section**

3330 Detention Section	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total
Professional staff	211.9	84.1	296.0	209.8	83.3	293.1	-2.1	-0.8	-2.9
General Service staff	64.5	64.5	129.0	63.8	63.8	127.6	-0.7	-0.7	-1.4
<i>Subtotal staff</i>	<i>276.4</i>	<i>148.6</i>	<i>425.0</i>	<i>273.6</i>	<i>147.1</i>	<i>420.7</i>	<i>-2.8</i>	<i>-1.5</i>	<i>-4.3</i>
General temporary assistance									
Temporary assistance for meetings									
Overtime									
Consultants		6.0	6.0		6.0	6.0			
<i>Subtotal other staff</i>		<i>6.0</i>	<i>6.0</i>		<i>6.0</i>	<i>6.0</i>			
Travel	3.7		3.7	3.7		3.7			
Hospitality									
Contractual services									
Training		17.0	17.0		17.0	17.0			
General operating expenses	1,380.0	119.4	1,499.4	1,380.0	119.4	1,499.4			
Supplies and materials	7.5		7.5	7.5		7.5			
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>1,391.2</i>	<i>136.4</i>	<i>1,527.6</i>	<i>1,391.2</i>	<i>136.4</i>	<i>1,527.6</i>			
<b>Total</b>	<b>1,667.6</b>	<b>291.0</b>	<b>1,958.6</b>	<b>1,664.8</b>	<b>289.5</b>	<b>1,954.3</b>	<b>-2.8</b>	<b>-1.5</b>	<b>-4.3</b>

**Table 32: Sub-programme 3340: Court Interpretation and Translation Section**

3340 Court Interpretation and Translation Section	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
Professional staff	1,854.5	2,473.6	4,328.1	1,836.2	2,449.3	4,285.5	-18.3	-24.3	-42.6
General Service staff	257.9	274.3	532.2	255.3	271.6	526.9	-2.6	-2.7	-5.3
<i>Subtotal staff</i>	<i>2,112.4</i>	<i>2,747.9</i>	<i>4,860.3</i>	<i>2,091.5</i>	<i>2,720.9</i>	<i>4,812.4</i>	<i>-20.9</i>	<i>-27.0</i>	<i>-47.9</i>
General temporary assistance		1,078.5	1,078.5		932.1	932.1		-146.4	-146.4
Temporary assistance for meetings	234.7	68.8	303.5	234.7	68.8	303.5			
Overtime									
Consultants		16.1	16.1		16.1	16.1			
<i>Subtotal other staff</i>	<i>234.7</i>	<i>1,163.4</i>	<i>1,398.1</i>	<i>234.7</i>	<i>1,017.0</i>	<i>1,251.7</i>		<i>-146.4</i>	<i>-146.4</i>
Travel	5.2	139.2	144.4	5.2	139.2	144.4			
Hospitality									
Contractual services	53.0	108.3	161.3	53.0	108.3	161.3			
Training		2.7	2.7		2.7	2.7			
General operating expenses									
Supplies and materials	8.7	9.5	18.2	8.7	9.5	18.2			
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>66.9</i>	<i>259.7</i>	<i>326.6</i>	<i>66.9</i>	<i>259.7</i>	<i>326.6</i>			
<b>Total</b>	<b>2,414.0</b>	<b>4,171.0</b>	<b>6,585.0</b>	<b>2,393.1</b>	<b>3,997.6</b>	<b>6,390.7</b>	<b>-20.9</b>	<b>-173.4</b>	<b>-194.3</b>

**Table 33: Sub-programme 3350: Victims and Witnesses Unit**

3350 Victims and Witnesses Unit	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
Professional staff	715.4	1,076.6	1,792.0	708.6	1,066.5	1,775.1	-6.8	-10.1	-16.9
General Service staff	64.5	1,208.8	1,273.3	63.8	1,201.0	1,264.8	-0.7	-7.8	-8.5
<i>Subtotal staff</i>	<i>779.9</i>	<i>2,285.4</i>	<i>3,065.3</i>	<i>772.4</i>	<i>2,267.5</i>	<i>3,039.9</i>	<i>-7.5</i>	<i>-17.9</i>	<i>-25.4</i>
General temporary assistance		783.6	783.6		514.5	514.5		-269.1	-269.1
Temporary assistance for meetings									
Overtime		43.5	43.5					-43.5	-43.5
Consultants									
<i>Subtotal other staff</i>		<i>827.1</i>	<i>827.1</i>		<i>514.5</i>	<i>514.5</i>		<i>-312.6</i>	<i>-312.6</i>
Travel	27.0	1,038.4	1,065.4	27.0	977.0	1,004.0		-61.4	-61.4
Hospitality									
Contractual services									
Training		25.1	25.1					-25.1	-25.1
General operating expenses		2,955.2	2,955.2		2,638.1	2,638.1		-317.1	-317.1
Supplies and materials		5.7	5.7		5.7	5.7			
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>27.0</i>	<i>4,024.4</i>	<i>4,051.4</i>	<i>27.0</i>	<i>3,620.8</i>	<i>3,647.8</i>		<i>-403.6</i>	<i>-403.6</i>
<b>Total</b>	<b>806.9</b>	<b>7,136.9</b>	<b>7,943.8</b>	<b>799.4</b>	<b>6,402.8</b>	<b>7,202.2</b>	<b>-7.5</b>	<b>-734.1</b>	<b>-741.6</b>

**Table 34: Sub-programme 3360: Victims Participation and Reparations Section**

3360 Victims Participation and Reparations Section	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
Professional staff	756.0	187.1	943.1	748.5	185.5	934.0	-7.5	-1.6	-9.1
General Service staff	64.5	185.5	250.0	63.8	184.1	247.9	-0.7	-1.4	-2.1
<i>Subtotal staff</i>	<i>820.5</i>	<i>372.6</i>	<i>1,193.1</i>	<i>812.3</i>	<i>369.6</i>	<i>1,181.9</i>	<i>-8.2</i>	<i>-3.0</i>	<i>-11.2</i>
General temporary assistance		561.4	561.4		556.4	556.4		-5.0	-5.0
Temporary assistance for meetings									
Overtime									
Consultants		10.0	10.0		10.0	10.0			
<i>Subtotal other staff</i>		<i>571.4</i>	<i>571.4</i>		<i>566.4</i>	<i>566.4</i>		<i>-5.0</i>	<i>-5.0</i>
Travel		157.4	157.4		157.4	157.4			
Hospitality									
Contractual services	2.0	125.5	127.5	2.0	125.5	127.5			
Training		4.3	4.3		4.3	4.3			
General operating expenses									
Supplies and materials		11.0	11.0		11.0	11.0			
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>2.0</i>	<i>298.2</i>	<i>300.2</i>	<i>2.0</i>	<i>298.2</i>	<i>300.2</i>			
<b>Total</b>	<b>822.5</b>	<b>1,242.2</b>	<b>2,064.7</b>	<b>814.3</b>	<b>1,234.2</b>	<b>2,048.5</b>	<b>-8.2</b>	<b>-8.0</b>	<b>-16.2</b>

**Table 35: Programme 3400: Public Information and Documentation Section**

3400 Public Information and Documentation Section	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
Professional staff	1,057.0	368.2	1,425.2	1,046.6	365.1	1,411.7	-10.4	-3.1	-13.5
General Service staff	596.7	239.5	836.2	590.7	239.5	830.2	-6.0		-6.0
<i>Subtotal staff</i>	<i>1,653.7</i>	<i>607.7</i>	<i>2,261.4</i>	<i>1,637.3</i>	<i>604.6</i>	<i>2,241.9</i>	<i>-16.4</i>	<i>-3.1</i>	<i>-19.5</i>
General temporary assistance	148.2	71.6	219.8	146.8	70.9	217.7	-1.4	-0.7	-2.1
Temporary assistance for meetings									
Overtime									
Consultants									
<i>Subtotal other staff</i>	<i>148.2</i>	<i>71.6</i>	<i>219.8</i>	<i>146.8</i>	<i>70.9</i>	<i>217.7</i>	<i>-1.4</i>	<i>-0.7</i>	<i>-2.1</i>
Travel	19.8	86.6	106.4	19.8	86.6	106.4			
Hospitality									
Contractual services	271.5	726.6	998.1	271.5	726.6	998.1			
Training	7.0		7.0	7.0		7.0			
General operating expenses	67.0	13.5	80.5	67.0	13.5	80.5			
Supplies and materials	125.0		125.0	125.0		125.0			
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>490.3</i>	<i>826.7</i>	<i>1,317.0</i>	<i>490.3</i>	<i>826.7</i>	<i>1,317.0</i>			
<b>Total</b>	<b>2,292.2</b>	<b>1,506.0</b>	<b>3,798.2</b>	<b>2,274.4</b>	<b>1,502.2</b>	<b>3,776.6</b>	<b>-17.8</b>	<b>-3.8</b>	<b>-21.6</b>

**Table 36: Programme 3700: Registry Independent Offices**

3700 Registry Independent Offices	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total
Professional staff	785.6	1,011.5	1,797.1	777.8	1,001.6	1,779.4	-7.8	-9.9	-17.7
General Service staff	193.5		193.5	191.4		191.4	-2.1		-2.1
<i>Subtotal staff</i>	<i>979.1</i>	<i>1,011.5</i>	<i>1,990.6</i>	<i>969.2</i>	<i>1,001.6</i>	<i>1,970.8</i>	<i>-9.9</i>	<i>-9.9</i>	<i>-19.8</i>
General temporary assistance	115.4	115.4	230.8	114.2	114.2	228.4	-1.2	-1.2	-2.4
Temporary assistance for meetings									
Overtime									
Consultants									
<i>Subtotal other staff</i>	<i>115.4</i>	<i>115.4</i>	<i>230.8</i>	<i>114.2</i>	<i>114.2</i>	<i>228.4</i>	<i>-1.2</i>	<i>-1.2</i>	<i>-2.4</i>
Travel	8.2	105.8	114.0	8.2	105.8	114.0			
Hospitality									
Contractual services		50.0	50.0		50.0	50.0			
Training	21.8	2.2	24.0	21.8	2.2	24.0			
General operating expenses		9.0	9.0		9.0	9.0			
Supplies and materials									
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>30.0</i>	<i>167.0</i>	<i>197.0</i>	<i>30.0</i>	<i>167.0</i>	<i>197.0</i>			
<b>Total</b>	<b>1,124.5</b>	<b>1,293.9</b>	<b>2,418.4</b>	<b>1,113.4</b>	<b>1,282.8</b>	<b>2,396.2</b>	<b>-11.1</b>	<b>-11.1</b>	<b>-22.2</b>

**Table 37: Sub-programme 3740: Office of Public Counsel for the Defence**

3740 Office of Public Counsel for the Defence	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation-related	Total	Basic	Situation-related	Total	Basic	Situation-related	Total
Professional staff	149.3	296.0	445.3	147.8	293.1	440.9	-1.5	-2.9	-4.4
General Service staff	64.5		64.5	63.8		63.8	-0.7		-0.7
<i>Subtotal staff</i>	<i>213.8</i>	<i>296.0</i>	<i>509.8</i>	<i>211.6</i>	<i>293.1</i>	<i>504.7</i>	<i>-2.2</i>	<i>-2.9</i>	<i>-5.1</i>
General temporary assistance									
Temporary assistance for meetings									
Overtime									
Consultants									
<i>Subtotal other staff</i>									
Travel	2.5	14.5	17.0	2.5	14.5	17.0			
Hospitality									
Contractual services		20.0	20.0		20.0	20.0			
Training	2.5	2.2	4.7	2.5	2.2	4.7			
General operating expenses		3.0	3.0		3.0	3.0			
Supplies and materials									
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>5.0</i>	<i>39.7</i>	<i>44.7</i>	<i>5.0</i>	<i>39.7</i>	<i>44.7</i>			
<b>Total</b>	<b>218.8</b>	<b>335.7</b>	<b>554.5</b>	<b>216.6</b>	<b>332.8</b>	<b>549.4</b>	<b>-2.2</b>	<b>-2.9</b>	<b>-5.1</b>

**Table 38: Sub-programme 3750: Office of Public Counsel for Victims**

3750 Office of Public Counsel for Victims	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
Professional staff	233.4	715.5	948.9	231.1	708.5	939.6	-2.3	-7.0	-9.3
General Service staff	64.5		64.5	63.8		63.8	-0.7		-0.7
<i>Subtotal staff</i>	<i>297.9</i>	<i>715.5</i>	<i>1,013.4</i>	<i>294.9</i>	<i>708.5</i>	<i>1,003.4</i>	<i>-3.0</i>	<i>-7.0</i>	<i>-10.0</i>
General temporary assistance		115.4	115.4		114.2	114.2		-1.2	-1.2
Temporary assistance for meetings									
Overtime									
Consultants									
<i>Subtotal other staff</i>		<i>115.4</i>	<i>115.4</i>		<i>114.2</i>	<i>114.2</i>		<i>-1.2</i>	<i>-1.2</i>
Travel	4.6	80.5	85.1	4.6	80.5	85.1			
Hospitality									
Contractual services		30.0	30.0		30.0	30.0			
Training									
General operating expenses		6.0	6.0		6.0	6.0			
Supplies and materials									
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>4.6</i>	<i>116.5</i>	<i>121.1</i>	<i>4.6</i>	<i>116.5</i>	<i>121.1</i>			
<b>Total</b>	<b>302.5</b>	<b>947.4</b>	<b>1,249.9</b>	<b>299.5</b>	<b>939.2</b>	<b>1,238.7</b>	<b>-3.0</b>	<b>-8.2</b>	<b>-11.2</b>

**Table 39: Sub-programme 3760: Office of Internal Audit**

3760 Office of Internal Audit	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
Professional staff	402.9		402.9	398.9		398.9	-4.0		-4.0
General Service staff	64.5		64.5	63.8		63.8	-0.7		-0.7
<i>Subtotal staff</i>	<i>467.4</i>		<i>467.4</i>	<i>462.7</i>		<i>462.7</i>	<i>-4.7</i>		<i>-4.7</i>
General temporary assistance	115.4		115.4	114.2		114.2	-1.2		-1.2
Temporary assistance for meetings									
Overtime									
Consultants									
<i>Subtotal other staff</i>	<i>115.4</i>		<i>115.4</i>	<i>114.2</i>		<i>114.2</i>	<i>-1.2</i>		<i>-1.2</i>
Travel	1.1	10.8	11.9	1.1	10.8	11.9			
Hospitality									
Contractual services									
Training	19.3		19.3	19.3		19.3			
General operating expenses									
Supplies and materials									
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>20.4</i>	<i>10.8</i>	<i>31.2</i>	<i>20.4</i>	<i>10.8</i>	<i>31.2</i>			
<b>Total</b>	<b>603.2</b>	<b>10.8</b>	<b>614.0</b>	<b>597.3</b>	<b>10.8</b>	<b>608.1</b>	<b>-5.9</b>		<b>-5.9</b>

**Table 40: Major Programme IV: Secretariat of the Assembly of States Parties**

Major Programme IV Secretariat of the Assembly of States Parties	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
Professional staff	636.2		636.2	630.0		630.0	-6.2		-6.2
General Service staff	290.7		290.7	287.8		287.8	-2.9		-2.9
<i>Subtotal staff</i>	<i>926.9</i>		<i>926.9</i>	<i>917.8</i>		<i>917.8</i>	<i>-9.1</i>		<i>-9.1</i>
General temporary assistance	544.5		544.5	539.1		539.1	-5.4		-5.4
Temporary assistance for meetings	220.0		220.0	220.0		220.0			
Overtime	38.0		38.0	38.0		38.0			
Consultants									
<i>Subtotal other staff</i>	<i>802.5</i>		<i>802.5</i>	<i>797.1</i>		<i>797.1</i>	<i>-5.4</i>		<i>-5.4</i>
Travel	363.9		363.9	386.7		386.7	22.8		22.8
Hospitality	6.0		6.0	5.0		5.0	-1.0		-1.0
Contractual services	683.0		683.0	683.0		683.0			
Training	9.9		9.9	9.9		9.9			
General operating expenses	24.4		24.4	24.4		24.4			
Supplies and materials	14.7		14.7	14.7		14.7			
Furniture and equipment	5.0		5.0	5.0		5.0			
<i>Subtotal non-staff</i>	<i>1,106.9</i>		<i>1,106.9</i>	<i>1,128.7</i>		<i>1,128.7</i>	<i>21.8</i>		<i>21.8</i>
<b>Total</b>	<b>2,836.3</b>		<b>2,836.3</b>	<b>2,843.6</b>		<b>2,843.6</b>	<b>7.3</b>		<b>7.3</b>

**Table 41: Sub-programme 4100: Conference**

4100 Conference	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
Professional staff									
General Service staff									
<i>Subtotal staff</i>									
General temporary assistance	274.5		274.5	271.9		271.9	-2.6		-2.6
Temporary assistance for meetings	160.0		160.0	160.0		160.0			
Overtime	20.0		20.0	20.0		20.0			
Consultants									
<i>Subtotal other staff</i>	<i>454.5</i>		<i>454.5</i>	<i>451.9</i>		<i>451.9</i>	<i>-2.6</i>		<i>-2.6</i>
Travel									
Hospitality									
Contractual services	591.0		591.0	591.0		591.0			
Training									
General operating expenses	24.4		24.4	24.4		24.4			
Supplies and materials	10.0		10.0	10.0		10.0			
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>625.4</i>		<i>625.4</i>	<i>625.4</i>		<i>625.4</i>			
<b>Total</b>	<b>1,079.9</b>		<b>1,079.9</b>	<b>1,077.3</b>		<b>1,077.3</b>	<b>-2.6</b>		<b>-2.6</b>

**Table 42: Sub-programme 4200: Secretariat of the Assembly of States Parties**

4200 Secretariat of the Assembly of States Parties	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
Professional staff	486.9		486.9	480.7		480.7	-6.2		-6.2
General Service staff	290.7		290.7	287.8		287.8	-2.9		-2.9
<i>Subtotal staff</i>	<i>777.6</i>		<i>777.6</i>	<i>768.5</i>		<i>768.5</i>	<i>-9.1</i>		<i>-9.1</i>
General temporary assistance	165.1		165.1	162.3		162.3	-2.8		-2.8
Temporary assistance for meetings									
Overtime	18.0		18.0	18.0		18.0			
Consultants									
<i>Subtotal other staff</i>	<i>183.1</i>		<i>183.1</i>	<i>180.3</i>		<i>180.3</i>	<i>-2.8</i>		<i>-2.8</i>
Travel	67.2		67.2	90.0		90.0	22.8		22.8
Hospitality	6.0		6.0	5.0		5.0	-1.0		-1.0
Contractual services									
Training	9.9		9.9	9.9		9.9			
General operating expenses									
Supplies and materials	4.7		4.7	4.7		4.7			
Furniture and equipment	5.0		5.0	5.0		5.0			
<i>Subtotal non-staff</i>	<i>92.8</i>		<i>92.8</i>	<i>114.6</i>		<i>114.6</i>	<i>21.8</i>		<i>21.8</i>
<b>Total</b>	<b>1,053.5</b>		<b>1,053.5</b>	<b>1,063.4</b>		<b>1,063.4</b>	<b>9.9</b>		<b>9.9</b>

**Table 43: Sub-programme 4400: Office of the President of the Assembly**

4400 Office of the President of the Assembly of States Parties	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
Professional staff									
General Service staff									
<i>Subtotal staff</i>									
General temporary assistance	104.9		104.9	104.9		104.9			
Temporary assistance for meetings									
Overtime									
Consultants									
<i>Subtotal other staff</i>	<i>104.9</i>		<i>104.9</i>	<i>104.9</i>		<i>104.9</i>			
Travel	34.1		34.1	34.1		34.1			
Hospitality									
Contractual services	12.0		12.0	12.0		12.0			
Training									
General operating expenses									
Supplies and materials									
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>46.1</i>		<i>46.1</i>	<i>46.1</i>		<i>46.1</i>			
<b>Total</b>	<b>151.0</b>		<b>151.0</b>	<b>151.0</b>		<b>151.0</b>			

**Table 44: Sub-programme 4500: Committee on Budget and Finance**

4500 Committee on Budget and Finance	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
Professional staff	149.3		149.3	149.3		149.3			
General Service staff									
<i>Subtotal staff</i>	<i>149.3</i>		<i>149.3</i>	<i>149.3</i>		<i>149.3</i>			
General temporary assistance									
Temporary assistance for meetings	60.0		60.0	60.0		60.0			
Overtime									
Consultants									
<i>Subtotal other staff</i>	<i>60.0</i>		<i>60.0</i>	<i>60.0</i>		<i>60.0</i>			
Travel	262.6		262.6	262.6		262.6			
Hospitality									
Contractual services	80.0		80.0	80.0		80.0			
Training									
General operating expenses									
Supplies and materials									
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>342.6</i>		<i>342.6</i>	<i>342.6</i>		<i>342.6</i>			
<b>Total</b>	<b>551.9</b>		<b>551.9</b>	<b>551.9</b>		<b>551.9</b>			

**Table 45: Major Programme V: Rent and Maintenance (Interim Premises)**

Major Programme V Rent and Maintenance (Interim Premises)	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
Professional staff									
General Service staff									
<i>Subtotal staff</i>									
General temporary assistance									
Temporary assistance for meetings									
Overtime									
Consultants									
<i>Subtotal other staff</i>									
Travel									
Hospitality									
Contractual services									
Training									
General operating expenses	5,900.7		5,900.7	5,900.7		5,900.7			
Supplies and materials									
Furniture and equipment									
<i>Subtotal non-staff</i>	<i>5,900.7</i>		<i>5,900.7</i>	<i>5,900.7</i>		<i>5,900.7</i>			
<b>Total</b>	<b>5,900.7</b>		<b>5,900.7</b>	<b>5,900.7</b>		<b>5,900.7</b>			

**Table 46: Major Programme VI: Secretariat of the Trust Fund for Victims**

Major Programme VI Secretariat of the Trust Fund for Victims	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
Professional staff	171.3	437.5	608.8	169.6	433.3	602.9	-1.7	-4.2	-5.9
General Service staff	64.5	64.5	129.0	63.8	63.8	127.6	-0.7	-0.7	-1.4
<i>Subtotal staff</i>	<i>235.8</i>	<i>502.0</i>	<i>737.8</i>	<i>233.4</i>	<i>497.1</i>	<i>730.5</i>	<i>-2.4</i>	<i>-4.9</i>	<i>-7.3</i>
General temporary assistance	213.6	69.1	282.7	211.5	69.1	280.6	-2.1		-2.1
Temporary assistance for meetings									
Overtime									
Consultants		110.0	110.0		110.0	110.0			
<i>Subtotal other staff</i>	<i>213.6</i>	<i>179.1</i>	<i>392.7</i>	<i>211.5</i>	<i>179.1</i>	<i>390.6</i>	<i>-2.1</i>		<i>-2.1</i>
Travel	106.6	126.0	232.6	106.6	126.0	232.6			
Hospitality	2.5		2.5	2.5		2.5			
Contractual services	100.0	80.0	180.0	100.0	80.0	180.0			
Training	6.0	15.6	21.6	6.0	15.6	21.6			
General operating expenses	5.0	10.0	15.0	5.0	10.0	15.0			
Supplies and materials	3.0		3.0	3.0		3.0			
Furniture and equipment	5.0	5.0	10.0	5.0	5.0	10.0			
<i>Subtotal non-staff</i>	<i>228.1</i>	<i>236.6</i>	<i>464.7</i>	<i>228.1</i>	<i>236.6</i>	<i>464.7</i>			
<b>Total</b>	<b>677.5</b>	<b>917.7</b>	<b>1,595.2</b>	<b>673.0</b>	<b>912.8</b>	<b>1,585.8</b>	<b>-4.5</b>	<b>-4.9</b>	<b>-9.4</b>

**Table 47: Major Programme VII.1: Project Director's Office**

Major Programme VII.1 Project Director's Office	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
Professional staff	532.4		532.4	527.2		527.2	-5.2		-5.2
General Service staff	64.5		64.5	63.8		63.8	-0.7		-0.7
<i>Subtotal staff</i>	<i>596.9</i>		<i>596.9</i>	<i>591.0</i>		<i>591.0</i>	<i>-5.9</i>		<i>-5.9</i>
General temporary assistance									
Temporary assistance for meetings									
Overtime									
Consultants									
<i>Subtotal other staff</i>									
Travel	18.0		18.0	18.0		18.0			
Hospitality	2.5		2.5	2.5		2.5			
Contractual services	661.0		661.0	661.0		661.0			
Training	3.2		3.2	3.2		3.2			
General operating expenses	4.0		4.0	4.0		4.0			
Supplies and materials	1.5		1.5	1.5		1.5			
Furniture and equipment	2.0		2.0	2.0		2.0			
<i>Subtotal non-staff</i>	<i>692.2</i>		<i>692.2</i>	<i>692.2</i>		<i>692.2</i>			
<b>Total</b>	<b>1,289.1</b>		<b>1,289.1</b>	<b>1,283.2</b>		<b>1,283.2</b>	<b>-5.9</b>		<b>-5.9</b>

**Table 48: Programme 7110: Project Director's Office for Permanent Premises**

7110 Project Director's Office for Permanent Premises	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
Professional staff	532.4		532.4	527.2		527.2	-5.2		-5.2
General Service staff	64.5		64.5	63.8		63.8	-0.7		-0.7
<i>Subtotal staff</i>	596.9		596.9	591.0		591.0	-5.9		-5.9
General temporary assistance									
Temporary assistance for meetings									
Overtime									
Consultants									
<i>Subtotal other staff</i>									
Travel	18.0		18.0	18.0		18.0			
Hospitality	2.5		2.5	2.5		2.5			
Contractual services	65.5		65.5	65.5		65.5			
Training	3.2		3.2	3.2		3.2			
General operating expenses	4.0		4.0	4.0		4.0			
Supplies and materials	1.5		1.5	1.5		1.5			
Furniture and equipment	2.0		2.0	2.0		2.0			
<i>Subtotal non-staff</i>	96.7		96.7	96.7		96.7			
<b>Total</b>	<b>693.6</b>		<b>693.6</b>	<b>687.7</b>		<b>687.7</b>	<b>-5.9</b>		<b>-5.9</b>

**Table 49: Programme 7120: ICC Staff Resource and Management Support for the Permanent Premises**

7120 ICC Staff Resource and Management Support for the Permanent Premises	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
Professional staff									
General Service staff									
<i>Subtotal staff</i>									
General temporary assistance									
Temporary assistance for meetings									
Overtime									
Consultants									
<i>Subtotal other staff</i>									
Travel									
Hospitality									
Contractual services	595.5		595.5	595.5		595.5			
Training									
General operating expenses									
Supplies and materials									
Furniture and equipment									
<i>Subtotal non-staff</i>	595.5		595.5	595.5		595.5			
<b>Total</b>	<b>595.5</b>		<b>595.5</b>	<b>595.5</b>		<b>595.5</b>			

**Table 50: Programme 7130: 2gv Element (Non Integrated User Equipment)**

7130 2gv Element (Non Integrated User Equipment)	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
Professional staff									
General Service staff									
<i>Subtotal staff</i>									
General temporary assistance									
Temporary assistance for meetings									
Overtime									
Consultants									
<i>Subtotal other staff</i>									
Travel									
Hospitality									
Contractual services									
Training									
General operating expenses									
Supplies and materials									
Furniture and equipment									
<i>Subtotal non-staff</i>									
<b>Total</b>									

**Table 51: Programme 7200: Accrued Interest, Host State**

7200 Accrued Interest, Host State	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
Professional staff									
General Service staff									
<i>Subtotal staff</i>									
General temporary assistance									
Temporary assistance for meetings									
Overtime									
Consultants									
<i>Subtotal other staff</i>									
Travel									
Hospitality									
Contractual services									
Training									
General operating expenses	170.3		170.3	170.3		170.3			
Supplies and materials									
Furniture and equipment									
<i>Subtotal non-staff</i>	170.3		170.3	170.3		170.3			
<b>Total</b>	<b>170.3</b>		<b>170.3</b>	<b>170.3</b>		<b>170.3</b>			

**Table 52: Major Programme VII.5: Independent Oversight Mechanism**

Major Programme VII.5 Independent Oversight Mechanism	Proposed Budget 2014			Proposed Budget 2014			Difference		
	Before CBF recommendations			After CBF recommendations			Before CBF vs After CBF		
	Basic	Situation- related	Total	Basic	Situation- related	Total	Basic	Situation- related	Total
Professional staff	127.8		127.8	126.5		126.5	-1.3		-1.3
General Service staff									
<i>Subtotal staff</i>	<i>127.8</i>		<i>127.8</i>	<i>126.5</i>		<i>126.5</i>	<i>-1.3</i>		<i>-1.3</i>
General temporary assistance									
Temporary assistance for meetings									
Overtime									
Consultants									
<i>Subtotal other staff</i>									
Travel	4.8		4.8	4.8		4.8			
Hospitality									
Contractual services	40.0		40.0	40.0		40.0			
Training	6.5		6.5	6.5		6.5			
General operating expenses									
Supplies and materials	10.0		10.0	10.0		10.0			
Furniture and equipment	20.0		20.0	20.0		20.0			
<i>Subtotal non-staff</i>	<i>81.3</i>		<i>81.3</i>	<i>81.3</i>		<i>81.3</i>			
<b>Total</b>	<b>209.1</b>		<b>209.1</b>	<b>207.8</b>		<b>207.8</b>	<b>-1.3</b>		<b>-1.3</b>

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## Letter of transmittal

5 July 2013

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 2012.

(Signed) Herman von Hebel  
Registrar

M. Hervé-Adrien Metzger  
Director  
Cour des Comptes,  
13 rue Cambon,  
75100 Paris Cedex 01  
France

## Statement on Internal Financial Control

### Scope of responsibilities

In accordance with Financial Rule 101.1(b), the Registrar in his capacity as principal administrative officer of the Court is “*responsible and accountable for ensuring that these Rules are administered in a coherent manner by all organs of the Court, including through appropriate institutional arrangements with the Office of the Prosecutor with regard to management and administrative functions falling under the authority of that Office by virtue of article 42, paragraph 2, of the Rome Statute*”. Based on Financial Regulation 11 and, inter alia, Rule 111.1, responsibility for the accounts is assigned to me. Compliant with this Financial Regulation and Rule, I have prescribed and maintained financial and subsidiary records; established accounting procedures for the Court; and designated the officials responsible for performing accounting functions.

In line with the Court’s Financial Regulation 1.4, these “*Regulations shall be implemented in a manner consistent with the responsibilities of the Prosecutor and the Registrar as set out in articles 42, paragraph 2, and 43, paragraph 1, of the Rome Statute. The Prosecutor and the Registrar shall cooperate, taking into account the independent exercise by the Prosecutor of his or her functions under the Statute*”.

Furthermore, following Financial Regulation 10.1, as Registrar I have the responsibility for maintaining “*an internal financial control which shall provide for effective current examination and/or review of financial transactions in order to ensure:*

- (a) *The regularity of the receipt, custody and disposal of all funds and other financial resources of the Court;*
- (a) *The conformity of obligations and expenditures with the appropriations or other financial provisions voted by the Assembly of States Parties, or with the purposes and rules relating to trust funds and special accounts; and*
- (c) *The economic use of resources of the Court”.*

Having made appropriate institutional arrangements in cooperation with the Office of the Prosecutor as provided for in Rule 101.1(b), I am satisfied, that appropriate systems of internal financial control have been in place throughout the financial period of 2012.

### Review of effectiveness of the system of internal financial control

The effectiveness of the system of internal financial control and of compliance with the Court’s Financial Regulations and Rules relies on operational managers (certifying officers) within the Court. To strengthen the internal financial control within the Court, comprehensive training for certifying officers has been implemented. A new training curriculum was developed and launched in February 2012; this training is mandatory for all certifying officers.

My review of the effectiveness of the system of internal control and of compliance with the Court's Financial Rules and Regulations is informed by the work of the internal auditors to date; the work of the operational managers within the Registry who have responsibility for the maintenance of the internal control framework; and comments made to date by the external auditors in their management letter and other reports.

I am satisfied that I have received the necessary assurances to confirm that an adequate framework of internal financial control was in place during the year 2012.

During 2012 the Registrar of the Court was Ms Silvana Arbia. I was elected as the Registrar of the Court on 8 March 2013.

Herman von Hebel  
Registrar

5 July 2013

## **Independent auditor's opinion and report to the Assembly of States Parties**

We have audited the Financial Statements of the International Criminal Court (ICC), for the 12 month period ended 31 December 2012. These Financial Statements include a statement of income and expenditure and changes in fund balances, a statement of assets, liabilities, reserves and fund balances, a cash flow statement, a statement of appropriations and a statement of Contingency Fund Applications and other information and notes for the financial year ending at that date.

By virtue of Article 11 of the Financial Regulations, the Registrar of the International Criminal Court is responsible for preparing and presenting the financial statements. These statements are in conformity with the United Nations System Accounting Standards (UNSAS). This responsibility includes the design, implementation and monitoring of internal control procedures to ensure the preparation and the fair presentation of financial statements, free of significant misstatements, resulting either from frauds or errors. This responsibility also includes the determination of fair accounting estimates adapted to the circumstances.

Our responsibility is to express an opinion on these financial statements based on our audit. We have conducted our audit in accordance with the International Standards on Auditing (ISA). These Standards require us to comply with the ethical rules and to plan and perform our audit in order to obtain a reasonable assurance that the financial statements are free from material misstatements.

An audit consists in implementing audit procedures in order to collect audit evidence regarding the amounts and the information presented in the financial statements. The design of the audit procedures is based on the external auditor's professional judgment, as well as the risk evaluation that the financial statements include significant misstatements, resulting either from frauds or errors. In the context of this risk evaluation, the auditor considers the internal control in place for the preparation and presentation of the financial statements, in order to design appropriate audit procedures and not in order to express any opinion on the internal control. An audit also consists in evaluating that the accounting method applied and the presentation of the financial statements are appropriate and that the significant accounting estimates are reasonable.

We believe that the audit evidence collected is sufficient and appropriate to constitute a reasonable basis for our opinion.

Based on our audit, the financial statements give a fair view of the income and expenditure and changes in fund balances as well as the assets, liabilities, reserves and fund balances, cash flow, appropriations and contingency fund applications of the International Criminal Court as at 31 December 2012, for the 12 month period ended 31 December 2012 in conformity with the UNSAS.

Didier MIGAUD

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France

## Report on the 2012 Financial Statement audit

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### Audit objective, scope and approach

1. We have audited the financial statements of the International Criminal Court (ICC) in accordance with International Standards on Auditing (ISA) and in accordance with Regulation 12 of its Financial Regulations and Rules, including the additional terms of reference governing the audit.
2. The overall objective of an audit of financial statements is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, thereby enabling the auditor to express an opinion on whether the financial statements are prepared, in all material respects, in accordance with the applicable financial framework.
3. The additional terms of reference governing the audit of the International Criminal Court, disclosed in the annex 6.(c) to the Financial Regulations and Rules lists other matters, which the Auditor considers should be brought to the notice of the Assembly of States Parties, such as wasteful or improper expenditure of the Court's money and other assets, and expenditure not in accordance with the intention of the Assembly of States Parties.
4. The audit mission comprised three phases:
  - (a) A risk analysis phase carried out in the first year of the external audit mandate, from 01 to 05 October 2012;
  - (b) An interim audit, focusing on internal controls, budgeting and governance issues, from 03 to 14 December 2012; and
  - (c) A final audit, focusing on the financial statements and disclosure requirements in general, from 03 to 21 June 2013.
5. Findings and recommendations arising from the audit are set out in the summary below and further developed in the report. We noted that a significant number of recommendations resulting from the previous audit carried out by the United Kingdom National Audit Office were either implemented or in the process of being implemented. These are disclosed in the annex to this report.
6. The Auditor has received a Letter of representation, signed by the three signatories to the letter of engagement on 14 January 2013.
7. Findings and recommendations have been discussed with the Registrar and his team. The final meeting with the Registrar, the Director of Common Administrative Services

Division, the Chief of Budget and Finance Section relating to recommendations included in the draft audit report took place on 20 June 2013.

8. The draft observations have been reviewed, taking into account the written comments sent by the International Criminal Court.

## Summary of 2012 recommendations

**Recommendation n°1:** The External Auditor recommends improving the organization of the budget and finance section to ensure that the accounting function is able to respond in a timely manner to reasonable demands from the External Auditor. This should also put meeting the requirements of the upcoming implementation of IPSAS standards, as a key priority for the accounting function.

**Recommendation n°2:** The External Auditor recommends reinforcing and clarifying the roles of the Prosecutor and the Registrar and amending where necessary the Financial Rules and Regulations (FRR) as follows:

(a) taking a service orientated standpoint, prepare in a collegial manner a detailed administrative manual (currently missing), which sets out the complete set of rules to be abided by all organs of the Court. These rules should specifically aim to limit duplications and address situations where compliance to the rules may be subject to diverging interpretations, in particular between the Registrar and the Prosecutor. These may cover security, IT equipment, telecommunications, translations, recruitment procedures, field operational practices, office rental in the field, specific rules for miscellaneous obligating documents (MOD);

(b) reaffirm the Registrar's role and responsibility over the regularity and compliance with ICC's Financial Rules and Regulations and administrative manual rules for all expenditure incurred within ICC, including expenditure incurred by the Office of the Prosecutor. As part of the processing of payments and liquidation of MOD's, the Finance Section at the Registrar should carry out a regularity and compliance check of all expenditure items and MOD liquidations;

(c) make reference in the FRR to a list of the key reasons, which could support the Registrar's decisions to reject an expenditure item (examples given as an illustration: not compliant with rules, inaccuracy of certifications delivered by Certifying Officers, wrong budgetary postings...);

(d) the Registrar should be in a position to reject this expenditure, if he/she deems that these are not compliant with ICC's Financial Rules and Regulations and administrative rules detailed in the manual. The Prosecutor, in turn should be able to override the Registrar's decision if she/he disagrees with the Registrar interpretation of the rules. In this case, when the Prosecutor's overrides the Registrar's decision to reject an expenditure item, it will in effect transfer the overall responsibility over to the Prosecutor and discharge the Registrar's own; and

(e) every 'exception' should be recorded and presented in an annual report to the States Parties, which will be reviewed by the External Auditor in the view to express an opinion on the interpretations made by the relevant parties.

**Recommendation n°3:** The External Auditor recommends putting a halt to the funding of annual leave and repatriation grants liabilities, until an appropriate funding mechanism is set up and funds are invested according to a medium-to-long term strategy. Moreover, amounts accumulated to date of €10.9 million currently deposited in ICC bank accounts, should be reconsidered by States Parties, given that there is no legal requirement for such benefits to be totally funded.

**Recommendation n°4:** Given the highly 1.7 Million Euro surplus balance between budgeted and actual 2012 common staff costs, the External Auditor recommends improving the transparency of the budgeting process of staff costs by ensuring that the surplus balance and how this has been spent, is clearly reported to States Parties.

**Recommendation n°5:** The External Auditor recommends that ICC internal procedures relating to access rights to the SAP IT accounting system be implemented and in particular that access rights be granted according to staff function and in compliance with appropriate segregation of duties. ICC must also modify its SAP configuration, to align the system for setting passwords and traceability in accordance with ICC security policy.

**Recommendation n°6:** The External Auditor recommends that ICC improve its monitoring of outstanding unliquidated obligations (ULOs) in order to reduce the level of cancellations of prior period's obligations. Every unliquidated obligation should be supported by a valid obligating document, the validity of which should be reviewed on a regular basis by the certifying officers and at the time of the financial reporting by the Budget and Finance Section. The External Auditor recommends to increase the monitoring of ULOs of the sections with high levels of cancellations such as Counsel Support, IT, Human Resources and Detention.

## **Main findings and recommendations**

### **General issues relating to the accounting function and the conduct of the audit**

9. The International Criminal Court has provided the Auditor and its staff free access to all books and records and other documentation which are, in the opinion of the Auditor, necessary for the performance of the audit.

10. However, access to books and records such as a trial balance which reconciles to the financial statements was provided with considerable delay after repeated requests from the Auditor.

11. Part of the explanation provided by the Court to justify these delays relates to the fact that the audit mission took place during a work intensive budget preparation phase and that at ICC, both budget and accounting fall under the same section. However it is worth noting that the audit mission had been announced with sufficient anticipation for the ICC to get prepared to face its obligations regarding the provision of documents and data.

12. More substantially, the difficulties encountered and considerable delays demonstrate that the current organizational structure of the finance section, with both budgeting and accounting falling within a single section is not optimal to ensure timely and efficient support to the audit process.

13. Furthermore, ICC is currently in a transition phase to present its financial statements under International Public Sector Accounting Standards (IPSAS). Compliance with IPSAS standards will require a significant reorganization of ways of working and increased pressure over the accounting function.

### **Recommendation n°1**

The External Auditor recommends improving the organization of the budget and finance section to ensure that the accounting function is able to respond in a timely manner to reasonable demands from the External Auditor. This should also put meeting the requirements of the upcoming implementation of IPSAS standards, as a key priority for the accounting function.

### **Reinforcing and clarifying the roles of the Prosecutor and the Registrar**

14. The Registrar is the principal administrative officer and the overall budget holder of the Court but the Prosecutor is given by Statute a high level of independence. This in itself can be the cause of considerable disagreements, and in extreme cases possibly generate tensions, particularly if the current regulatory framework is not sufficiently detailed and clear.

15. The Registrar is also in charge of setting up and implementing appropriate internal controls over the entire Court. This could be seen at a first glance as being in conflict with the independence of the Office of the Prosecutor.

16. One matter that the States Parties and all three organs of the Court seem to agree upon is the question of the ‘one court system’. Even though the Prosecutor should be allowed to operate independently as established by statute, this does not imply that the Office of the Prosecutor should literally operate as an independent entity. Indeed, the Office of the Prosecutor forms part of the one court system, just as the Registrar, the Presidency and the Chambers. This implies that all organs of the Court fall under a unique internal control framework.

17. A number of support costs such as IT equipment and translation costs relating to services provided to the Office of the Prosecutor are part of the Registrar’s Major Programme’s budget. This means that the Registrar approves the expenditure incurred to ensure the provision of services that directly support the prosecution activities.

18. The Registrar’s internal control mandate implies that he/she shall ensure that all expenditure incurred by all organs of the Court are legal and in compliance with ICC rules and regulations.

19. The Prosecutor’s independent mandate implies that she/he is able to approve all expenditure within her/his budget, which she/he deems necessary and appropriate to meet ICC Office of the Prosecutor’s objectives.

20. The question therefore lies when an established rule is unclear or that there is no rule altogether. This creates a situation when both heads of organs may end up making a diverging interpretation. On one hand the Registrar may consider that the expenditure is not compliant with ICC rules and on the other, the Prosecutor may consider that this expenditure is necessary and appropriate in line with her/his activities.

21. Budget implementation should always result from, on one hand a decision to incur an expenditure item, and on the other hand an operation of control. It is essential for the Prosecutor to be given the freedom of appreciation and choice because she/he is the only officer capable of judging the necessity and expediency of an expense in her/his Office. However this is only acceptable if it is applied within a control framework in compliance with the rules, a responsibility which falls with the Registrar.

22. ICC should in theory therefore only incur expenditure if the following two rules are met:

(a) The Prosecutor, as a budget holder, should be responsible for decision-making over expenditure in her/his Office directly relating to prosecution activities; and

(b) The Registrar, with overall responsibility over internal controls, should be responsible for ensuring that all expenditure incurred by the Court is legal and compliant with the rules.

### **Recommendation n°2**

The External Auditor recommends reinforcing and clarifying the roles of the Prosecutor and the Registrar and amending where necessary the Financial Rules and Regulations (FRR) as follows:

(a) prepare in a collegial manner a detailed administrative manual (currently missing), which sets out the complete set of rules to be abided by all organs of the Court. These rules should specifically aim to limit duplications and address situations where compliance to the rules may be subject to diverging interpretations, in particular between the Registrar and the Prosecutor. These may cover security, IT equipment, telecommunications, translations, recruitment procedures, field operational practices, office rental in the field, specific rules for miscellaneous obligating documents (MOD);

(b) reaffirm the Registrar’s role and responsibility over the regularity and compliance with ICC’s Financial Rules and Regulations and administrative manual rules for all expenditure incurred within ICC, including expenditure incurred by the Office of the Prosecutor. As part of the processing of payments and liquidation of MOD’s, the Finance Section at the Registrar should carry out a regularity and compliance check of all expenditure items and MOD liquidations;

(c) make reference in the FRR to a list the key reasons, which could support the Registrar’s decisions to reject an expenditure item (examples given as an illustration: not compliant with rules, inaccuracy of certifications delivered by Certifying Officers, wrong budgetary postings...);

(d) the Registrar should be in a position to reject this expenditure, if he/she deems that these are not compliant with ICC's Financial Rules and Regulations and administrative rules detailed in the manual. The Prosecutor, in turn should be able to override the Registrar's decision if she/he disagrees with the Registrar interpretation of the rules. In this case, when the Prosecutor's overrides the Registrar's decision to reject an expenditure item, it will in effect transfer the overall responsibility over to the Prosecutor and discharge the Registrar's own; and

(e) every 'exception' should be recorded and presented in an annual report to the States Parties, which will be reviewed by the External Auditor in the view to express an opinion on the interpretations made by the relevant parties.

### **Funding of annual leave and repatriation grants accruals**

23. ICC accounts for its employee benefit liabilities related to annual leave and repatriation grants as a liability in the Statement of assets, liabilities, reserves and fund balances valued at €8.8 million for repatriation grant accrual and €1.1 million for annual leave accrual as at 31 December 2012.

24. According to UNSAS<sup>1</sup>, a liability is a present obligation of an organization arising from past events, the settlement of which is expected to result in an outflow of resources from the organization. It is therefore appropriate to account for annual leave and repatriation obligations.

25. UNSAS standards however do not require that these accounting obligations are budgeted for and thus deducted from the cash surplus credited to States Parties.

26. The annual charges relating to this accounting liability is deducted from the cash surplus credited to States Parties. In total, through this mechanism, ICC has raised €0.9 million of cash at 31 December 2012.

27. The decision to fund these accounting obligations is based on the decision to apply an accruals budgeting method, rather than cash budgeting.

28. These funds aim to cover the total liability arising in the situation where the entire ICC staff would leave the organization at the year end. Under the going concern principle, such an event is unlikely to happen.

29. Currently these funds are deposited in accordance with ICC's minimal risk short term deposit accounts. They have not been allocated to a special account in order to earmark this asset and apply specific governance rules and a longer term investment strategy.

30. In total, cash term deposits of ICC amounting to €5.7 million include €0.9 million, which relate to the accumulation of funds to cover for staff benefits accounting liabilities.

### **Recommendation n°3**

The External Auditor recommends putting a halt to the funding of annual leave and repatriation grants liabilities, until an appropriate funding mechanism is set up and funds are invested according to a medium-to-long term strategy. Moreover, amounts accumulated to date of €0.9 million currently deposited in ICC bank accounts, should be reconsidered by States Parties, given that there is no legal requirement for such benefits to be totally funded.

### **Improvement of transparency of budget preparation process**

31. Budgeted salaries include actual salary costs and common staff costs calculated at a rate of 47.5% of salary costs, for all categories of personnel (Professional and General Service Staff and General Temporary Assistance) except judges

32. Actual average common staff costs in 2010, that should have been used as a basis for the preparation of the budget for 2012, represented 43.8% of salary costs.

<sup>1</sup> *United Nations System Accounting Standards*

33. The decision to apply a 47.5% common staff costs ratio rather than the 2010 ratio of 43.8%, has generated an across the board surplus balance of 1.7 Million Euro for 2012.

34. It is understood that budgets are prepared based on estimates and estimated ratios, however the difference between budgeted and actual common staff costs is highly significant and this has not been disclosed in budget performance reports to States Parties.

#### **Recommendation n°4**

Given the highly €1.7 million surplus balance between budgeted and actual 2012 common staff costs, the External Auditor recommends improving the transparency of the budgeting process of staff costs by ensuring that the surplus balance and how this has been spent, is clearly reported to States Parties.

#### **Access to and control over the SAP IT accounting system**

35. ICC internal procedures are well designed and take into account best practices. They specifically recommend reducing and monitoring privileged access right, logging access, performing an access rights review on a regular basis. They also define user identification and authentication processes and the creation, modification and withdrawal of access rights. Specific SAP procedures were developed following recommendations made as part of an internal audit carried out in 2009.

36. Despite the existence of internal procedures, significant internal control weaknesses have been noted.

37. Privileged unlimited active rights are currently granted to five members of the SAP team (ITC) for troubleshooting purposes, in order to provide operational, technical and functional support to the SAP system.

38. This explains how 154 account postings have been made by an IT staff in 2012 and although these postings may have been made on behalf of the Finance Team, there is no written evidence to support this.

39. Moreover, no review of access rights has been completed in 2012. As a result, access has not been cancelled for 20 users, who have now left ICC. This is a significant internal control weakness given that access to the SAP system should only be restricted to authorized personnel.

40. Finally, there are no logs made in terms of authentication and traceability. This means that it is not possible to apply ICC's security policy and monitor, for instance, who has opened or closed a posting period and when did this occur.

#### **Recommendation n°5**

The External Auditor recommends that ICC internal procedures relating to access rights to the SAP IT accounting system be implemented and in particular that access rights be granted according to staff function and in compliance with appropriate segregation of duties. ICC must also modify its SAP configuration, to align the system for setting passwords and traceability in accordance with ICC security policy.

#### **Reducing future cancellation of orders**

41. Unliquidated obligations (ULO) 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 recognized by the Court. Regulation 4.5 of ICC's Financial Regulations and Rules states that "*appropriations shall remain available for twelve months following the end of the financial period to which they relate to the extent that they are required to liquidate any outstanding legal obligations of the financial period*".

42. Each year a significant amount of prior commitments are cancelled and recorded as savings on prior period's obligations in net assets. For instance, out of €6 million included as commitments at 31 December 2011, €1.2 million were cancelled and recorded as a saving in 2012.

43. A detailed analysis of commitments accounted for in 2012, shows that only a few ICC sections account for a majority of these: Counsel Support (€1.7 million), IT (€0.7 million), Human Resources (€0.6 million) and Detention (€0.5 million). This represents nearly half of unliquidated obligations accounted for.

44. Commitments are cancelled by various ICC sections and the reasons and justification to support these cancellations are not systematically communicated to the Finance section responsible for their monitoring.

45. The External Auditor noted the efforts made by the Finance section in the past four years to reduce the number of commitments that will be cancelled in the future. Despite these efforts, there remains a considerable amount of commitments cancelled each year as illustrated in paragraph 42.

46. Although there is nothing to indicate that unliquidated commitments recorded at year end are not valid, monitoring of these outstanding commitments, particularly for the sections who account for a majority of these, remains insufficient.

#### **Recommendation n°6**

The External Auditor recommends that ICC improve its monitoring of outstanding unliquidated obligations (ULOs) in order to reduce the level of cancellations of prior period's obligations. Every unliquidated obligation should be supported by a valid obligating document, the validity of which should be reviewed on a regular basis by the certifying officers and at the time of the financial reporting by the Budget and Finance Section. The External Auditor recommends to increase the monitoring of ULOs of the sections with high levels of cancellations such as Counsel Support, IT, Human Resources and Detention.

## **Acknowledgements**

47. The External Auditor wishes to thank the ICC staff, namely the members of the Office of the Registrar, for the cooperation and general support provided to the audit teams during the audit.

## Annex

### Follow-up of previous recommendations raised by the United Kingdom National Audit Office

<i>N°</i>	<i>Subject</i>	<i>Recommendations</i>	<i>Completed</i>	<i>Partially completed</i>	<i>Not yet completed</i>	<i>No longer applicable</i>
1	Working Capital Fund	We recommend that the Court reviews its working capital requirements and exposures and consider whether the current level of its Working Capital Fund remains sufficient.	X			
2	Permanent premises - budget and risk management	We recommend clarifying the working procedures for governance of the contingency monies before the construction phase commences.	X			
3	Permanent premises - budget and risk management	We recommend refreshing the risk register and associated contingency allowances when the prices for the main construction work are known.	X			
4	Permanent premises - budget and risk management	We recommend obtaining specialist funding input, to inform the asset management strategy.		X		
5	Permanent premises - project management and controls	We recommend that the project team prioritizes all outstanding design issues by their costs, and deals with all of them before the award of the main contract.	X			
6	Permanent premises - project management and controls	We recommend that the Oversight Committee should clearly state and enforce the mandate to perform continuous assurance with immediate effect, ensuring such work is appropriately funded.	X			
7	Permanent premises - project management and controls	We recommend, with construction about to start, that the Project Director reviews the change controls, updates them if necessary, and in any event reminds users about them	X			
8	Permanent premises - readiness for operations	We recommend that the Court / Registrar establishes a group to develop the new ways of working in the new building, and then to establish a transition plan.	X			
9	Permanent premises - project resources	We recommend that there are appropriate mechanisms in place to ensure that the Project Director can procure, reward and manage skilled resources in line with the demands of this commercial, fast-moving, high value and iconic project.	X			
10	Internal audit charter	We recommend that the Internal Audit Charter should be periodically reviewed by the Head of Internal Audit and updated where necessary. The review should be presented to senior management and the Audit Committee as soon as practicable.		X		
11	Audit planning and reporting	We recommend that: a) the internal audit planning and reporting periods are aligned to the financial year, this may necessitate the production of an interim report covering only six months before starting an annual cycle; b) the Internal Audit annual report should be prepared shortly after the conclusion of the annual cycle and provide an overview of its key findings; c) OIA should report the outputs delivered compared to those set out in the agreed plan including resource utilization; and d) internal audit should provide an objective evaluation of, and opinion on, the overall adequacy and effectiveness of the organization's framework of governance, risk management and control.		X		
12	Internal audit findings	We recommend that OIA consider adopting consistent definitions for high, medium and low risk linked to the Court's risk management framework.		X		
13	OIA - engagement supervision	We recommend that the new audit manual should be applied to all future OIA assignments and evidence of management review should be clearly documented on all audit files.	X			
14	OIA - training	We recommend that the Office of Internal Audit develop structured training plan identifying needs and skills gaps and use this to support its training budget.	X			
15	OIA - external quality review	We recommend that an external quality review is scheduled and the results should be presented to senior management and the Audit Committee.	X			
16	IPSAS - Financial Rules and Regulations	We recommend that the Court develop the processes and procedures required for a full cost accruals budget to be implemented within two years of preparing IPSAS financial statements.				X
17	IPSAS – implementation plan	We recommend that the Court prepare a detailed project plan to support the implementation of IPSAS. This plan should be agreed by the coordination committee and shared with the new external auditors as soon as is practicable.	X			
<b>Total number of recommendations: 17</b>			<b>12</b>	<b>4</b>	<b>0</b>	<b>1</b>

1. After careful review over the implementation status of recommendations raised by the United Kingdom National Audit Office, it was noted that out of a total of 17 recommendations, 12 have been implemented, four have been partially implemented and one is deemed no longer applicable.
2. Implementation of recommendation n°4 requesting ICC to obtain specialist funding input, to inform the asset management strategy of the permanent premises project is on-going. Several working groups have been scheduled during the course of the year, aiming to present a formal proposal to the Oversight Committee and Committee on Budget and Finance (CBF) to the Assembly of States Parties in November 2013.
3. Recommendations n° 10, 11 and 12 relate to internal audit activities. These recommendations have been partially met. The External Auditor will carry out a complete review of questions relating to the governance of the internal audit function and its activities as part of audit procedures carried out in 2013 and 2014.
4. Recommendation n°16 requests ICC to develop the processes and procedures required for a full cost accruals budget to be implemented within two years of preparing IPSAS financial statements. The United Nations system is currently considering whether or not to adopt accrual budgeting and this is still subject to debate. Until the concept of accrual budgeting is widely adopted by the International Community, including by the United Nations, the External Auditor considers that this recommendation should no longer be applicable for ICC.

## External audit report on financial reporting and management in respect of the permanent premises project – Financial year 2012

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### Audit objectives and scope

1. A team of three external auditors conducted an examination of the financial reporting and management of the Permanent Premises project of the International Criminal Court (“ICC” or “the Court”) for the 2012 financial year. The objective of this audit was to verify the appropriateness, validity and completeness of the financial reporting pertaining to the Permanent Premises project and to conduct an audit of the management of the project. The management audit focused on verifying the legal framework, the financing arrangements, the governance, the time-frame for the implementation of the project, the scope of risks and disputes and compliance with the decisions of the States Parties.
2. The audit was conducted in accordance with the International Standards of Supreme Audit Institutions (ISSAI), including ISSAI 3000 pertaining to performance audits and ISSAI 4000 pertaining to compliance audits, with Regulation 12 of the Financial Regulations and Rules of the International Criminal Court and with the letter of engagement dated 14 January 2013.
3. All observations and recommendations were discussed with the relevant personnel. The audit closure meeting was held on 30 May 2013. This report fully takes into account the comments and replies expressed by such personnel.

### Context

4. In 2005, the Assembly of States Parties decided to provide the International Criminal Court with permanent premises, in view of the fact that it is a permanent judicial institution, as opposed to existing international criminal tribunals (Yugoslavia, Lebanon), whose headquarters are also located in or near The Hague.
5. In 2007, the Assembly of States Parties gave its consent to the site proposed by the Dutch authorities. The Assembly authorized a maximum budget of €90 million for the construction and scheduled the installation of the Court in the new premises for 2014. In 2009, the Assembly postponed the completion of the work to 2015 and the relocation to the new premises to 2016.
6. On 16 April 2013, the International Criminal Court laid the first stone of its future permanent premises in The Hague. The buildings will contain 1,200 workstations and three courtrooms occupying a total gross floor area of 52,450 square meters.

7. The permanent seat of the Court will be built to the north of The Hague, near Scheveningen, on land provided by the Dutch State, which will remain the owner of the land. This land was previously occupied by the Alexanderkazerne barracks, the demolition of which, financed by the Dutch government, is now complete.

8. Out of the 171 applications, the selection board chose the design submitted by the Danish architect firm Schmidt Hammer Lassen. This consists of six connected buildings occupying a total gross floor area of 52,450 square meters, comprising three courtrooms with the possibility of a fourth and 1,200 workstations, which may be increased to 1,500. The plans do not include a detention center and the ICC will continue to use the Dutch prison located 1 km from its future headquarters.

9. Further to the tender launched at the end of 2011, the role of general contractor was entrusted to the Dutch firm Visser & Smit / Boele Van Eesteren, which signed an agreement with the Court on 1 October 2012. The Court submitted the building permit application to the City of The Hague authorities a few weeks later than planned. The architect's plans were slightly modified to take local residents' requirements into account. The revised version of the permit application was subject to a further period for the filing of appeals. Delivery of the buildings to the Court is scheduled for December 2015. The Court is due to take up occupancy of its new premises in January 2016.

10. The architect tender procedure was financed by the Dutch State. The building project is financed by the States Parties, which may choose between two methods of payment and must notify their choices before 31 December 2014:

(a) Either: payment of a single lump-sum contribution in one installment, in full and final settlement,

(b) Or: contribute, in proportion to their contribution to the Court's regular budget, to the repayment of the loan granted by the Dutch State to the Court to enable construction to commence.

11. The ad hoc institutional system set up to monitor the project seeks to reconcile two requirements:

(a) efficiency, through the appointment of a small project owner team responsible for the daily monitoring of the project in liaison with the architect and the general contractor; and

(b) sufficient involvement of all the stakeholders: the States Parties, the Court's organs and services, the Host State and the City of The Hague.

12. To this end, the Assembly of States Parties has appointed a Project Director, who chairs a Project Board and reports, in principle on a monthly basis, to an Oversight Committee established in 2005 and comprising ten representatives of the States Parties and one representative of the Host State. The Registrar and Deputy Registrar (but not the Presidency or Office of the Prosecutor) attend the Oversight Committee meetings in the capacity of observers. The Oversight Committee reports to the Committee on Budget and Finance, which in turn reports to the Assembly of States Parties.

13. The Registrar does not take part in the Oversight Committee's decision-making but executes (signs) the contracts.

## List of recommendations

**Recommendation n°1:** the External Auditor recommends that the Court prepare a financial report, in respect of all furniture and equipment not integrated in the design ("2gv"), showing the annual amounts to be included in the Court's annual operating budgets. This financial report will improve project management by providing the States Parties with an overview of these costs.

**Recommendation n°2:** the External Auditor recommends that, from 2013, the Committee on Budget and Finance (CBF) endorse the preparation, from the first euro, of a three-year budget for the period 2014-2016. This action will:

- (a) facilitate forward-looking assessment of the budget in view of the incorporation of the headquarters within the Court’s assets; and
- (b) allow the Court to identify its financing requirements with great precision, especially with regard to the Court’s new *modus operandi* in comparison with previous years.

**Recommendation n°3:** the External Auditor recommends to the Court and to the Oversight Committee that, as of summer 2013, the Permanent Premises project under construction be pronounced as final, apart from modifications which the constructor is already committed to carrying out. The survey of new adaptation requests from Court users should be closed, unless the impact on human resources and the budget is zero, subject to the Project Director’s approval.

**Recommendation n°4:** the External Auditor recommends to the Court and to the Assembly of States Parties that a Steering Committee consisting of the Project Director, one representative of the Oversight Committee, one representative of the Committee on Budget and Finance and one representative of the Internal Audit Committee be set up. The President of the Court, the Prosecutor and the Registrar may also be represented on this committee. The External Auditor recommends that:

- (a) All decisions concerning the transition to the new premises and all proposals concerning the strategic organization of the permanent premises and new *modus operandi* of the ICC be submitted to this Committee; and that
- (b) The secretarial function pertaining to this Committee be assigned to the Project Director.

**Recommendation n°5:** the External Auditor recommends to the Court and to the Oversight Committee that the roles and responsibilities of the Project Director and the Registrar be enhanced and clarified. This entails:

- (a) Delegating to the Project Director the authority to incur expenses pertaining to the predetermined portion of the Permanent Premises project budget to be funded from the Court’s operating budget. This authority shall apply in particular to furniture and equipment not integrated in the design (“2gv”), relocation costs and computer equipment;
- (b) Establishing an administrative procedure setting out the internal rules in precise detail. These rules must enable a clear distinction to be made between the Project Director’s scope of authority and the scope of the Registrar’s role in verifying the validity of items of expenditure, particularly in respect of expenditure funded from the Registrar’s budget;
- (c) Where the rule is not sufficiently clear, the Registrar may refuse the expenditure on the grounds that the incurral or payment of the expense is unauthorized. The Project Director may require that the expense be incurred or paid in view of the project’s requirements; and
- (d) Each of these exceptions shall be detailed in a report to be submitted to the Oversight Committee for ex-post facto approval.

## Financial reporting in respect of the permanent premises project

Two observations arose from our verification of the appropriateness, validity and completeness of the financial reporting pertaining to the Permanent Premises project: one pertaining to the furniture and equipment not integrated in the design (“2gv”) and the other concerning the need to draw up an operating budget for the Court, from the first euro, for the period up to 2016.

### Furniture and equipment not integrated in the design (“2gv”)

14. The creation of the Oversight Committee and the quality of its work and steering are proof of the considerable attention paid by the Assembly, which entrusted the Committee with the oversight of the project, to the construction of its new headquarters. The regular and frequent meetings of the Committee, the assiduity of its questioning, and the number

and magnitude of its discussions on the most important issues prove that its members faithfully express the desire of the States Parties to control expenditure and enhance the transparency of the Court's operation.

15. The extensive involvement of the Committee on Budget and Finance (CBF) in the decision-making process is another aspect of this approach and demand for rigor.

16. All real estate projects carried out in the Netherlands consist of three component features:

- (a) Buildings and structural work;
- (b) Furniture and equipment not integrated in the design ("2gv"); and
- (c) Interior finishing and other fixtures and fittings integrated in the design ("3gv").

17. The total project cost authorized by the Assembly of States Parties is €190 million. The interior finishing and other fixtures and fittings integrated in the design ("3gv"), estimated at €22.1 million, are classified under construction costs and are therefore included in the initial amount of €190 million.

18. Furniture and equipment not integrated in the design ("2gv") will be financed from the Court's annual budget. The Assembly of States Parties has agreed that the cost of these items not integrated in the design ("2gv") be added to the amount of €190 million and be capped at €19.8 million. However, the Project Director estimates the required budget for these items at €25.3 million, an amount now reduced to around €157 million, which has not been approved by the States Parties and is not a valid cap.

#### **Recommendation n°1**

The External Auditor recommends to the Court that it prepares a financial report, in respect of all furniture and equipment not integrated in the design ("2gv"), showing the annual amounts to be included in the Court's annual operating budgets. This financial report will improve project management by providing the States Parties with an overview of these costs.

#### **The Court's operating budget until the year 2016**

19. The Court's relocation to new premises will have numerous repercussions on its operating budget, which will have to be thoroughly surveyed in order to improve financial visibility and facilitate decision-making by the States Parties.

20. The inauguration of the new headquarters will mark the end of an exceptional period during which the Host State hosted the International Criminal Court on its territory free of charge, and then financed the renting of premises in 2012 at an amount of €6.02 million, including €0.9 million of maintenance and administration costs. This lease, borne by the Court but entirely free of charge for it, was terminated in 2012.

21. The Host State agreed to finance 50% of the rent for an additional three-year period, i.e. €2.95 million in 2013. Consequently, from 2013 to the end of 2015, the Court was obliged to include rent costs in its operating budget for the first time. By the end of 2016, without relocation, the Court would have been faced with total expenditure of around €6 million.

22. The decision to become the owner of its premises modifies the cost compared to the operating lease scenario, with regard to both real estate and movable items, and, whilst it confers a number of advantages, it also requires the allocation of new items to its budget. The financing costs of the headquarters construction loan (around €7 million, i.e. 49%), maintenance costs (around €3 million, i.e. 18%) and depreciation charges (around €5 million, i.e. 33%) will amount to an annual total of around €15 million.

23. The project team has not yet proposed a period of depreciation for the capital expenditure relating to preliminary studies, architect's fees, project management support services, preparation fees and other technical studies carried out in connection with the project. These depreciation periods should be determined before the end of the 2014 financial year so as to facilitate the preparation of the Court's budget for 2016. These depreciation charges will represent new and material amounts.

24. Additional expenses will be incurred in connection with relocation management, staff support, new signs, communication concerning the inauguration of the ICC's permanent headquarters, reception and visiting of the new premises, including during the construction work. It is difficult to calculate this expenditure without an in-depth analysis. However, it is without doubt essential, to different extents, to the success of the operation.

25. All expenditure on furniture and equipment will raise questions of expediency in the meantime, as there is no known schedule or set of rules regarding customary replacement. In this respect, the External Auditor noted a degree of ambivalence concerning the status of the current furniture and equipment as to that which was purchased by the Host State (the transfer and future use of which remains to be decided) and that which belongs to the Court.

26. In January 2013, the decision was made to carry out a physical inventory of all furniture and equipment, irrespective of its value, allowing breakdown as per organ and service. The inventory must describe in detail the condition and quality of the equipment, as office furniture is vulnerable during relocation and the applicable environmental or ergonomic standards, which continue to evolve over time, may already have rendered it obsolete.

### **Recommendation n° 2**

The External Auditor recommends that, from 2013, the Committee on Budget and Finance (CBF) endorse the preparation, from the first euro, of a three-year budget for the period 2014-2016. This action will:

- (a) facilitate forward-looking assessment of the budget in view of the incorporation of the headquarters within the Court's assets; and
- (b) allow the Court to identify its financing requirements with great precision, especially with regard to the Court's new *modus operandi* in comparison with previous years.

## **Observations and recommendations concerning the management of the permanent premises project**

### **Closure of the Court user requirements survey**

27. The recognition by the Assembly of States Parties and the Court of a material risk relating to the financing arrangements up until 2012 mostly applies to the period prior to the tender for general contractor. The chosen general contractor is under a contractual obligation to construct the headquarters at a guaranteed maximum price of €47 million, with regard to the predetermined budget envelope of €53 million. Moreover, the initial cap, in accordance with the technical definition, has allowed the interior finishing and other integrated fixtures and fittings ("3gv") to be included. The Assembly has given its consent for the €6 million thus saved to be used to cover the few marginal financial adjustments that will be necessary and which arise as a matter of course in a project of this scale.

28. However, requests from the Court and its staff, submitted after the work has been defined by the general contractor and the contract with the contractor has been signed, for additions, modifications or cancellations should henceforth be limited to minor functional adaptations or technical improvements acceptable to the general contractor.

29. The Court user requirements survey should therefore be closed and the project considered as final and unalterable from the users' point of view.

### **Recommendation n° 3**

The External Auditor recommends to the Court and to the Oversight Committee that, as of summer 2013, the Permanent Premises project under construction be pronounced as final, apart from modifications which the constructor is already committed to carrying out. The survey of new adaptation requests from Court users should be closed, unless the impact on human resources and the budget is zero, subject to the Project Director's approval.

## Governance

### Management of the Permanent Premises project by the ICC

30. The construction of new headquarters is always an onerous undertaking for an institution, its internal organization and its functional departments, which are frequently faced with difficult choices. Therefore, the obligation of transparency and consultation with end users and, in the case of the ICC, the States Parties, is all the more important.

31. The International Criminal Court has existed for less than 12 years and is growing rapidly. This state of affairs has two inevitable repercussions: lack of technical and administrative experience with a view to managing a Permanent Premises project, which is a unique and exceptional project; and enhanced vigilance on the part of the Assembly of States Parties regarding the Court's requests.

32. The work performed to date by the Project Director's Office and the parties involved in the construction work and the ongoing requests for information made by the States Parties' representatives via the Oversight Committee have ensured compliance with the resolutions adopted by the Assembly of States Parties and renewed annually since 2005. The new phase of the work will require even more intensive, dynamic and reactive involvement on the part of the Project Director's Office.

33. The Oversight Committee must be able to ascertain with considerable accuracy the cost of the transition in terms of content and decide on the most appropriate form of governance in order to foster efficient interaction over time between the right parties concerning the right issues, so as to ensure optimal deployment of financial and technical measures regarding the construction of the headquarters.

34. Concurrently, there will be a growing need for inter-departmental meetings to discuss new work arrangements and ways of operating and to face the new challenges generated by the relocation programme. This entails a full and tight schedule, the execution of which should not be disrupted by over-lengthy decision-making. The organization must be able to evolve so as to simultaneously integrate the construction, operational discussion on new arrangements and the transition, the relocation and adaptation to the new premises.

35. From the point of view of project management, the Project Director must therefore be able to rely on the support of all stakeholders of the Court. He must be protected by the institution, which must make decisions collectively and calmly organize major choices in line with a global, strategic vision.

36. At present, however, there is no steering body within the Court responsible for the transition phase on which all stakeholders are represented.

### Recommendation n° 4

The External Auditor recommends to the Court and to the Assembly of States Parties that:

(a) A Steering Committee consisting of the Project Director, one representative of the Oversight Committee, one representative of the Committee on Budget and Finance and one representative of the Internal Audit Committee be set up. The President of the Court, the Prosecutor and the Registrar may also be represented on this committee;

(b) All decisions concerning the transition to the new premises and all proposals concerning the strategic organization of the permanent premises and new *modus operandi* of the ICC be submitted to this Committee; and

(c) The secretarial function pertaining to this Committee be assigned to the Project Director.

### Enhancement and clarification of the roles of the Project Director and the Registrar

37. The delivery of the headquarters requires an ad hoc governance model, as this will impact future regular operations and the optimal use of the new buildings.

38. The construction phase will continue to require centralized decision-making, a proactive approach and full accountability regarding content, deadlines and costs. The governance model must be meticulously defined, even though the transition itself will last only a few years: from 2013 to 2017 at the latest.

39. The work carried out under the Permanent Premises project requires the time organization, forward-looking capability, accountability and rigor that only a single “executive organ” can provide: the Project Director’s Office.

40. The Registrar is the Court’s authorizing officer. However, in connection with the present project, the Registrar delegates responsibility for approving the expediency of expenditure to the Project Director, under the supervision of the Oversight Committee composed of representatives of the States Parties.

41. Thus the Registrar has two duties with regard to the Permanent Premises project: providing support for the project and verifying the validity of expenditure incurred in relation to the project.

42. To ensure the efficacy of his reporting to the Assembly of States Parties, the Project Director must have the authority to decide upon the expediency of his financial commitments whilst adhering to the applicable administrative rules and regulations. During this combined construction and transition preparation phase, the powers of the Project Director must be enhanced and optimized and his relationship with the Registrar must be clarified and formalized through clear administrative rules.

#### **Recommendation n° 5**

The External Auditor recommends to the Court and to the Oversight Committee that the roles and responsibilities of the Project Director and the Registrar be enhanced and clarified. This entails:

(a) Delegating to the Project Director the authority to incur expenses pertaining to the predetermined portion of the Permanent Premises project budget to be funded from the Court’s operating budget. This authority shall apply in particular to furniture and equipment not integrated in the design (“2gv”), relocation costs and computer equipment;

(b) Establishing an administrative procedure setting out the internal rules in precise detail. These rules must enable a clear distinction to be made between matters subject to the Project Director’s authority to assess the expediency and those subject to the Registrar’s duty to verify the validity of an item of expenditure;

(c) Pursuant to these new regulations, the Financial Regulations and Rules and any other applicable procedure, the Registrar may refuse an unauthorized expense. In the event of disagreement, the Project Director may overrule the Registrar’s refusal and require the Registrar to pay on the grounds of the requirements of the project. The Registrar shall be discharged of his liability; and

(d) All such requirements on the part of the Project Director shall be detailed in a report to be submitted to the Oversight Committee for *ex-post facto* approval.

## **Acknowledgements**

43. The External Auditor’s team would like to express its earnest gratitude to all members of the International Criminal Court’s staff who assisted it in its assignment, and in particular to the highest officials of the Court. Particular thanks are due to Mr Neil Bradley, the Director of the Permanent Premises project, and to his assistant Ms Ann Janssens, for their warm welcome, readiness to assist and the invaluable support they gave to ensure the smooth conduct of our assignment. The External Auditor also wishes to thank the Court Registrar, initially Ms Silvia Arbia and subsequently Mr Herman von Hebel, and the entire Registry staff for their co-operation and pertinent responses.

End of audit observations.

## Statement I

### International Criminal Court

#### Statement of income and expenditure and changes in fund balances for the period ending 31 December 2012 (in thousands of euro)

	<i>General Fund &amp; Working Capital Fund</i>		<i>Notes ref.</i>	<i>Trust Funds</i>		<i>Notes ref.</i>	<i>Permanent Premises Notes ref.</i>		<i>Total</i>		
	<i>2012</i>	<i>2011</i>		<i>2012</i>	<i>2011</i>		<i>2012</i>	<i>2011</i>	<i>2012</i>	<i>2011</i>	
<b>Income</b>											
Assessed contributions	108,800	103,608	2.12/4.1	-	-		8,706	11,327	15.4	117,506	114,935
Voluntary contributions	-	-		1,505	2,697	5.2	1,500	-	15.11	3,005	2,697
Interest income	411	484	4.2	4	15	5.3	195	206		610	705
Other/miscellaneous income	351	382	4.3	-	-		-	-		351	382
<i>Total income</i>	<i>109,562</i>	<i>104,474</i>		<i>1,509</i>	<i>2,712</i>		<i>10,401</i>	<i>11,533</i>		<i>121,472</i>	<i>118,719</i>
<b>Expenditure</b>											
Disbursed expenditures	97,841	100,198	2.17/4.4	642	1,552	5.4	8,475	6,596	15.5	106,958	108,346
Unliquidated obligations	7,151	5,536	2.18/4.4	164	101	5.4	107	320	15.5	7,422	5,957
Annual Leave Accrual	338	850	2.24/4.5	-	-		-	-		338	850
Provision for US tax liability	50	76	4.6	-	-		-	-		50	76
Provision for ILO cases	174	-	4.6	-	-		-	-		174	-
Provision for doubtful debt	602	589	4.6	-	-		-	-		602	589
Repatriation Grant Accrual	1,143	677	2.4/4.5	-	-	5.4	-	-		1,143	677
Other Provisions	162	-		-	-		-	-		162	-
<i>Total expenditure</i>	<i>107,461</i>	<i>107,926</i>		<i>806</i>	<i>1,653</i>		<i>8,582</i>	<i>6,916</i>		<i>116,849</i>	<i>116,495</i>
<b>Excess/(shortfall) of income over expenditure</b>	<b>2,101</b>	<b>(3,452)</b>		<b>703</b>	<b>1,059</b>		<b>1,819</b>	<b>4,617</b>		<b>4,623</b>	<b>2,224</b>
Savings on, or cancellation of, prior periods' obligations	1,178	1,614	4.7	10	14		42	-	15.6	1,230	1,628
Credits to States Parties	(1,689)	(2,825)	4.8	-	-		-	-		(1,689)	(2,825)
Refund to donors	-	-		(17)	(28)	5.5	-	-		(17)	(28)
Net increase in Contingency Fund	2,562	-	4.17	-	-		-	-		2,562	-
Fund balances at beginning of financial period	14,806	19,469		1,365	374	5.9	15,895	11,278		32,066	31,121
<b>Fund balances as at 31 December</b>	<b>18,958</b>	<b>14,806</b>		<b>2,061</b>	<b>1,419</b>		<b>17,756</b>	<b>15,895</b>		<b>38,775</b>	<b>32,120</b>

(a) Date:

Signed: Chief of Budget and Finance Section.....

## Statement II

### International Criminal Court Statement of assets, liabilities, reserves and fund balances as at 31 December 2012 (in thousands of euro)

	<i>General Fund &amp; Working Capital Fund</i>		<i>Notes ref.</i>	<i>Trust Funds</i>		<i>Notes ref.</i>	<i>Permanent Premises</i>		<i>Notes ref.</i>	<i>Total</i>	
	<i>2012</i>	<i>2011</i>		<i>2012</i>	<i>2011</i>		<i>2012</i>	<i>2011</i>		<i>2012</i>	<i>2011</i>
<b>Assets</b>											
Cash and term deposits	34,425	28,218	2.20	2,316	1,827		18,909	17,314		55,650	47,359
Assessed contributions receivable	6,569	2,792	4.10	-	-		-	-		6,569	2,792
Voluntary contributions receivable	-	-		-	41		-	-		-	41
Other contributions receivable	25	9	4.11	-	-		-	-		25	9
Interfund balances receivable	57	131	4.12	-	-		-	21		57	152
Other accounts receivable	2,638	1,998	4.13	1	3	5.6	433	394	15.7	3,072	2,395
Prepaid expenses – education grants	1,238	1,043	2.22/4.14	-	-		-	-		1,238	1,043
<b>Total assets</b>	<b>44,952</b>	<b>34,191</b>		<b>2,317</b>	<b>1,871</b>		<b>19,342</b>	<b>17,729</b>		<b>66,611</b>	<b>53,791</b>
<b>Liabilities</b>											
Contributions received in advance	739	488	2.15/4.15	-	200	2.21/ 5.7	-	-	15.9	739	688
Unliquidated obligations	7,151	5,536	2.18	164	101		107	320	15.5	7,422	5,957
Other accounts payable	6,652	2,980	4.16	-	-		1,479	1,514	15.8	8,131	4,494
Interfund balances payable	29	64		72	152	5.8	-	-		101	216
Provision for US Tax Liability	50	85	4.6	-	-		-	-		50	85
Provision for ILO cases	174	98	4.6	-	-		-	-		174	98
Other Provision	162	-	4.6	-	-		-	-		162	-
Repatriation Grant Accrual	5,780	5,219	2.23/4.5	-	(1)		-	-		5,780	5,218
Annual leave accrual	5,127	4,915	2.24/4.5	-	-		-	-		5,127	4,915
Deferred voluntary contribution	130	-		20	-		-	-		150	-
<b>Total liabilities</b>	<b>25,994</b>	<b>19,385</b>		<b>256</b>	<b>452</b>		<b>1,586</b>	<b>1,834</b>		<b>27,836</b>	<b>21,671</b>
<b>Reserves and fund balances</b>											
Working Capital Fund	7,406	7,406	2.8/4.9	-	-		-	-		7,406	7,406
Contingency Fund	7,000	4,438	2.9/4.17	-	-		-	-		7,000	4,438
Reserve for unpaid contributions	409	406	2.14/ 4.18	-	-		-	-		409	406
Cumulative surplus	4,143	2,556	2.13/ S4	2,061	1,419		17,756	15,895		23,960	19,870
<b>Total reserves and fund balances</b>	<b>18,958</b>	<b>14,806</b>		<b>2,061</b>	<b>1,419</b>		<b>17,756</b>	<b>15,895</b>		<b>38,775</b>	<b>32,120</b>
<b>Total liabilities, reserves and fund balances</b>	<b>44,952</b>	<b>34,191</b>		<b>2,317</b>	<b>1,871</b>		<b>19,342</b>	<b>17,729</b>		<b>66,611</b>	<b>53,791</b>

(b) Date:  
Section.....

Signed: Chief of Budget and Finance

## Statement III

### International Criminal Court Cash flow as at 31 December 2012 (in thousands of euro)

	<i>General Fund &amp; Working Capital Fund</i>		<i>Trust Funds</i>		<i>Permanent Premises</i>		<i>Total</i>	
	<i>2012</i>	<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>	<i>2011</i>
<b>Cash flows from operating activities</b>								
Net excess/(shortfall) of income over expenditure (Statement I)	2,101	(3,452)	703	1,059	1,819	4,617	4,623	2,224
Contributions receivable (increase)/decrease	(3,793)	3,474	41	(71)	-	-	(3,752)	3,403
Interfund balances receivable (increase)/decrease	74	88	-	-	21	(21)	95	67
Other accounts receivable (increase)/decrease	(640)	1,092	3	(3)	(39)	(283)	(676)	806
Prepaid expenses (increase)/decrease	(195)	(56)	-	-	-	-	(195)	(56)
Contributions received in advance increase/(decrease)	251	447	(200)	(818)	-	-	51	(371)
Unliquidated obligations increase/(decrease)	1,615	(187)	63	(24)	(213)	(1)	1,465	(212)
Interfund balances payable increase/(decrease)	(35)	(36)	(80)	(67)	-	-	(115)	(103)
Deferred voluntary contribution	130	-	20	-	-	-	150	-
Annual leave accrual increase/(decrease)	212	850	-	-	-	-	212	850
Provision for US Tax liability increase/(decrease)	(35)	32	-	-	-	-	(35)	32
Provision for ILO cases increase/(decrease)	76	(280)	-	-	-	-	76	(280)
Repatriation Grant Accrual	561	560	1	1	-	-	562	561
Other Provision	162	-	-	-	-	-	162	-
Accounts payable increase/(decrease)	3,672	30	-	-	(35)	1,455	3,637	1,485
Less: interest income	(411)	(484)	(4)	(15)	(195)	(206)	(610)	(705)
<i>Net cash from operating activities</i>	<i>3,745</i>	<i>2,078</i>	<i>547</i>	<i>62</i>	<i>1,358</i>	<i>5,561</i>	<i>5,650</i>	<i>7,701</i>
<b>Cash flows from investing and financing activities</b>								
Plus: interest income	411	484	4	15	195	206	610	705
<i>Net cash from investing and financing activities</i>	<i>411</i>	<i>484</i>	<i>4</i>	<i>15</i>	<i>195</i>	<i>206</i>	<i>610</i>	<i>705</i>
<b>Cash flows from other sources</b>								
Net increase/(decrease) in Contingency Fund	2,562	-	-	-	-	-	2,562	-
Savings on, or cancellation of, prior periods' obligations	1,178	1,614	10	14	42	-	1,230	1,628
Fund balance adjustment	-	-	(55)	-	-	-	(55)	-
Credits to States Parties	(1,689)	(2,825)	-	-	-	-	(1,689)	(2,825)
Refund to donors	-	-	(17)	(28)	-	-	(17)	(28)
<i>Net cash from other resources</i>	<i>2,051</i>	<i>(1,211)</i>	<i>(62)</i>	<i>(14)</i>	<i>42</i>	<i>-</i>	<i>2,031</i>	<i>(1,225)</i>
Net increase/(decrease) in cash and term deposits	6,207	1,351	489	63	1,595	5,767	8,291	7,181
Cash and term deposits at beginning of financial period	28,218	26,867	1,827	1,764	17,314	11,547	47,359	40,178
<b>Cash and term deposits at 31 December (Statement II)</b>	<b>34,425</b>	<b>28,218</b>	<b>2,316</b>	<b>1,827</b>	<b>18,909</b>	<b>17,314</b>	<b>55,650</b>	<b>47,359</b>

## Statement IV

### International Criminal Court

#### Statement of appropriations for the period 1 January to 31 December 2012 (in thousands of euro)

<i>Major Programme</i>	<i>Appropriation approved</i>	<i>Disbursements</i>	<i>Accruals, Provisions</i>	<i>Unliquidated obligations</i>	<i>Total expenditures charged against General Fund and Contingency Fund (Statement I)</i>	<i>Unencumbered balance of General Fund/charges against Contingency Fund</i>
	<i>I</i>	<i>II</i>	<i>III</i>	<i>IV</i>	<i>V=II+III+IV</i>	<i>VI=I-V</i>
Judiciary	10,284	9,538	241	92	9,871	413
Office of the Prosecutor	27,724	25,895	707	832	27,434	290
Registry	65,042	56,359	1,393	5,361	63,113	1,929
Secretariat of the Assembly of States Parties	2,777	2,342	42	252	2,636	141
Secretariat of the Trust Fund for Victims	1,451	1,121	30	177	1,328	123
Permanent Premises Project Office	1,337	481	28	78	587	750
Independent Oversight Mechanism	185	114	-	25	139	46
<b>Total Approved Programme Budget</b>	<b>108,800</b>	<b>95,850</b>	<b>2,441</b>	<b>6,817</b>	<b>105,108</b>	<b>3,692</b>
<b>Total Contingency Fund Application</b>	<b>-</b>	<b>1,991</b>	<b>28</b>	<b>334</b>	<b>2,353</b>	<b>(2,353)</b>
<b>Total</b>	<b>108,800</b>	<b>97,841</b>	<b>2,469</b>	<b>7,151</b>	<b>107,461</b>	<b>1,339</b>

### International Criminal Court

#### Statement of Contingency Fund Applications for the period 1 January to 31 December 2012 (in thousands of euro)

<i>Major Programme</i>	<i>Applications / Notifications</i>	<i>Disbursements</i>	<i>Accruals, Provisions</i>	<i>Unliquidated obligations</i>	<i>Total expenditures</i>	<i>Unencumbered balance</i>
Judiciary	879	608	8	1	617	262
Registry	2,926	1,383	20	333	1,736	1,190
<b>Total</b>	<b>3,805</b>	<b>1,991</b>	<b>28</b>	<b>334</b>	<b>2,353</b>	<b>1,452</b>

## Schedule 1

### International Criminal Court Status of contributions as at 31 December 2012 (in euros)

States Parties	Outstanding as at 1 January 2012			Assessed	Credits from 2011	Collections		Total outstanding	Credit on 2012 receipts	Receipts relating to 2013
	Collections a/	Outstanding	b/			Outstanding				
	Prior years					2012				
Afghanistan	-	-	-	6,452	-	-	6,452	6,452	-	-
Albania	-	-	-	16,124	-	16,118	6	6	-	-
Andorra	-	-	-	11,283	-	11,282	1	1	-	-
Antigua and Barbuda	5,497	51	5,446	3,220	-	-	3,220	8,666	-	-
Argentina	-	-	-	462,639	-	462,639	-	-	-	189
Australia	-	-	-	3,115,945	-	3,115,945	-	-	-	1,304
Austria	-	-	-	1,371,794	-	1,371,794	-	-	-	568
Bangladesh	24,350	1	24,349	16,124	-	-	16,124	40,473	-	-
Barbados	-	-	-	12,893	-	12,893	-	-	-	16 16
Belgium	-	-	-	1,732,868	-	1,732,868	-	-	-	726
Belize	-	-	-	1,610	-	1,608	2	2	-	-
Benin	3,986	3,986	-	4,831	-	-	4,831	4,831	-	-
Bolivia	-	-	-	11,283	-	11,283	-	-	-	4 4
Bosnia & Herzegovina	-	-	-	22,565	-	22,565	-	-	-	15 15
Botswana	-	-	-	29,017	-	-	29,017	29,017	-	-
Brazil	-	-	-	2,596,893	-	2,596,893	-	-	-	775
Bulgaria	-	-	-	61,254	-	61,254	-	-	-	26 26
Burkina Faso	4,479	4,479	-	4,831	-	-	4,831	4,831	-	-
Burundi	2,062	2,062	-	1,610	-	1,610	-	-	-	3 3
Cambodia	4,571	78	4,493	4,831	-	-	4,831	9,324	-	-
Canada	-	-	-	5,169,599	-	5,169,599	-	-	-	2,169
Cape Verde	-	-	-	1,610	-	-	1,610	1,610	-	-
Central African Republic	456	26	430	1,610	-	-	1,610	2,040	-	-
Chad	8,884	8,884	-	3,220	-	3,220	-	-	-	3 3
Chile	-	-	-	380,430	348,258	32,172	-	-	-	152 152
Colombia	4,835	4,835	-	232,125	-	232,125	-	-	-	100 100
Comoros	7,164	25	7,139	1,610	-	-	1,610	8,749	-	-
Congo	-	-	-	4,831	-	-	4,831	4,831	-	-
Cook Islands	1,555	26	1,529	1,610	-	-	1,610	3,139	-	-
Costa Rica	-	-	-	54,803	-	54,799	4	4	-	-
Croatia	-	-	-	156,356	-	156,354	2	2	-	-
Cyprus	-	-	-	74,147	-	74,147	-	-	-	40
Czech Republic	-	-	-	562,583	-	562,583	-	-	-	233
Democratic Republic of the Congo	-	-	-	4,831	400	4,431	-	-	-	-
Denmark	-	-	-	1,186,410	-	1,186,410	-	-	-	500
Djibouti	6,757	24	6,733	1,610	-	-	1,610	8,343	-	-
Dominica	2,832	26	2,806	1,610	-	-	1,610	4,416	-	-
Dominican Republic	129,194	68,310	60,884	67,706	-	-	67,706	128,590	-	-
Ecuador	-	-	-	64,475	-	64,475	-	-	-	3
Estonia	-	-	-	64,475	-	64,475	-	-	-	35

States Parties	Outstanding as at 1 January 2012	Collections a/ Outstanding		Assessed	Credits from 2011	Collections b/ Outstanding		Total outstanding	Credit on 2012 receipts	Receipts relating to 2013
	Prior years				2012					
Fiji	1,273	1,273	-	6,452	-	3,836	2,616	2,616	-	-
Finland	-	-	-	912,375	-	912,375	-	-	-	392
France	-	-	-	9,870,108	-	9,870,108	-	-	-	4,153
Gabon	72,509	22,984	49,525	22,565	-	-	22,565	72,090	-	-
Gambia	-	-	-	1,610	-	-	1,610	1,610	-	-
Georgia	-	-	-	9,672	-	9,672	-	-	-	4
Germany	-	-	-	12,924,798	-	12,924,791	7	7	-	-
Ghana	-	-	-	9,672	-	-	9,672	9,672	-	-
Greece	1,037,220	1,037,220	-	1,113,873	-	-	1,113,873	1,113,873	-	-
Grenada	641	-	641	1,610	-	-	1,610	2,251	-	-
Guatemala	-	-	-	22,565	-	-	22,565	22,565	-	-
Guinea	3,033	54	2,979	3,220	-	-	3,220	6,199	-	-
Guyana	-	-	-	1,610	1,610	-	-	-	-	3,911
Honduras	29,308	29,308	-	12,893	-	12,893	-	-	-	586
Hungary	-	-	-	469,080	-	469,080	-	-	-	206
Iceland	-	-	-	67,706	-	67,706	-	-	-	26
Ireland	-	-	-	802,759	-	802,759	-	-	-	347
Italy	-	-	-	8,058,250	-	8,058,250	-	-	-	3,389
Japan	-	-	-	20,198,024	-	20,198,024	-	-	-	8,498
Jordan	-	-	-	22,565	-	22,565	-	-	-	13
Kenya	-	-	-	19,345	-	19,052	293	293	-	-
Latvia	-	-	-	61,254	-	61,254	-	-	-	25
Lesotho	22	22	-	1,610	-	-	1,610	1,610	-	-
Liberia	4,048	25	4,023	1,610	-	-	1,610	5,633	-	-
Liechtenstein	-	-	-	14,503	-	14,503	-	-	-	14
Lithuania	-	-	-	104,774	-	104,774	-	-	-	46
Luxembourg	-	-	-	145,074	-	145,074	-	-	-	62 62
Madagascar	2,633	75	2,558	4,831	-	-	4,831	7,389	-	-
Malawi	-	-	-	1,610	-	-	1,610	1,610	-	-
Maldives	128	128	-	1,610	-	1,610	-	-	-	-
Mali	2,613	79	2,534	4,831	-	-	4,831	7,365	-	-
Malta	-	-	-	27,407	-	27,407	-	-	-	7
Marshall Islands	3,754	25	3,729	1,610	-	-	1,610	5,339	-	-
Mauritius	-	-	-	17,734	-	17,734	-	-	-	4
Mexico	-	-	-	3,797,805	-	3,797,800	5	5	-	-
Mongolia	-	-	-	3,220	-	3,220	-	-	-	3
Montenegro	14	14	-	6,452	-	-	6,452	6,452	-	-
Namibia	-	-	-	12,893	-	12,893	-	-	-	13
Nauru	-	-	-	1,610	1,146	464	-	-	-	2
Netherlands	-	-	-	2,990,216	-	2,990,216	-	-	-	1,247
New Zealand	-	-	-	440,063	-	440,063	-	-	-	447,526
Niger	7,284	-	7,284	3,220	-	-	3,220	10,504	-	-
Nigeria	119,834	119,834	-	125,729	-	125,729	-	-	-	42,344
Norway	-	-	-	1,404,031	-	1,404,031	-	-	-	590
Panama	-	-	-	35,469	-	35,469	-	-	-	3,127

States Parties	Outstanding as at 1 January 2012	Collections a/	Outstanding	Assessed	Credits from 2011	Collections b/	Outstanding	Total outstanding	Credit on 2012 receipts	Receipts relating to 2013
	Prior years			2012						
Paraguay	10,557	175	10,382	11,283	-	-	11,283	21,665	-	-
Peru	355,855	195,609	160,246	145,074	-	-	145,074	305,320	-	-
Philippines	-	-	-	145,074	-	145,074	-	-	-	-
Poland	-	-	-	1,334,715	-	1,334,715	-	-	-	561
Portugal	-	-	-	823,714	-	823,714	-	-	-	352
Republic of Korea	353,340	353,340	-	3,643,059	-	3,643,059	-	-	-	1,535
Republic of Moldova	3,075	3,075	-	3,220	-	3,220	-	-	-	-
Romania	-	-	-	285,317	-	285,317	-	-	-	122
Saint Kitts and Nevis	1,498	1,498	-	1,610	-	1,610	-	-	-	3
Saint Lucia	1,794	-	1,794	1,610	-	-	1,610	3,404	-	-
Saint Vincent and the Grenadines	12	12	-	1,610	-	-	1,610	1,610	-	-
Samoa	-	-	-	1,610	-	1,610	-	-	-	2
San Marino	-	-	-	4,831	-	4,831	-	-	-	12
Senegal	-	-	-	9,672	-	-	9,672	9,672	-	-
Serbia	-	-	-	59,644	-	59,644	-	-	-	28
Seychelles	-	-	-	3,220	-	3,220	-	-	-	-
Sierra Leone	2,834	27	2,807	1,610	-	-	1,610	4,417	-	-
Slovakia	-	-	-	228,904	-	228,904	-	-	-	90
Slovenia	-	-	-	166,029	-	-	166,029	166,029	-	-
South Africa	-	-	-	620,606	-	620,606	-	-	-	266
Spain	-	-	-	5,121,238	-	771,395	4,349,843	4,349,843	-	-
Suriname	-	-	-	4,831	-	4,831	-	-	-	14
Sweden	-	-	-	1,715,145	-	1,715,145	-	-	-	710
Switzerland	-	-	-	1,821,530	-	1,821,530	-	-	-	765
Tajikistan	-	-	-	3,220	81	3,139	-	-	-	2
The Former Yugoslav Rep. of Macedonia	20,114	175	19,939	11,283	-	-	11,283	31,222	-	-
Timor-Leste	-	-	-	1,610	25	1,544	41	41	-	-
Trinidad and Tobago	-	-	-	70,927	-	70,927	-	-	-	30
Tunisia	15,376	-	15,376	48,362	-	-	48,362	63,738	-	-
Uganda	122	122	-	9,672	-	9,587	85	85	-	-
United Kingdom	-	-	-	10,645,471	-	10,645,471	-	-	-	4,472
United Republic of Tanzania	12,126	205	11,921	12,893	-	-	12,893	24,814	-	-
Uruguay	40,376	40,376	-	43,520	-	-	43,520	43,520	-	-
Vanuatu	-	-	-	1,480	-	-	1,480	1,480	-	-
Venezuela	471,286	471,286	-	506,159	-	506,159	-	-	-	206,554
Zambia	12,303	12,303	-	6,452	-	6,452	-	-	-	4
<b>Total (121 States Parties)</b>	<b>2,791,604</b>	<b>2,382,057</b>	<b>409,547</b>	<b>108,799,841</b>	<b>351,520</b>	<b>102,288,598</b>	<b>6,159,723</b>	<b>6,569,270</b>	<b>-</b>	<b>738,918</b>

## Schedule 2

### International Criminal Court Status of Working Capital Fund and Contingency Fund as at 31 December 2012 (in euro)

<i>Status of Working Capital Fund</i>	2012	2011
Balance at beginning of financial period	7,396,957	7,386,394
Receipts/(refunds)		
Receipts from States Parties	1,223	10,563
Withdrawals	-	-
<b>Balance as at 31 December</b>	<b>7,398,180</b>	<b>7,396,957</b>
Established level	7,405,983	7,405,983
Less: due from States Parties (Schedule 3)	7,803	9,026
<b>Balance as at 31 December</b>	<b>7,398,180</b>	<b>7,396,957</b>
<b>Status of Contingency Fund</b>	<b>2012</b>	<b>2011</b>
Balance at beginning of financial period	4,438,291	8,756,567
Receipts/(refunds)	-	-
Receipts from States Parties	2,544,278	-
Withdrawals	-	(4,318,276)
<b>Balance as at 31 December</b>	<b>6,982,569</b>	<b>4,438,291</b>
<b>Established threshold level</b>	<b>7,000,000</b>	<b>7,000,000</b>
<b>due from States Parties (if below threshold)</b>	<b>17,431</b>	<b>2,561,709</b>

## Schedule 3

### International Criminal Court Status of advances to the Working Capital Fund as at 31 December 2012 (in euro)

<i>States Parties</i>	<i>2012 Scale of assessment</i>	<i>Working Capital Fund</i>	<i>Cumulative payments</i>	<i>Outstanding</i>
Afghanistan	0.00593	439	439	-
Albania	0.01481	1,097	1,097	-
Andorra	0.01037	768	768	-
Antigua and Barbuda	0.00296	219	219	-
Argentina	0.42513	31,485	31,485	-
Australia	2.86332	212,057	212,057	-
Austria	1.26057	93,358	93,358	-
Bangladesh	0.01481	1,097	146	951
Barbados	0.01185	878	878	-
Belgium	1.59238	117,931	117,931	-
Belize	0.00148	110	110	-
Benin	0.00444	329	329	-
Bolivia	0.01037	768	768	-
Bosnia & Herzegovina	0.02074	1,536	1,536	-
Botswana	0.02666	1,974	1,974	-
Brazil	2.38635	176,733	176,733	-
Bulgaria	0.05629	4,169	4,169	-
Burkina Faso	0.00444	329	329	-
Burundi	0.00148	110	110	-
Cambodia	0.00444	329	329	-

<i>States Parties</i>	<i>2012 Scale of assessment</i>	<i>Working Capital Fund</i>	<i>Cumulative payments</i>	<i>Outstanding</i>
Canada	4.75048	351,820	351,820	-
Cape Verde	0.00148	110	-	110
Central African Republic	0.00148	110	110	-
Chad	0.00296	219	219	-
Chile	0.34958	25,890	25,890	-
Colombia	0.21330	15,797	15,797	-
Comoros	0.00148	110	110	-
Congo	0.00444	329	329	-
Cook Islands	0.00148	110	110	-
Costa Rica	0.05036	3,730	3,730	-
Croatia	0.14368	10,641	10,641	-
Cyprus	0.06814	5,046	5,046	-
Czech Republic	0.51697	38,287	38,287	-
Democratic Republic of the Congo	0.00444	329	329	-
Denmark	1.09023	80,742	80,742	-
Djibouti	0.00148	110	110	-
Dominica	0.00148	110	110	-
Dominican Republic	0.06221	4,607	4,607	-
Ecuador	0.05925	4,388	4,388	-
Estonia	0.05925	4,388	4,388	-
Fiji	0.00593	439	439	-
Finland	0.83841	62,093	62,093	-
France	9.06990	671,715	671,715	-
Gabon	0.02074	1,536	1,536	-
Gambia	0.00148	110	110	-
Georgia	0.00889	658	658	-
Germany	11.87693	879,603	879,603	-
Ghana	0.00889	658	658	-
Greece	1.02357	75,805	75,805	-
Grenada	0.00148	110	-	110
Guatemala	0.04148	3,072	-	3,072
Guinea	0.00296	219	219	-
Guyana	0.00148	110	110	-
Honduras	0.01185	878	878	-
Hungary	0.43105	31,923	31,923	-
Iceland	0.06221	4,607	4,607	-
Ireland	0.73768	54,632	54,632	-
Italy	7.40494	548,409	548,409	-
Japan	18.56049	1,374,587	1,374,587	-
Jordan	0.02074	1,536	1,536	-
Kenya	0.01778	1,317	1,317	-
Latvia	0.05629	4,169	4,169	-
Lesotho	0.00148	110	110	-
Liberia	0.00148	110	110	-
Liechtenstein	0.01333	987	987	-
Lithuania	0.09628	7,130	7,130	-
Luxembourg	0.13332	9,874	9,874	-
Madagascar	0.00444	329	329	-
Malawi	0.00148	110	110	-
Maldives	0.00148	110	110	-

<i>States Parties</i>	<i>2012 Scale of assessment</i>	<i>Working Capital Fund</i>	<i>Cumulative payments</i>	<i>Outstanding</i>
Mali	0.00444	329	329	-
Malta	0.02518	1,865	1,865	-
Marshall Islands	0.00148	110	110	-
Mauritius	0.01629	1,206	1,206	-
Mexico	3.48991	258,462	258,462	-
Mongolia	0.00296	219	219	-
Montenegro	0.00593	439	439	-
Namibia	0.01185	878	878	-
Nauru	0.00148	110	110	-
Netherlands	2.74778	203,500	203,500	-
New Zealand	0.40439	29,949	29,949	-
Niger	0.00296	219	161	58
Nigeria	0.11554	8,557	8,557	-
Norway	1.29020	95,552	95,552	-
Panama	0.03259	2,414	2,414	-
Paraguay	0.01037	768	768	-
Peru	0.13332	9,874	9,874	-
Philippines	0.13332	9,874	9,874	-
Poland	1.22650	90,834	90,834	-
Portugal	0.75694	56,059	56,059	-
Republic of Korea	3.34770	247,930	247,930	-
Republic of Moldova	0.00296	219	219	-
Romania	0.26219	19,418	19,418	-
Saint Kitts and Nevis	0.00148	110	110	-
Saint Lucia	0.00148	110	4	106
Saint Vincent and the Grenadines	0.00148	110	110	-
Samoa	0.00148	110	110	-
San Marino	0.00444	329	329	-
Senegal	0.00889	658	658	-
Serbia	0.05481	4,059	4,059	-
Seychelles	0.00296	219	219	-
Sierra Leone	0.00148	110	110	-
Slovakia	0.21034	15,578	15,578	-
Slovenia	0.15257	11,299	11,299	-
South Africa	0.57029	42,236	42,236	-
Spain	4.70604	348,529	348,529	-
Suriname	0.00444	329	329	-
Sweden	1.57609	116,725	116,725	-
Switzerland	1.67385	123,965	123,965	-
Tajikistan	0.00296	219	219	-
The F.Y.R. of Macedonia	0.01037	768	768	-
Timor-Leste	0.00148	110	110	-
Trinidad and Tobago	0.06518	4,827	4,827	-
Tunisia	0.04444	3,291	-	3,291
Uganda	0.00889	658	658	-
United Kingdom	9.78240	724,483	724,483	-
United Republic of Tanzania	0.01185	878	878	-
Uruguay	0.03999	2,962	2,962	-
Vanuatu	0.00148	110	-	110
Venezuela	0.46512	34,447	34,447	-
Zambia	0.00593	439	439	-
<i>Rounding</i>		(5)		(5)
<b>Total (121 States Parties)</b>	<b>100.00</b>	<b>7,405,983</b>	<b>7,398,180</b>	<b>7,803</b>

## Schedule 4

### International Criminal Court Status of cash surplus as at 31 December 2012 (in euro)

<i>Current year</i>	<i>2012</i>	<i>2011</i>
<b>Credits</b>		
Receipts of assessed contributions	102,640,277	101,222,279
Miscellaneous income	761,990	866,422
	<b>103,402,267</b>	<b>102,088,701</b>
<b>Charges</b>		
Disbursed expenditures	97,841,508	100,197,641
Unliquidated obligations	7,151,234	5,535,656
Provision for US Tax liability	50,000	76,510
Provision for doubtful debt	601,623	589,465
Provision for ILO cases	173,681	-
Annual Leave Accrual	338,081	850,038
Repatriation Grant Accrual	1,142,945	676,866
Other provisions	161,880	-
	<b>107,460,952</b>	<b>107,926,176</b>
Charges against Contingency Fund (Statement IV)	-	4,318,276
<b>Provisional cash surplus/(deficit)</b>	<b>(4,058,685)</b>	<b>(1,519,199)</b>
Contributions receivable	6,159,723	2,385,621
<b>Provisional cash surplus/ (deficit) adjusted by contributions receivable</b>	<b>2,101,038</b>	<b>866,422</b>
<b>Disposition of prior year's provisional surplus/(deficit)</b>		
Prior year's provisional surplus/(deficit)	(1,519,199)	(6,185,795)
Plus: Receipt of prior periods' assessed contributions	2,382,056	5,848,888
Savings on, or cancellation of, prior periods' obligations	1,178,622	1,613,997
Release of temporary reserve (note 4.17)	-	412,000
<b>Prior year's cash surplus/(deficit)</b>	<b>2,041,479</b>	<b>1,689,090</b>
<b>Total cumulative surplus (Statement II)</b>	<b>4,142,517</b>	<b>2,555,512</b>

## Schedule 5

### International Criminal Court Shares of States Parties in the 2011 cash surplus (in euros)

<i>States Parties</i>	<i>States Parties to the Rome Statute since</i>	<i>2011 Scale of assessment</i>	<i>Surplus</i>
Afghanistan	May-03	0.00594	121
Albania	May-03	0.01484	303
Andorra	Jul-02	0.01039	212
Antigua and Barbuda	Jul-02	0.00297	61
Argentina	Jul-02	0.42593	8,695
Australia	Sep-02	2.86870	58,564
Austria	Jul-02	1.26294	25,783
Bangladesh	Jun-10	0.01484	303
Barbados	Mar-03	0.01187	242
Belgium	Jul-02	1.59537	32,569
Belize	Jul-02	0.00148	30
Benin	Jul-02	0.00445	91
Bolivia	Sep-02	0.01039	212
Bosnia & Herzegovina	Jul-02	0.02078	424
Botswana	Jul-02	0.02671	545
Brazil	Sep-02	2.39083	48,808
Bulgaria	Jul-02	0.05639	1,151
Burkina Faso	Jul-04	0.00445	91
Burundi	Dec-04	0.00148	30
Cambodia	Jul-02	0.00445	91
Canada	Jul-02	4.75940	97,162
Cape Verde	Jan-12	0.00000	-
Central African Republic	Jul-02	0.00148	30
Chad	Jan-07	0.00297	61
Chile	Sep-09	0.35024	7,150
Colombia	Nov-02	0.21371	4,363
Comoros	Nov-06	0.00148	30
Congo	Aug-04	0.00445	91
Cook Islands	Oct-08	0.00148	30
Costa Rica	Jul-02	0.05046	1,030
Croatia	Jul-02	0.14395	2,939
Cyprus	Jul-02	0.06827	1,394
Czech Republic	Oct-09	0.51794	10,574
Democratic Republic of the Congo	Jul-02	0.00445	91
Denmark	Jul-02	1.09227	22,298
Djibouti	Feb-03	0.00148	30
Dominica	Jul-02	0.00148	30
Dominican Republic	Aug-05	0.06233	1,272
Ecuador	Jul-02	0.05936	1,212
Estonia	Jul-02	0.05936	1,212

<i>States Parties</i>	<i>States Parties to the Rome Statute since</i>	<i>2011 Scale of assessment</i>	<i>Surplus</i>
Fiji	Jul-02	0.00594	121
Finland	Jul-02	0.83998	17,148
France	Jul-02	9.08693	185,508
Gabon	Jul-02	0.02078	424
Gambia	Sep-02	0.00148	30
Georgia	Dec-03	0.00890	182
Germany	Jul-02	11.89923	242,920
Ghana	Jul-02	0.00890	182
Greece	Aug-02	1.02549	20,935
Grenada	Aug-11	0.00062	13
Guatemala	Jul-12	0.00000	-
Guinea	Oct-03	0.00297	61
Guyana	Dec-04	0.00148	30
Honduras	Sep-02	0.01187	242
Hungary	Jul-02	0.43186	8,816
Iceland	Jul-02	0.06233	1,272
Ireland	Jul-02	0.73906	15,088
Italy	Jul-02	7.41884	151,454
Japan	Oct-07	18.59533	379,620
Jordan	Jul-02	0.02078	424
Kenya	Jun-05	0.01781	364
Latvia	Sep-02	0.05639	1,151
Lesotho	Jul-02	0.00148	30
Liberia	Dec-04	0.00148	30
Liechtenstein	Jul-02	0.01336	273
Lithuania	Aug-03	0.09646	1,969
Luxembourg	Jul-02	0.13357	2,727
Madagascar	Jun-08	0.00445	91
Malawi	Dec-02	0.00148	30
Maldives	Dec-11	0.00012	2
Mali	Jul-02	0.00445	91
Malta	Feb-03	0.02523	515
Marshall Islands	Jul-02	0.00148	30
Mauritius	Jul-02	0.01632	333
Mexico	Jan-06	3.49646	71,379
Mongolia	Jul-02	0.00297	61
Montenegro	Jun-06	0.00594	121
Namibia	Sep-02	0.01187	242
Nauru	Jul-02	0.00148	30
Netherlands	Jul-02	2.75294	56,201
New Zealand	Jul-02	0.40515	8,271
Niger	Jul-02	0.00297	61
Nigeria	Jul-02	0.11576	2,363
Norway	Jul-02	1.29262	26,389
Panama	Jul-02	0.03265	667

<i>States Parties</i>	<i>States Parties to the Rome Statute since</i>	<i>2011 Scale of assessment</i>	<i>Surplus</i>
Paraguay	Jul-02	0.01039	212
Peru	Jul-02	0.13357	2,727
Philippines	Nov-11	0.02226	454
Poland	Jul-02	1.22881	25,086
Portugal	Jul-02	0.75836	15,482
Republic of Korea	Feb-03	3.35399	68,471
Republic of Moldova	Jan-11	0.00297	61
Romania	Jul-02	0.26268	5,363
Saint Kitts and Nevis	Nov-06	0.00148	30
Saint Lucia	Nov-10	0.00148	30
Saint Vincent and the Grenadines	Mar-03	0.00148	30
Samoa	Dec-02	0.00148	30
San Marino	Jul-02	0.00445	91
Senegal	Jul-02	0.00890	182
Serbia	Jul-02	0.05491	1,121
Seychelles	Nov-10	0.00297	61
Sierra Leone	Jul-02	0.00148	30
Slovakia	Jul-02	0.21074	4,302
Slovenia	Jul-02	0.15286	3,121
South Africa	Jul-02	0.57136	11,664
Spain	Jul-02	4.71487	96,253
Suriname	Oct-08	0.00445	91
Sweden	Jul-02	1.57905	32,236
Switzerland	Jul-02	1.67699	34,235
Tajikistan	Jul-02	0.00297	61
The F.Y.R. of Macedonia	Jul-02	0.01039	212
Timor-Leste	Dec-02	0.00148	30
Trinidad and Tobago	Jul-02	0.06530	1,333
Tunisia	Sep-11	0.01484	303
Uganda	Sep-02	0.00890	182
United Kingdom	Jul-02	9.80076	200,080
United Republic of Tanzania	Nov-02	0.01187	242
Uruguay	Sep-02	0.04007	818
Vanuatu	Feb-12	0.00000	-
Venezuela	Jul-02	0.46600	9,513
Zambia	Feb-03	0.00594	121
<i>Rounding difference</i>			5
<b>Total (121 States Parties)</b>		<b>100.00</b>	<b>2,041,479</b>

## Schedule 6

**International Criminal Court**  
**Status of voluntary contributions as at 31 December 2012 (in euro)**

<i>Project</i>	<i>Contributor</i>	<i>Received</i>	<i>Receipts for future periods</i>	<i>Refund to donors</i>
General Trust Fund	Gemeente Den Haag	4,500	-	-
European Commission Contracts	European Commission	1,049,694	-	-
	Finland	40,000	-	-
	Korea	30,000	-	-
	Australia	10,000	-	-
	MFA Netherlands	50,000	-	-
	Denmark	22,709	-	-
	Switzerland	35,000	-	-
<i>Sub-total</i>		<i>1,237,403</i>	-	-
Least Developed Countries	Australia	50,000	-	-
	Ireland	5,000	-	-
	Poland	5,000	-	-
<i>Sub-total</i>		<i>60,000</i>	-	-
Joint Regional Seminar with African Union (Ethiopia)	Australia	5,000	-	-
	MFA Netherlands	10,000	-	-
	Organisation Internationale de la Francophonie	17,949	-	17,063
<i>Sub-total</i>		<i>32,949</i>	-	-
Legal Tools Project	European Commission	150,031	-	-
<i>Sub-total</i>		<i>150,031</i>	-	-
Special Fund for Relocations of Witnesses	Luxembourg	20,000	-	-
<i>Sub-total</i>		<i>20,000</i>	-	-
Family visit for indigent detainees		-	-	-
Regional Seminar in Cambodge	France	-	20,000	-
<i>Sub-total</i>		-	<i>20,000</i>	-
<b>Total voluntary contributions</b>		<b>1,504,883</b>	<b>20,000</b>	<b>17,063</b>

## Schedule 7

### International Criminal Court Status of trust funds as at 31 December 2012 (in euro)

<i>Trust Fund</i>	<i>Balances brought forward as at 1 January</i>	<i>Receipts</i>	<i>Disbursements</i>	<i>Unliquidated obligations</i>	<i>Provisions Accruals</i>	<i>Total expenditures</i>	<i>Interest Earned</i>	<i>Savings on, or cancellation of, prior periods' obligations</i>	<i>Refunds to donors</i>	<i>Unencumbered balances</i>
General trust fund	47,332	4,500	2,420	-	-	2,420	327	-	-	49,739
European Commission										
Contracts	48,353	1,237,403	478,886	63,732	-	542,618	3,979	2,934	-	750,051
Least Developed Countries	251,120	60,000	10,677	99,255	-	109,932	822	3,462	-	205,472
Legal Tools Project	(88,126)	150,031	87,726	-	-	87,726	(578)	2,967	-	(23,432)
Judicial Capacity										
Strengthening Programme	2,727	-	-	-	-	-	6	-	-	2,733
Dakar Seminar	2,358	-	-	-	-	-	6	-	-	2,364
Regional Seminar in Yaoundé	11,939	-	-	-	-	-	(3,613)	-	-	8,326
Regional Seminar in Tunis	20,541	-	-	-	-	-	24	-	(14,823)	5,742
Joint Regional Seminar with African Union	2,313	32,949	12,858	-	-	12,858	2	-	(2,240)	20,166
Special Fund for Relocations	921,073	20,000	-	-	-	-	2,862	454	-	944,389
Family visit for indigent detainees	144,573	-	49,493	736	-	50,229	377	-	-	94,721
<b>Total</b>	<b>1,364,203</b>	<b>1,504,883</b>	<b>642,060</b>	<b>163,723</b>	<b>-</b>	<b>805,783</b>	<b>4,214</b>	<b>9,817</b>	<b>(17,063)</b>	<b>2,060,271</b>

## Schedule 8

### International Criminal Court Shares of States Parties in the Replenishment of the Contingency Fund for 2012 (in euros)

<i>States Parties</i>	<i>States Parties to the Rome Statute since</i>	<i>2011 Scale of assessment</i>	<i>Replenishment of Contingency Fund</i>	<i>Collections</i>	<i>Outstanding</i>
Afghanistan	May-03	0.00594	152	110	42
Albania	May-03	0.01484	380	380	-
Andorra	Jul-02	0.01039	266	266	-
Antigua and Barbuda	Jul-02	0.00297	76	-	76
Argentina	Jul-02	0.42593	10,911	10,911	-
Australia	Sep-02	2.86870	73,488	73,488	-
Austria	Jul-02	1.26294	32,353	32,353	-
Bangladesh	Jun-10	0.01484	380	-	380
Barbados	Mar-03	0.01187	304	304	-
Belgium	Jul-02	1.59537	40,869	40,869	-
Belize	Jul-02	0.00148	38	38	-
Benin	Jul-02	0.00445	114	83	31
Bolivia	Sep-02	0.01039	266	266	-
Bosnia & Herzegovina	Jul-02	0.02078	532	532	-
Botswana	Jul-02	0.02671	684	492	192
Brazil	Sep-02	2.39083	61,246	61,246	-
Bulgaria	Jul-02	0.05639	1,445	1,445	-
Burkina Faso	Jul-04	0.00445	114	17	97
Burundi	Dec-04	0.00148	38	38	-
Cambodia	Jul-02	0.00445	114	-	114

<i>States Parties</i>	<i>States Parties to the Rome Statute since</i>	<i>2011 Scale of assessment</i>	<i>Replenishment of Contingency Fund</i>	<i>Collections</i>	<i>Outstanding</i>
Canada	Jul-02	4.75940	121,922	121,922	-
Cape Verde	Jan-12	0.00000	-	-	-
Central African Republic	Jul-02	0.00148	38	-	38
Chad	Jan-07	0.00297	76	76	-
Chile	Sep-09	0.35024	8,972	8,972	-
Colombia	Nov-02	0.21371	5,475	5,475	-
Comoros	Nov-06	0.00148	38	-	38
Congo	Aug-04	0.00445	114	81	33
Cook Islands	Oct-08	0.00148	38	-	38
Costa Rica	Jul-02	0.05046	1,293	1,293	-
Croatia	Jul-02	0.14395	3,688	3,688	-
Cyprus	Jul-02	0.06827	1,749	1,749	-
Czech Republic	Oct-09	0.51794	13,268	13,268	-
Democratic Republic of the Congo	Jul-02	0.00445	114	114	-
Denmark	Jul-02	1.09227	27,981	27,981	-
Djibouti	Feb-03	0.00148	38	-	38
Dominica	Jul-02	0.00148	38	-	38
Dominican Republic	Aug-05	0.06233	1,597	-	1,597
Ecuador	Jul-02	0.05936	1,521	1,521	-
Estonia	Jul-02	0.05936	1,521	1,521	-
Fiji	Jul-02	0.00594	152	152	-
Finland	Jul-02	0.83998	21,518	21,518	-
France	Jul-02	9.08693	232,781	232,781	-
Gabon	Jul-02	0.02078	532	-	532
Gambia	Sep-02	0.00148	38	26	12
Georgia	Dec-03	0.00890	228	228	-
Germany	Jul-02	11.89923	304,824	304,824	-
Ghana	Jul-02	0.00890	228	162	66
Greece	Aug-02	1.02549	26,270	18,945	7,325
Grenada	Aug-11	0.00062	16	-	16
Guatemala	Jul-12	0.00000	-	-	-
Guinea	Oct-03	0.00297	76	-	76
Guyana	Dec-04	0.00148	38	38	-
Honduras	Sep-02	0.01187	304	304	-
Hungary	Jul-02	0.43186	11,063	11,063	-
Iceland	Jul-02	0.06233	1,597	1,597	-
Ireland	Jul-02	0.73906	18,933	18,933	-
Italy	Jul-02	7.41884	190,049	190,049	-
Japan	Oct-07	18.59533	476,357	476,357	-
Jordan	Jul-02	0.02078	532	532	-
Kenya	Jun-05	0.01781	456	456	-
Latvia	Sep-02	0.05639	1,445	1,445	-
Lesotho	Jul-02	0.00148	38	5	33
Liberia	Dec-04	0.00148	38	-	38
Liechtenstein	Jul-02	0.01336	342	342	-
Lithuania	Aug-03	0.09646	2,471	2,471	-
Luxembourg	Jul-02	0.13357	3,422	3,422	-
Madagascar	Jun-08	0.00445	114	-	114
Malawi	Dec-02	0.00148	38	28	10
Maldives	Dec-11	0.00012	3	3	-

<i>States Parties</i>	<i>States Parties to the Rome Statute since</i>	<i>2011 Scale of assessment</i>	<i>Replenishment of Contingency Fund</i>	<i>Collections</i>	<i>Outstanding</i>
Mali	Jul-02	0.00445	114	-	114
Malta	Feb-03	0.02523	646	646	-
Marshall Islands	Jul-02	0.00148	38	-	38
Mauritius	Jul-02	0.01632	418	418	-
Mexico	Jan-06	3.49646	89,569	89,569	-
Mongolia	Jul-02	0.00297	76	76	-
Montenegro	Jun-06	0.00594	152	87	65
Namibia	Sep-02	0.01187	304	304	-
Nauru	Jul-02	0.00148	38	38	-
Netherlands	Jul-02	2.75294	70,522	70,522	-
New Zealand	Jul-02	0.40515	10,379	10,379	-
Niger	Jul-02	0.00297	76	-	76
Nigeria	Jul-02	0.11576	2,965	2,965	-
Norway	Jul-02	1.29262	33,113	33,113	-
Panama	Jul-02	0.03265	836	836	-
Paraguay	Jul-02	0.01039	266	-	266
Peru	Jul-02	0.13357	3,422	-	3,422
Philippines	Nov-11	0.02226	570	570	-
Poland	Jul-02	1.22881	31,479	31,479	-
Portugal	Jul-02	0.75836	19,427	19,427	-
Republic of Korea	Feb-03	3.35399	85,919	85,919	-
Republic of Moldova	Jan-11	0.00297	76	76	-
Romania	Jul-02	0.26268	6,729	6,729	-
Saint Kitts and Nevis	Nov-06	0.00148	38	38	-
Saint Lucia	Nov-10	0.00148	38	-	38
Saint Vincent and the Grenadines	Mar-03	0.00148	38	13	25
Samoa	Dec-02	0.00148	38	38	-
San Marino	Jul-02	0.00445	114	114	-
Senegal	Jul-02	0.00890	228	160	68
Serbia	Jul-02	0.05491	1,407	1,407	-
Seychelles	Nov-10	0.00297	76	76	-
Sierra Leone	Jul-02	0.00148	38	-	38
Slovakia	Jul-02	0.21074	5,399	5,399	-
Slovenia	Jul-02	0.15286	3,916	2,837	1,079
South Africa	Jul-02	0.57136	14,637	14,637	-
Spain	Jul-02	4.71487	120,781	120,781	-
Suriname	Oct-08	0.00445	114	114	-
Sweden	Jul-02	1.57905	40,451	40,451	-
Switzerland	Jul-02	1.67699	42,960	42,960	-
Tajikistan	Jul-02	0.00297	76	76	-
The F.Y.R. of Macedonia	Jul-02	0.01039	266	-	266
Timor-Leste	Dec-02	0.00148	38	38	-
Trinidad and Tobago	Jul-02	0.06530	1,673	1,673	-
Tunisia	Sep-11	0.01484	380	-	380
Uganda	Sep-02	0.00890	228	228	-
United Kingdom	Jul-02	9.80076	251,067	251,067	-
United Republic of Tanzania	Nov-02	0.01187	304	-	304
Uruguay	Sep-02	0.04007	1,026	748	278
Vanuatu	Feb-12	0.00000	-	-	-
Venezuela	Jul-02	0.46600	11,938	11,938	-
Zambia	Feb-03	0.00594	152	152	-
<b>Total (121 States Parties)</b>		<b>100.00</b>	<b>2,561,709</b>	<b>2,544,278</b>	<b>17,431</b>

## Notes to the financial statements

### 1. The International Criminal Court and its objectives

1.1 The International Criminal Court (ICC) 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 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 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 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 six field offices to enable it to conduct its field operations. These field offices are operational in Uganda, Democratic Republic of the Congo (2), Central African Republic (2) and Kenya since December 2011. A small administrative field presence has been established in Cote d'Ivoire in 2012.

For the purposes of the 2012 financial period, the appropriations were divided into seven major programmes: the Judiciary (Presidency and Chambers), the Office of the Prosecutor, the Registry, the Secretariat of the Assembly of States Parties, the Secretariat of the Trust Fund for Victims, the Permanent Premises Project Office and the Independent Oversight Mechanism. The composition and objectives pursued by each major programme of the Court are as follows:

(a) *Presidency*

(i) The Presidency, comprising the President and the First and Second Vice-Presidents;

(ii) To ensure the proper administration of the Court through means of managerial oversight, coordination and cooperation;

(iii) To oversee and support the fair, open and effective conduct of proceedings and to fulfill all exclusive judicial functions assigned to the Presidency; and

(iv) To broaden global understanding of and support for the work of the Court by representing it in the international arena.

(b) *Chambers*

(i) 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; and

(ii) To ensure the conduct of fair, effective and open proceedings, safeguarding the rights of all parties.

(c) *Office of the Prosecutor*

(i) 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;

(ii) To promote national efforts and international cooperation to prevent and punish genocide, crimes against humanity and war crimes; and

(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;

(ii) Management of the internal security of the Court; and

(iii) The implementation of mechanisms to assist and safeguard the rights of victims, witnesses and defence.

(e) *Secretariat of the Assembly of States Parties*

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. 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.

(i) To organize 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; and

(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.

(f) *Secretariat of the Trust Fund for Victims*

The Secretariat of the Trust Fund for Victims administers the Trust Fund for Victims and offers administrative support to the Board and its meetings. The Trust Fund for Victims was established by the Assembly of States Parties in its resolution ICC-ASP/1/Res.6. For more information regarding the Trust Fund for Victims please refer to the Financial Statements of the Trust Fund for Victims for 2012.

(g) *Permanent Premises Project Office*

In annex IV and V of resolution ICC-ASP/6/Res.1, the Assembly of States Parties decided to establish the Project Director's Office within the annual proposed programme budget of the Court to cover the Staff costs and other operational costs related to the Permanent Premises Project. The Project Director's Office operates under the full authority of the Assembly of State Parties and reports directly and is accountable to the Assembly through the Oversight Committee. For more information regarding the Permanent Premises Project, please refer to note 15 of these financial statements.

(h) *Independent Oversight Mechanism*

By resolution ICC-ASP/8/Res.1 the Assembly of State Parties has established the independent oversight mechanism (IOM) as a major programme. This independent oversight mechanism shall be co-located (but not integrated or subordinated to) with the Office of Internal Audit at the seat of the Court in The Hague. The scope of the independent oversight mechanism, as envisaged under article 112, paragraph 4, of the Rome Statute includes investigation, evaluation and inspection.

## 2. Summary of significant accounting and financial reporting policies

2.1 The financial statements 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 Organization'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 this account is a calendar year.

2.4 *Accrual basis*: with the exception of voluntary contributions, as defined in subparagraph 2.16(b) below, income, expenditure, assets and liabilities are recognized on an accrual basis.

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 Organization are presented in euro. Balances held in other currencies are converted into euro at the United Nations operational rate of exchange in effect at the date of the financial statements. Transactions in other currencies are converted into euro at the United Nations operational rate of exchange in effect at the date of transaction.

2.7 Exchange rate gains and losses are treated as follows:

- (a) Realized gains and losses resulting from the purchase of other currencies are recorded as miscellaneous income;
- (b) Realized losses on transactions are reflected in the expenditures of the main programme; and
- (c) Unrealized gains and losses resulting from the revaluation of cash and other assets and liabilities are recorded as expenditure and adjusted in the corresponding programme budgets. At year-end, a cumulative net gain is recorded as other income, whereas a net loss is specifically provided for and recorded as expenditure;

2.8 *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.

2.9 *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.

2.10 *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.

In its resolution ICC-ASP/10/Res.4, the Assembly of States Parties, decided to maintain the contingency fund at the level of €7 million for 2012 and decided to replenish the fund in the amount of €2,2 million in 2012. The exact amount of replenishment was communicated by the Court after the closure of the accounts of the financial period for an amount of €2,561,709 (Schedule 8).

2.11 *The 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.

2.12 *The Permanent Premises Project is funded by:*

(a) Ministry of Foreign Affairs of the Host State Netherlands: through the provision to the Court of a loan of up to a maximum of €200 million, to be repaid over a period of 30 years at an interest rate of 2.5 per cent, on the basis of annex II to Resolution ICC-ASP/7/Res.1. The interest is to be paid annually, as of the first utilization of the host State loan. Repayment of the loan, through regular annual installments, will commence after expiration of the existing or future leases of the interim premises. In the event of the €200 million not being fully utilized at the end of the project, the host State will reduce the amount of the loan to be repaid by an amount that corresponds to 17.5 per cent of the difference between loan utilized and €200 million;

(b) Assessed Contributions based on the principles laid out in Resolution ICC-ASP/7/Res.1 Annex III for one-time payments of the assessed share. The Resolution ICC-ASP/11/Res.3 has extended the date for State Parties to inform the Registrar and the Project Director's Office of their decision to select the option of a one-time payment of their assessed share to 31 December 2014. The one-time payments may be made in one to three installments. All one-time payments are to be received in full by 31 December 2014. A one-time payment shall be subject to an adjustment once the final cost of the project and the amount of the host State subsidy are known;

(c) Voluntary contributions from governments, international organizations, individuals, corporations and other entities, in accordance with annex VI of ICC-ASP/6/Res.1 adopted by the Assembly of States Parties on the establishment of a permanent premises construction trust fund; and

(d) Alternative resources as the Assembly of States Parties may decide to allocate.

2.13 *Assessed contributions:*

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;

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;

Contributions paid in other currencies are converted into euro at the rate of exchange in effect at the date of payment; and

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.

2.14 *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 2.16(e) below.

Unless otherwise determined by the Assembly of States Parties, surpluses at the end of the financial period, after deducting 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.

2.15 *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.

2.16 *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.

2.17 *Income:* the organization's income consists of:

(a) Assessed contributions: for the purposes of the financial statements, income is recognized 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) Permanent Premises Project contributions received as one-time payments contributions are recorded as income at the time that the actual contributions are received from the States Parties;

(d) Funds provided by the United Nations in accordance with article 115, subparagraph (b), of the Rome Statute; and

(e) 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; and

(vi) Voluntary contributions for which no purpose is specified.

2.18 *Expenditure:*

(a) Expenditures are incurred against authorized 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 capitalized, inventory of such non-expendable property is maintained at the historical cost; and

(c) Obligations pertaining to future financial periods are recorded against a deferred charge account, in accordance with financial rule 111.7.

2.19 *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 recognized by the Court. Current period obligations remain valid for 12 months after the end of the financial year to which they relate.

2.20 *Provision for pension liabilities for judges.* During its seventh session held from 9 to 13 October 2006, the CBF recommended that the Court should accept the tender of Allianz/NL to provide the judges' pension scheme. The CBF recommendation was accepted by the ASP during its fifth session (See ICC-ASP/5/32, Page 16, paragraph 31). Allianz have been appointed as the Judges Pension Scheme Administrators and the commencement date for the contract is 31 December 2008.

In 2012, the ICC paid Allianz an annual premium of €1,522,301. The scheme is a defined benefit scheme which provides the following benefits for scheme members: a defined retirement pension for judges after the completion of the 9-year term (pro-rated if 9-year term is not completed); the surviving spouse pension of 50% of the judge's entitlement and a disability pension for judges aged 65 and under.

2.21 *Cash and term deposits* comprise funds held in current accounts, interest-bearing bank accounts and time deposits with a maturity lower than 3 months.

2.22 *Deferred income* includes pledged contributions for future financial periods and other income received but not yet earned.

2.23 *Prepaid expenses comprise:* That portion of the education grant advance which is assumed to pertain to the scholastic year completed at the date of the financial statement is reported as prepaid expenses 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.

The following methods of estimating the liability are in line with International Standards for employee benefits, where the underlying principle is that the cost of providing employee benefits should be recognized in the period in which the benefit is earned by the employee, rather than when it is paid or payable.

2.24 *Repatriation grant liability:* internationally recruited staff members who separate become entitled to repatriation grants after one year of service. Similarly, judges become entitled to receive a relocation allowance after five years of service, upon termination of duty.

2.25 *Annual Leave Accrual:* the Court recognized the costs of untaken annual leaves by court employees.

2.26 The Court's accounting policy with respect to recognition of end-of-service employee liabilities is to recognize full liabilities at the end of financial period.

2.27 *Contingent liabilities,* if any, are disclosed in the notes to the financial statements.

2.28 *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 organization 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 organization 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 *Statement I* reports the income and expenditure and changes in reserve and fund balances during the financial period. It includes the excess or shortfall 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 2012, the value of non-expendable property is excluded from the assets (see note 6).

3.3 *Statement III* is the cash flow summary statement prepared using the indirect method.

3.4 *Statement IV* reports on expenditures against the appropriations 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/10/Res.4, approved the funding of the appropriations of the Court for the financial period 1 January to 31 December 2012 in the total amount of €108,800 thousand. As at 31 December 2012, there were 121 States Parties to the Rome Statute.

4.2 *Interest income:* interest in the amount of €410,956 represents interest accrued 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 €351,034 represents the following:

**Table 1: Details of miscellaneous income (in euro)**

<i>Miscellaneous income</i>	<i>Amount (euro)</i>
Refund of expenditures incurred in prior financial periods	351,034
<b>Total</b>	<b>351,034</b>

4.4 *Expenditures:* the total amount of expenditures, €107,461 thousand comprises total disbursements of €7,842 thousand, outstanding obligations of €7,151 thousand and accruals or provisions of €2,468 thousand. Total amount of expenditure consists of €105,108 thousand charged against General Fund (detailed in table 2 below), €2,353 thousand charged against Contingency Fund (detailed in table 3 below).

**Table 2: Details of expenditures for the approved programme budget (in euro)**

<i>Category of expenditure</i>	<i>Appropriation Amount</i>	<i>Disbursed expenditures</i>	<i>Unliquidated Obligations</i>	<i>Accruals, Provisions a)</i>	<i>Total Expenditures</i>
Salaries & other staff costs	78,128,900	74,860,164	1,037,207	1,677,471	77,574,842
Travel & hospitality	4,595,200	3,142,027	755,676	-	3,897,703
Contractual services	11,364,900	6,817,694	3,191,447	552,836	10,561,977
Operating expenses	12,559,900	9,169,947	1,682,076	210,668	11,062,691
Acquisitions	2,151,100	1,860,414	150,612	-	2,011,026
<b>Total</b>	<b>108,800,000</b>	<b>95,850,246</b>	<b>6,817,018</b>	<b>2,440,975</b>	<b>105,108,239</b>

**Table 3: Details of expenditures for the Contingency Fund (in euro)**

<i>Category of expenditure</i>	<i>Notified Amount</i>	<i>Disbursed expenditures</i>	<i>Unliquidated Obligations</i>	<i>Accruals, Provisions</i>	<i>Total Expenditures</i>
Salaries & other staff costs	1,533,130	1,094,708	6,832	27,235	1,128,775
Travel & hospitality	147,736	44,733	7,431	-	52,164
Contractual services	1,656,000	653,804	249,975	-	903,779
Operating expenses	289,683	133,764	69,978	-	203,742
Acquisitions	178,230	64,253	-	-	64,253
<b>Total</b>	<b>3,804,779</b>	<b>1,991,262</b>	<b>334,216</b>	<b>27,235</b>	<b>2,352,713</b>
<b>Grand total</b>		<b>97,841,508</b>	<b>7,151,234</b>	<b>2,468,210</b>	<b>107,460,952</b>

*Pension expenditures:* the premium for 2012 was paid to Allianz and recorded as disbursed expenditure for €1,522,301.

#### 4.5 *Accruals:*

(a) *Repatriation Grant Accrual:* The Repatriation Grant Liability has been subdivided into a Repatriation Grant accrual of €5,780,297 and Repatriation Grant Liability of €396,458 under Other Accounts Payable. The distinction being that the Repatriation Grant Liability refers to amounts owed to staff as of 31 December 2012 who have already left the Court and the amounts are therefore due and payable. The Repatriation Grant Accrual refers to amounts earned by eligible employees as at 31 December 2012 but are not payable as at 31 December as the staff are still employed by the Court. The amount charged to the budget in 2012 for Repatriation Grant accrual was €1,142,945.

(b) *Annual Leave Accrual:* At 31 December 2012 €1,126,842 represents the accumulated annual leave accrual for all Staff members of the Court. The costs related to untaken annual leave incurred in 2012 has been recognized as an expenditure of €338,080 in the income statement of 2012.

#### 4.6 *Provisions:*

(a) *Provisions for ILO cases:* In 2012 eight cases are filed with the International Labour Organization Administrative Tribunal (ILOAT) by current-former staff members of the ICC. Out of those eight cases, three cases are provided as provision in 2012 accounts for a total of €173,681. Three other cases are still open at 31 December 2012 and disclosed as contingent liabilities. Compared to similar cases, the last two cases are not considered likely to result in a liability for the Court and are not provided for.

(b) *Provisions for US Tax Liability:* According to the practice and fundamental principles of the International Civil Service, as adjudicated upon by the International Labour Organization Administrative Tribunal (ILOAT), all employees of the Court are entitled to exemption from taxation on Court salaries, emoluments and allowances paid by the Court. The calculated tax liability is €50,000, estimated for the year 2012 for 7 United States taxpayers on the payroll of the Court during this period.

(c) *Provision for doubtful debt:* Under other accounts receivable based on a judicial decision dated 20 October 2011 (Trial chamber III, number ICC-01/05-01/08-568),

the Court advanced an amount of €52,836 for legal costs to cover the legal representation of an accused person in 2012 whose assets have been frozen. This amount of €52,836 has been charged to the legal aid costs because recovery of this amount is uncertain.

The Court has provided for €48,787 of VAT receivable from Uganda government recovery of which is considered uncertain. The Court has also provided for €6,347 as irrecoverable other accounts receivable.

The Court does not provide any provision for doubtful assessed contributions however article 112 of the Rome Statute stipulates that a State Party which is in arrears in the payment of its assessed contributions for more than 2 full years shall have no vote in the Assembly of States Parties. The Assembly may, nevertheless, permit such a State Party to vote in the Assembly and in the Bureau if it is satisfied that the failure to pay is due to conditions beyond the control of the State Party.

(d) *Other Provisions:* An amount of €61,880 has been provided in 2012 accounts for services provided by a third party from 2008 to 2011 for which likelihood to be paid by the Court is still uncertain.

4.7 *Savings on, or cancellation of, prior periods' obligations:* actual disbursements in 2012 of prior periods' obligations of €5,535,656 amounted to €4,357,034 resulting in savings on or cancellation of obligations totalling €1,178,622.

4.8 *Credits to States Parties:* cash surplus of €1,689,090 from 2011 eligible to States Parties has been apportioned in accordance with their respective assessments for that financial period.

4.9 *Working Capital Fund:* the Assembly of States Parties, in its resolution ICC-ASP/10/Res,4, established the Working Capital Fund for the financial period 1 January to 31 December 2012 at €7,405,983, the same level as in the previous financial period.

4.10 *Assessed contributions receivable:* the outstanding balance of contributions of €6,569,270 comprises €409,547 due for prior financial periods and €6,159,723 due for 2012 (Schedule 1). Contributions received from States Parties in excess of contributions due in the amount of €738,918 are reported as contributions received in advance (see note 4.15 below).

4.11 *Other contributions receivable* relate to the outstanding balance due to the Working Capital Fund of €7,808 at 31 December 2012 (Schedules 2 and 3) and €17,431 relate to the outstanding balance due to the Contingency Fund at 31 December 2012 (Schedule 2 and 8).

4.12 *Interfund balances receivable* of €6,813 were to the general fund from the other trust funds.

4.13 *Other accounts receivable* in the total of €2,637,581 are detailed in table 4 below.

**Table 4: Details of other accounts receivable (in euro)**

<i>Accounts receivable</i>	2012	2011
Governments (value-added tax) a)	707,331	377,798
Staff	456,368	194,068
Vendors	2,293	7,081
Interest accrued	148,249	144,883
Travel advances (other than cash advances) b)	463,827	537,729
Advances to vendors for travel-related expenses c)	729,088	633,605
Others d)	130,425	103,321
<b>Total</b>	<b>2,637,581</b>	<b>1,998,485</b>

a) *Value-added tax of €707,331* recorded in the accounts as receivable from government for value-added tax (VAT) paid on goods and services doesn't include €154,383 representing VAT for purchases in Uganda. This amount is still a receivable from the Ugandan Government, but the Court hasn't been able to retrieve it to date. The law granting VAT exemption status to ICC in Uganda was signed on 18 October 2008 and entered into force on 1<sup>st</sup> July 2008. Efforts were made for retroactively VAT reimbursement on the basis that the ICC was entitled to VAT exemption status from the beginning of its operations in Uganda and that the delays in formally recognizing that status were not caused by ICC. In 2011, an amount of €84,204 was provided as provision for doubtful debt on 2010 VAT Uganda of which €21,393 has been retrieved in 2012. In 2012 an amount of €48,787 has been provided as provision for doubtful debt for 2011 and 2012 VAT Uganda.

b) *Travel advances (other than cash advances)*: represent travel advances for which the travellers had not submitted travel expense claims. Those travel advances don't include those paid in the form of cash. Cash advances are recorded as receivables from the travellers and are included as "Staff", "Vendors", or "Others" receivables.

c) *Advances to vendors for travel-related expenses*: represent 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 2012.

d) *Within the other accounts receivable* €52,836 is related to the Defence Counsel Costs of an accused. As a result of a judicial decision dated 20 October 2011 (Trial chamber III, number ICC-01/05-01/08-568), the Court advanced €52,836 for legal costs to cover the legal representation of an accused person whose assets have been frozen. It is doubtful that a full recovery of the amount will be possible when the Court applies for all the assets to be released; therefore a provision for doubtful debt of €52,836 was booked in 2012.

4.14 *Education grant advances*: prepaid expenses of €1,238,088 relate to the education grant for the scholastic years completed as at 31 December 2012 and 2013.

4.15 *Contributions or payments received in advance*: €738,918 was received from States Parties to be applied to the next financial period.

4.16 *Other accounts payable* in the total of €6,652,150 are detailed in table 5 below.

**Table 5: Details of other accounts payable (in euro)**

<i>Accounts payable</i>	2012	2011
Staff	103,688	172,396
Vendors <sup>b)</sup>	5,751,409	1,810,760
Deferred payment from Special Court for Sierra Leone <sup>c)</sup>	53,825	85,469
Repatriation grant liability <sup>a)</sup>	396,458	288,725
Others <sup>b)</sup>	346,770	623,050
<b>Total</b>	<b>6,652,150</b>	<b>2,980,400</b>

a) *Repatriation grant liability*: The Repatriation Grant Liability has been subdivided into a Repatriation Grant accrual of €5,780,797 and Repatriation Grant Liability of €396,458 under Other Accounts Payable. The distinction being that the Repatriation Grant Liability refers to amounts owed to staff as of 31 December 2012 who have already left the Court and the amounts are therefore due and payable. The Repatriation Grant Accrual refers to amounts earned by eligible employees as at 31 December 2012 but are not payable as at 31 December as the staff are still employed by the Court.

b) *Vendors and other accounts payable*: Based on the principle of accrual based accounting, all invoices dated until 31 December 2012 represent an account payable of the Court and were booked in the accounting system in 2012, those invoices were paid in January and February 2012.

c) *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. The amount of €53,825 is the balance of the advance payment received at 31 December 2012 from the Special Court less the expenditures incurred by the Special Court as at 31 December 2012.

4.17 *Contingency Fund*: the amount of €9,168,567 representing the cash surplus for 2002-2003 financial periods had been credited to establish the Contingency Fund in accordance with resolution ICC-ASP/ICC/Res.4 (b). In 2010, the Contingency Fund was reduced by the shortfall of income over expenditure of €12,000. In 2011, additional €4,318,276 has been charged to Contingency Fund representing excess of expenditure over appropriations approved (Statement IV). In 2012, the fund has been replenished in accordance with Assembly of States Parties resolution ICC-ASP/10/Res.4, in the amount of €2,561,709 to reach the threshold level of €7 million.

<i>Balance at 1 January 2012 (amounts in euro)</i>	4,438,291
Replenishment of the contingency fund	2,561,709
<b>Balance at 31 December 2012</b>	<b>7,000,000</b>

4.18 *Reserve for unpaid assessed contributions*: an amount of €409,547, 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 2011 for distribution to States Parties (Schedule 4).

4.19 *Deferred voluntary contribution*: an amount of €130,000 has been received from Mexico as voluntary contribution to the rent costs of the interim premises of the Court for 2013. Please refer to Major Programme V- Interim Premises of 2013 Programme Budget (section C of ICC-ASP/11/Res.1).

## 5. Trust Funds

5.1 *General description and purpose* of the different trust funds disclosed in Schedules 6 and 7:

*Internship and Visiting Professionals Programme* supports interns and visiting professional in Judiciary, Office of the Prosecutor and Registry at the Court. This programme runs from April through March of the period for 2 years. As from 1<sup>st</sup> April 2010, the full name of the Internship and Visiting Professionals Programme is Strengthening the International Criminal Court - reinforcing the principle of complementarity and universality and building a high quality defense.

*Seminar of Counsel* is run by the Registry to finance the consultations between the Court and the legal professional represented by the counsels on the Court's list of counsel.

Those two trust funds are part of the European Commission Contracts and their figures are presented together

*Least Developed Countries* is run by the Secretariat of the Assembly of State Parties and covers travel costs related to the participation of representatives of least developed countries and other developing states at the Assembly of States Parties meeting. This is an on-going programme.

*Regional Seminar in Yaounde* is run by the Registry to support the organization of local seminars for local experts including judges, layers, politicians, NGOs to raise awareness and knowledge of the Court around the world.

*Regional Seminar in Tunis (Tunisia)* was organized by the Court in September 2012 to provide interactive training on the Rome Statute to leading law professionals of the Maghreb countries and some countries of Middle East (Egypt, Jordan Lebanon and Syria) with a view to enhancing States' cooperation with the Court. This seminar is part of a series of regional seminars. The first was conducted in Dakar (Senegal) in December 2010 and the second in Yaounde (Cameroon) in October 2011.

*Joint Seminar with African Union in Ethiopia* was run by the 3 organs to improve the participants' knowledge on the technical aspects of the Rome Statute and the Court's work. The seminar took place in Addis Ababa in July 2012. The participants were the staff members from the African Union Commission, legal advisors from delegation African States to the African Union, Coordinator of the African Group of States Parties at the United Nations, ICC officials and donors contributing to the seminar.

*Regional Seminar in Cambodia* will take place during the first quarter of 2013 and the purpose is to improve the cooperation between the experts in national law and the International Criminal Court in order to reinforce the fight against impunity of worst crimes.

*Legal Tools Project* is run by the Office of the Prosecutor to facilitate and coordinate the introduction, implementation and use of the Legal tools project, in particular the Case matrix, by users outside the Court.

*General Trust Fund* is used for Victims and Witnesses Unit to organize a one day seminar on protection in November 2011.

*Special Fund for Relocations* is established to assist States which are willing but do not have the capacity to enter into relocation agreements with the Court with cost neutral solutions, aimed at increasing the number of effective relocations and building local capacity to protect witnesses. This Special Fund will be resourced by voluntary donations from willing States Parties.

*Family visit for indigent detainees* was established within the Registry by the Assembly of States Parties in its resolution ICC-ASP/8/Res.4. The purpose is to fund family visits for indigent detainees entirely through voluntary donations, with contributions from States Parties, other States, non-governmental organizations, civil society, or individuals.

5.2 *Voluntary contributions*: contributions in the amount of €1,504,883 have been pledged and/or received for 2012 projects.

5.3 *Interest income*: interest in the amount of €4,214 represents interest earned on the Court's bank account for the Trust Funds.

5.4 *Expenditure*: the total amount of €805,783 comprises total disbursements of €42,060 and outstanding obligations of €163,723.

5.5 *Refund to donors*: the amount of €17,063 was refunded to donors, being the amount in excess of the requirements of the specific projects completed (Schedules 6 and 7).

5.6 *Other accounts receivable*: the amount of €34 is the interest earned but not received yet with regard to the bank account of the Trust Funds.

5.7 *Contributions or payments received in advance*: the ICC received voluntary contributions in the total amount of €20,000 for projects starting after 31 December 2012 (Schedule 6).

5.8 *Interfund balances payable*: as at 31 December 2012, interfund balances between the Trust Fund and the General Fund amounted to a payable of €72,622.

5.9 *Prior period adjustment*: the opening fund balance has been adjusted by an amount of €54,741 as prior period adjustment.

## 6. Non-expendable property

6.1 A summary of non-expendable property, at historical cost, as at 31 December 2012 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 organization, but is directly charged to the budget upon acquisition.

**Table 6: Summary of non-expendable property (in euro)**

<i>Asset management category</i>	<i>Opening balance as at 1 January 2012</i>	<i>Acquisitions/ adjustments</i>	<i>Written-off items<sup>a/</sup></i>	<i>Closing balance as at 31 December 2012</i>
Information, technology and communications equipment	8,286,086	701,554	598,517	8,389,123
Security and safety equipment	821,366	5,713	4,047	823,032
General services equipment	1,106,666	167,545	36,215	1,237,996
Vehicles and transportation equipment	979,859	120,119	32,380	1,067,598
Office of the Prosecutor equipment	1,401,930	10,431	52,126	1,360,235
Other equipment	1,596,282	172,964	25,858	1,743,388
Courtrooms and Pre-Trial Chamber*	1,362,918	-	-	1,362,918
<b>Total</b>	<b>15,555,107</b>	<b>1,178,326</b>	<b>749,143</b>	<b>15,984,290</b>

\* Courtrooms and Pre-Trial chamber – Courtroom elements constituting an integral part of the installation.

In addition to the above, the ICC's records include the following non-expendable property acquired from voluntary contributions:

**Table 7: Summary of non-expendable property funded by other sources (in euro)**

<i>Asset management category</i>	<i>Opening balance as at 1 January 2012</i>	<i>Written-off items<sup>a/</sup></i>	<i>Closing balance as at 31 December 2012</i>
Advance team budget	8,420	1,387	7,033
Donations to the ICC	272,158	3,360	268,798
<b>Total</b>	<b>280,578</b>	<b>4,747</b>	<b>275,831</b>

a/ During 2012, items with historical cost of €753,890 had been written off.

## 7. Write-off losses of cash, receivables and property

7.1 In addition to the items written off during 2012 as stated in 6.1 above, a total amount of €320 was written off as loss from the Petty Cash account.

## 8. Ex-gratia payments

8.1 No *ex-gratia* payment was 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 During 2012, 3 cases have been identified where staff members of the ICC have filed actions with the International Labour Organization Administrative Tribunal (ILOAT) for a total of €60,214.

## 11. Service-incurred injury

11.1 The ICC entered into an 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 organization's budget and is reflected in the accounts under expenditures. The total premium paid during 2012 for this insurance was €93,123.

## 12. Contributions in kind

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. In 2012 the Court received the invoices for the rent from the Rijks Gebouwen Dienst and was reimbursed in full by the Ministry of Foreign Affairs. As the rental contract is still partly under negotiation an amount of €175,051 is still outstanding to be paid as well as to be reimbursed; and

(ii) Costs associated with the interim premises of the Court to a maximum of €33 million, including the costs of building a courtroom.

(b) In 2012 the Court hired a number of short term pro-bono personnel, representing receipt of services in kind at a value of €86,000.

## 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 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.

In 2012, the ASP approved an appropriation of €1,450,600 for the Secretariat of the Trust Fund for Victims which administers the Trust Fund and offers administrative support to the Board and its meetings. Expenditures recorded in the accounts for the Secretariat during the financial period are €1,327,725.

## 14. The Permanent Premises Project: General description

14.1 The Permanent Premises Project was established by the Assembly of States Parties (ASP), in its resolution ICC-ASP/4/Res.2, which emphasized that “the Court is a permanent judicial institution and as such requires functional permanent premises to enable the Court to discharge its duties effectively and to reflect the significance of the Court for the fight against impunity”, and reiterating the importance of permanent premises to the future of the Court.

14.2 In its Resolution ICC-ASP/6/Res.1 the ASP further recalled that the overall construction costs, which include a contingency reserve, fees for the consultants and contractors, pre-tender and post-tender inflation, any fees for permits and dues and a fund for integrated, specialized representational features were estimated to be no more than €190 million at the 2014 price level. In the annex II to Resolution ICC-ASP/6/Res.1, the Assembly of States Parties established an Oversight Committee of States Parties which is established as a subsidiary body of the Assembly of States Parties pursuant to article 112, paragraph 4, of the Rome Statute.

14.3 The mandate of the Oversight Committee is to provide a standing body to act on behalf of the Assembly in the construction of the permanent premises of the International Criminal Court. The role of the Oversight Committee will be strategic oversight, with routine management of the project resting with the Project Director. The Oversight Committee is a body consisting of 10 States Parties, with at least one member from each regional group.

14.4 In its Resolution ICC-ASP/10/Res.6, the Assembly of States Parties noted that the Court initially quantified on 1 March 2012 the amount of €42.2 million as the other costs

related to the project but not directly related to the construction. Noting that such costs concern elements that are user specific and include two components:

(a) 3 gv, estimated at €2.1 million, for integrated user equipment, that is fixed elements integrated in the design; and

(b) 2 gv and other related costs, originally estimated at €20.1 million and later reduced to €19.8 million, for non-integrated user equipment, that is loose elements, and other costs such as moving, additional staff and consultancy fees.

The Assembly approved that non-integrated elements (2gv) and other related costs shall not exceed €19,8 million, and will be approved upon submission year by year in the Court's budget;

The Assembly further approved that the integrated elements (3gv) are construction costs and, as such incorporated in the overall budget of €190 million, and also approved that such elements and their costs be entirely absorbed within the overall budget, so that the same is not exceeded.

In its Resolution ICC-ASP/11/Res.3, the Assembly of States Parties welcomed that the project continues to remain within the approved budget of €190 million at 2014 prices, and, in this regard, noted with satisfaction that the integrated elements ("3gv") have been entirely absorbed within the overall budget and that, at the present stage, the projected construction costs are estimated at €183.7 million, i.e. €6.3 million below the maximum amount allocated to the project.

The ASP welcomed that the completion date for the permanent premises continues to be September 2015, and stresses the need for the project to comply with that deadline in order to prevent future cost overruns and to allow the Court to progressively move into the premises up to December 2015.

## 15. The Permanent Premises Project: Notes to Statements (I-III)

15.1 *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.

15.2 *Statement II* shows the assets, liabilities, reserves and fund balances as at 31 December 2012.

15.3 *Statement III* is the cash flow summary statement prepared using the indirect method.

15.4 *Assessed Contributions* in 2012 the total amount of €8,705,660 was received from States Parties as one-time payments and is detailed in the table 8 below (in euro).

**Table 8: One-time payments received by States Parties (in euro)**

<i>States Parties</i>	<i>2012</i>	<i>Prior years</i>	<i>Total</i>
Albania	-	6,865	6,865
Andorra	-	18,305	18,305
Argentina	-	743,641	743,641
Australia	-	4,088,881	4,088,881
Benin	-	-	-
Bolivia	-	13,729	13,729
Burkina Faso	4,576	-	4,576
Cambodia	-	2,288	2,288
Canada	-	6,811,751	6,811,751
Chile	367,498	-	367,498
Costa Rica	49,477	-	49,477
Czech Republic	321,481	321,482	642,963
Dem. Rep. of Congo	-	6,864	6,864
Djibouti	-	-	-
Finland	-	1,290,503	1,290,503
Georgia	6,864	-	6,864
Hungary	372,202	186,101	558,303
Iceland	84,661	-	84,661
Italy	3,873,798	7,747,594	11,621,392
Jordan	9,153	18,305	27,458
Korea	234,406	-	234,406
Liechtenstein	-	22,881	22,881
Lithuania	-	47,288	47,288
Luxembourg	-	194,491	194,491
Mauritius	-	25,169	25,169

<i>States Parties</i>	<i>2012</i>	<i>Prior years</i>	<i>Total</i>
Mexico	-	3,442,867	3,442,867
Montenegro	-	2,288	2,288
Portugal	401,947	803,895	1,205,842
Samoa	-	2,288	2,288
San Marino	-	6,864	6,864
Serbia	-	48,051	48,051
Slovakia	143,804	-	143,804
South Africa	-	663,557	663,557
Sweden	-	2,450,583	2,450,583
Switzerland	2,774,014	-	2,774,014
Trinidad and Tobago	61,779	-	61,779
<b>Total one-time payments received</b>	<b>8,705,660</b>	<b>28,966,531</b>	<b>37,672,191</b>

15.5 *Expenditures*: the total amount of expenditures of €8,582,075 comprises disbursements of €8,475,209 and outstanding obligations of €106,866. The expenditures include construction costs, permits and dues and fees (design related, project management and other consultants). During 2012 the project concluded the tendering stage with the appointment of the general contractor in October 2012 and the start of the construction activities.

15.6 *Savings on, or cancellation of, prior periods' obligations*: actual disbursements of prior periods' obligations of €319,993 resulted in savings of €42,446.

15.7 *Other accounts receivable* in the amount of €51,921 represent interest earned but not yet received as at 31 December 2012, €365,365 represent Value-added tax paid on goods and services to be received from the Dutch government and €5,810 an interfund balance receivable from the general fund.

15.8 *Other accounts payable* in the amount of €1,479,497 represent invoices booked in the accounts but not yet paid as at 31 December 2012. Those invoices were paid in January and February 2013.

15.9 *Contributions received in advance* all contributions received in 2012 for the Permanent Premises Project in relation to one-time payments option (as referred to resolution ICC-ASP/7/Res.1) were recognized as income in 2012.

15.10 *Host State Loan* was not used in 2012 as sufficient one-time payments were received.

15.11 *Voluntary Contribution* of €1,500,000 was received from the Dutch Ministry of Foreign Affairs in order to partially finance the building permit fees of approx. €2,500,000 paid to the Municipality of the Hague.

15.12 *Project Director's Office*: in annex IV and V of resolution ICC-ASP/6/Res.1, the Assembly of States Parties decided to establish the Project Director's Office within the annual proposed programme budget of the Court under major programme VII to cover the staff costs and other operational costs related to the premises project. The Project Director's Office operates under the full authority of the Assembly of States Parties and reports directly and be accountable to the Assembly through the Oversight Committee.

15.13 Without prejudice to the paragraph above, the Project Director's Office is an integral part of the International Criminal Court; for administrative and staff purposes, the Project Director's Office and its staff are attached to the Registry of the Court.

15.14 In 2012, the Assembly of States Parties approved an appropriation of €1,337,200 for the Project Director's Office which is responsible for the management of the Permanent Premises Project; Expenditures recorded in the accounts for the Project Director's Office during the financial period are €86,663.

15.15 In its Resolution ICC-ASP/10/Res.6, the Assembly reiterates the important role of the Project Director in providing strategic leadership and overall management of the project, and his responsibility for meeting the project's goals, timelines and costs, and quality requirements, as provided in resolution ICCASP/6/Res.1, and invites the Registrar to delegate authority to the Project Director where necessary and at an appropriate level, in accordance with the Financial Regulations and Rules, with respect to engaging funds for the permanent premises project.

## 2. Trust Fund for Victims financial statements for the period 1 January to 31 December 2012

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## Letter of transmittal

5 July 2013

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 2012.

(Signed) Herman von Hebel  
Registrar

M. Hervé-Adrien Metzger  
Director  
Cour des Comptes,  
13 rue Cambon,  
75100 Cedex 01  
France

## Letter to the Registrar for the Trust Fund for Victims Financial Statements 2012

4 July 2013

Dear Mr Registrar,

In consideration of TFV Regulation 77(b), the Board of Directors shall submit the accounts and Financial Statements of the Trust Fund for Victims for review by the External Auditor.

I shall appreciate if you will sign the Letter of Transmittal for the Trust Fund for Victims Financial Statements (2012) to the External Auditor.

Respectfully yours,

(Signed) Motoo Noguchi,  
Chair, Board of Directors of the Trust Fund for Victims

## **Independent auditor's opinion and report to the Board of Directors of the Trust Fund for Victims and the Assembly of States Parties**

We have audited the Financial Statements of The Trust Fund for Victims (TFV), for the 12 month period ended 31 December 2012. These Financial Statements include a statement of income and expenditure and changes in fund balances, a statement of assets, liabilities, reserves and fund balances, a cash flow statement, a statement of appropriation, a statement of Contingency Fund Applications and other information and notes for the financial year ending at that date.

By virtue of Part IV, paragraph 77 of the Regulations of the Trust Fund for Victims, the Board of Directors is responsible for preparing and presenting the financial statements of The Trust Fund for Victims. These statements are in conformity with the United Nations System Accounting Standards (UNSAS). This responsibility includes the design, implementation and monitoring of internal control procedures to ensure the preparation and the fair presentation of financial statements, free of significant misstatements, resulting either from frauds or errors. This responsibility also includes the determination of fair accounting estimates adapted to the circumstances.

Our responsibility is to express an opinion on these financial statements based on our audit. We have conducted our audit in accordance with the International Standards on Auditing (ISA). These Standards require us to comply with the ethical rules and to plan and perform our audit in order to obtain a reasonable assurance that the financial statements are free from material misstatements.

An audit consists in implementing audit procedures in order to collect audit evidence regarding the amounts and the information presented in the financial statements. The design of the audit procedures is based on the external auditor's professional judgment, as well as the risk evaluation that the financial statements include significant misstatements, resulting either from frauds or errors. In the context of this risk evaluation, the auditor considers the internal control in place for the preparation and presentation of the financial statements, in order to design appropriate audit procedures and not in order to express any opinion on the internal control. An audit also consists in evaluating that the accounting method applied and the presentation of the financial statements are appropriate and that the significant accounting estimates are reasonable.

We believe that the audit evidence collected is sufficient and appropriate to constitute a reasonable basis for our opinion.

Based on our audit, the financial statements give a fair view of the income and expenditure and changes in fund balances as well as the assets, liabilities, reserves and fund balances and cash flow of The Trust Fund for Victims as at 31 December 2012, for the 12 month period ended 31 December 2012 in conformity with the UNSAS.

Didier MIGAUD

Cour des Comptes  
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75100 Paris Cedex 01  
France

## External auditor's report on the 2012 financial statement audit

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### Audit objective, scope and approach

1. We have audited the financial statements of the Trust Fund for Victims (TFV) in accordance with International Standards on Auditing (ISA) and in accordance with Regulation 12 of the Financial Regulations and Rules of the International Criminal Court (ICC), including the additional terms of reference governing the audit.
2. The overall objective of an audit of financial statements is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, thereby enabling the auditor to express an opinion on whether the financial statements are prepared, in all material respects, in accordance with the applicable financial framework.
3. The additional terms of reference governing the audit of ICC and all trust funds including The Trust Fund for Victims, disclosed in the annex 6.(c) to the Financial Regulations and Rules lists other matters, which the Auditor considers should be brought to the notice of the Assembly of States Parties, such as wasteful or improper expenditure of the Trust Fund for Victims' money and other assets, and expenditure not in accordance with the intention of the Assembly of States Parties.
4. The audit mission comprised three phases:
  - (a) a risk analysis phase carried out in the first year of the external audit mandate, from 01 to 05 October 2012;
  - (b) an interim audit, focusing on internal controls, budgeting and governance issues, from 03 to 14 December 2012; and
  - (c) a final audit, focusing on the financial statements and disclosure requirements in general, from 10 to 21 June 2013.
5. Findings and recommendations arising from the audit are set out in the summary below and further developed in the report.
6. We noted that all ten recommendations resulting from the previous audit carried out by the United Kingdom National Audit Office were either implemented or in the process of being implemented. These are disclosed in the annex to this report.
7. The Auditor has received a Letter of representation, signed by the Executive Director of the Secretariat Trust Fund for Victims on 14 January 2013.
8. Findings and recommendations have been discussed with the Executive Director of the Trust Fund for Victims, the Legal Advisor of TFV, the Chief of Budget and Finance Section of ICC and the ICC IPSAS Project Coordinator relating to recommendations included in the draft audit report, took place on 20 June 2013.
9. The draft observations have been reviewed, taking into account the written comments sent by The Trust Fund for Victims and the International Criminal Court.

## Summary of 2012 recommendations

**Recommendation n°1:** The External Auditor recommends improving the ways of working between the Trust Fund for Victims and the ICC Budget and Finance Section by taking the necessary steps to help ensure that the ICC accounting function responds in a timely manner to reasonable demands from the External Auditor. This should also put meeting the requirements of the upcoming implementation of IPSAS standards, as a key priority for TFV and the ICC accounting function.

**Recommendation n°2:** The External Auditor recommends to the Board of Directors of TFV to decide which accounting policy to apply by making a judgement based on a detailed analysis of all contracts with respect to measurable performance conditions and enforceable refund of funds. It is also recommended that the TFV Board of Directors initiate this analysis performing it in close collaboration with the ICC IPSAS Unit head.

## Main findings and recommendations

### General issues relating to the accounting function and the conduct of the audit

10. The Trust Fund for Victims has provided the Auditor and its staff free access to all books and records and other documentation which are, in the opinion of the Auditor, necessary for the performance of the audit.

11. However, access to books and records such as a trial balance which reconciles to the financial statements was provided with considerable delay after repeat requests from the Auditor.

12. Part of the explanation to justify these delays relates to the fact that the responsibility for the provision of the documents and schedules falls with the International Criminal Court's Budget and Finance Section, which at the time of the audit was involved in a work intensive budget preparation phase and that at ICC, both budget and accounting fall under the same section.

13. The difficulties encountered and considerable delays demonstrate that the current ways of working between the Trust Fund for Victims and the ICC Budget and Finance Section is not optimal to ensure timely and efficient support to the audit process.

### Recommendation n°1

The External Auditor recommends improving the ways of working between the Trust Fund for Victims and the ICC Budget and Finance Section by taking the necessary steps to help ensure that the ICC accounting function responds in a timely manner to reasonable demands from the External Auditor. This should also put meeting the requirements of the upcoming implementation of IPSAS standards, as a key priority for TFV and the ICC accounting function.

### Advance payments to implementing partners

14. The future transition to IPSAS requires an involvement of management and financial department prior to the change in accounting standards. The adopted accounting policy should result in financial information which is relevant to the decision-making needs of users and reflects the economic substance of transactions.

15. Management is responsible for the choice of the appropriated accounting policy and this policy should be based on his judgment.

16. At this stage, given the considerable amount of work involved, TFV Secretariat and the ICC Budget and Finance Section are not sufficiently prepared for the IPSAS transition related to advance payments to suppliers.

### **Recommendation n°2**

The External Auditor recommends to the Board of Directors of TFV to decide which accounting policy to apply by making a judgement based on a detailed analysis of all contracts with respect to measurable performance conditions and enforceable refund of funds. It is also recommended that the TFV Board of Directors initiate this analysis performing it in close collaboration with the ICC IPSAS Unit head.

### **Acknowledgements**

17. The External Auditor wishes to thank The Trust Fund for Victims and the members of the Office of the Registrar of the International Criminal Court, for the cooperation and general support provided to the audit teams during the audit.

## Annex

### Follow-up of previous recommendations raised by the United Kingdom National Audit Office

<i>Financial year</i>	<i>N°</i>	<i>Recommendations</i>	<i>Completed</i>	<i>Partially completed</i>	<i>Not yet completed</i>
2011	1	The Fund should work closely with the ICC IPSAS implementation team to develop specific and appropriate IPSAS accounting policies which are tailored to the situation and requirement of the Fund.		X	
2011	2	The Funds should clearly identify the objectives and anticipated benefits of the IPSAS project and develop a methodology to track and manage benefits realisation.		X	
2011	3	The Fund's management should engage with the OIA to ensure that it receives sufficient assurance on the adequacy and effectiveness of the Fund's framework of governance, risk management and control.		X	
2010	1	The process of setting objectives for the Fund must be examined. All objectives given must be measurable, specific and achievable.		X	
2010	2	The Fund should make all efforts to complete the work on an online donation facility and publicise its availability in order to maximise donations generated from coverage of the first ICC rulings expected this year.	X		
2010	3	The Fund must ensure that in dealing with smaller, local partner organisations contingencies are in place so that so that, in the event the Fund is no longer able to provide funds and support, the projects are able to continue or come to an end in a way that protects the reputation of the Fund.	X		
2010	4	The Fund should ensure that the bidding process for projects is as simple as possible to encourage participation. Clear guidance on preparing a bid should be provided by the Fund for those who are uncertain of the process; this will help in making the process open to as many applicants as possible.		X	
2010	5	The Fund should look to review each stage of the tender process in depth in order to capture lessons learned that need to be learnt in order to improve the process for future tenders.		X	
2010	6	We recommend that the Trust Fund for Victims should consider the necessary resources required supporting the administrative and financial requirements of the Fund as online donations and reparations become more significant over the coming financial periods.		X	
2010	7	The management and Board should engage in enterprise risk management. On-going processes for identifying, assessing and mitigating risks should be implemented as soon as possible in order to safeguard the resources which have been entrusted to the Fund.		X	
<b>Total number of recommendations: 10</b>			<b>2</b>	<b>8</b>	<b>0</b>

1. After careful review over the implementation status of recommendations raised by the United Kingdom National Audit Office, it was noted that out of a total of ten recommendations raised for financial years 2010 and 2011, two have been implemented and eight have been partially implemented.

2. The majority of partially met recommendations relate to governance and ways of working issues. The External Auditor will carry out a complete review of questions relating to the governance of the Trust Fund for Victims as part of audit procedures carried out in 2013 and 2014.

## Statement I

### Trust Fund for Victims Statement of income and expenditure and changes in fund balances for the period ending 31 December 2012 (in euro)

	2012	Notes Ref.	2011
<b>Income</b>			
Voluntary contributions	2,502,203	3.4	3,256,706
Interest income	59,897		56,452
<i>Total income</i>	<i>2,562,100</i>		<i>3,313,158</i>
<b>Expenditure</b>			
Disbursements	1,132,917	3.5	1,662,013
Unliquidated obligations	317,740	3.5, 3.6	841,076
Repatriation Grant Accrual	-		4,629
<i>Total expenditure</i>	<i>1,450,657</i>		<i>2,507,718</i>
<b>Excess/(shortfall) of income over expenditure</b>	<b>1,111,443</b>		<b>805,440</b>
Savings on, or cancellation of, prior periods obligations	29,252	3.7	186,333
Refund to Donors	(19,546)	3.8	(15,215)
Fund balances at beginning of financial period	3,410,307		2,433,749
<b>Fund balances as at 31 December</b>	<b>4,531,456</b>		<b>3,410,307</b>
Date:	Signed: Chair of the Board of Directors for the Trust Fund for Victims.....		
	Chief of Budget and Finance Section.....		

## Statement II

### Trust Fund for Victims Statement of assets, liabilities, reserves and fund balances as at 31 December 2012 (in euro)

	2012	Notes Ref.	2011
<b>Assets</b>			
Cash and term deposits	4,847,002		4,244,218
Other accounts receivable	14,642	3.9	14,630
<i>Total assets</i>	<i>4,861,644</i>		<i>4,258,848</i>
<b>Liabilities</b>			
Unliquidated obligations	317,740	3.6	841,076
Repatriation Grant Accrual	7,465		7,465
Other accounts payable	4,983		-
<i>Total liabilities</i>	<i>330,188</i>		<i>848,541</i>
<b>Reserves and fund balances</b>			
Cumulative surplus	4,531,456		3,410,307
<i>Total reserves and fund balances</i>	<i>4,531,456</i>		<i>3,410,307</i>
<b>Total liabilities, reserves and fund balances</b>	<b>4,861,644</b>		<b>4,258,848</b>
Date:	Signed: Chair of the Board of Directors for the Trust Fund for Victims.....		
	Chief of Budget and Finance Section.....		

## Statement III

### Trust Fund for Victims Statement of cash flow as at 31 December 2012 (in euro)

	2012	2011
<b>Cash flows from operating activities</b>		
Net excess/(shortfall) of income over expenditure (Statement I)	1,111,443	805,439
Other accounts receivable (increase)/decrease	(12)	44,751
Unliquidated obligations increase/(decrease)	(523,336)	7,092
Other accounts payable increase (decrease)	4,983	-
Repatriation Grant Accrual	-	4,629
Less: interest income	(59,897)	(56,452)
<i>Net cash from operating activities</i>	<i>533,181</i>	<i>805,459</i>
<b>Cash flows from investing and financing activities</b>		
Plus: interest income	59,897	56,452
<i>Net cash from investing and financing activities</i>	<i>59,897</i>	<i>56,452</i>
<b>Cash flows from other sources</b>		
Savings on, or cancellation of prior periods' obligations	29,252	186,333
Refund to donors	(19,546)	(15,215)
<i>Net cash from other sources</i>	<i>9,706</i>	<i>171,118</i>
<b>Net increase/(decrease) in cash and term deposits</b>	<b>602,784</b>	<b>1,033,029</b>
Cash and term deposits at beginning of period	4,244,218	3,211,189
<b>Cash and term deposits at 31 December (Statement II)</b>	<b>4,847,002</b>	<b>4,244,218</b>

## 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 financial statements 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. The financial statements 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 euro. Funds held in other currencies are converted into euro at the United Nations operational rate of exchange in effect at the date of the financial statement. Transactions in other currencies are converted into euro 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; and

(d) Resources as the Assembly of States Parties may decide to allocate.

2.7 *Income*: voluntary contributions are recorded as income 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 or shortfall 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 2012.

3.3 *Statement III* is the cash flow summary statement prepared using the indirect method.

3.4 *Voluntary contributions* of €2,502,203 were received from governments, individuals, organisations and other entities.

3.5 In 2012, around 20 per cent or €497,610 of voluntary contributions accepted by the Trust Fund was earmarked for assistance to victims of sexual and gender-based violence. 16 per cent or €407,066 are contributions received from Germany and Finland earmarked to reparations activities.

**Table 1: Earmarked Contributions**

Countries	2012			2011		
	Contribution	Disbursement	Net	Contribution	Disbursement	Net
Finland	307,066	-	307,066	200,000	174,137	25,863
Germany	300,000	-	300,000	158,859	140,231	18,628
Netherlands	25,000	25,000	-	22,725	22,725	-
Norway	272,610	-	272,610	253,501	206,580	46,921
<b>Total (in euro)</b>	<b>904,676</b>	<b>25,000</b>	<b>879,676</b>	<b>635,085</b>	<b>543,673</b>	<b>91,412</b>

3.6 The contribution from Finland in 2012 includes the following amounts: €200,000 earmarked for sexual and gender-based violence activities under the TFV's assistance mandate and €107,066 earmarked to support activities related to TFV reparations mandate. Please note that €200,000 is the first instalment of a multi-annual agreement with the Government of Finland of €800,000 which will be paid during the period 31 December 2012 -31 December 2015.

3.7 The contribution figure from Germany in 2012 represents a donation of €300,000 earmarked to the TFV's reparations mandate (e.g. Lubanga case). A carried over balance from the donation of 2011 in the amount of €19,546 was refunded to the German government, as per signed agreement, in July 2012.

3.8 The contribution from the Netherlands was paid in 2 separate instalments. The first instalment of €25,000 was received on 24 October 2011 and in order to comply with the reporting requirements of the donor, it has been treated as earmarked only in 2012. The contribution from the Netherlands was earmarked to the general TFV assistance mandate and not to a specific category of activities. The second instalment of €25,000 has been received on 29 June 2012.

3.9 *Expenditures* of €1,450,657 comprise disbursements of €1,132,917 and unliquidated obligations of €317,740. Earmarked disbursements amounted to €250,000 in 2012 spent on assistance to victims.

3.10 *Unliquidated Obligation* have been recognized in accordance with ICC Financial Regulation 4.5 "Appropriations shall remain available for twelve months following the end of the financial period to which they relate to the extent that they are required to liquidate any outstanding legal obligations of the financial period". Due to the nature of the activities of the fund, unliquidated obligations reported in the financial statements of the Trust Fund for Victims relate to ongoing contracts which were signed at the end of 2012 and as a result include activities relating to 2012. The Trust Fund for Victims reserves the rights to cancel these obligations in exceptional circumstances, reducing the actual obligation at 31 December 2012.

3.11 *Savings on, or cancellation of prior periods' obligations:* the savings on prior periods' obligations were €9,252.

3.12 *Refund to donors:* €19,546 is the balance of a project supporting a legal advisor to assist in the legal preparations for implementing reparations funded by Germany in 2012.

3.13 *Other accounts receivable* in the amount of €14,642 represent interest earned but not yet received as at 31 December 2012.

3.14 *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.

3.15 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.

3.16 *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.

3.17 In 2012, the Assembly of States Parties approved an appropriation of €1,450,600 for the Secretariat of the Trust Fund for Victims which administers the Trust Fund and offers administrative support to the Board and its meetings. Expenditures recorded in the accounts of the International Criminal Court for the Secretariat during the financial period are €1,327,725.

3.18 *Donations in kind*

No donations in kind were received by the Trust Fund for Victims during 2012.

3.19 *Matched partner expenditure*

The following are the significant matching funding recorded by the Trust Fund for Victims during the financial period:

The Trust Fund for Victims recorded €463,914 (31.12.2012 UN Foreign Exchange rate) as matching resources such as services, support provided to the victims by implementing partners in 2012.

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