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Seventh sessionThe Hague
14-22 November 2008**Report on programme performance of the
International Criminal Court for the year 2007****Addendum****Introduction**

1. In 2007 the Court was confronted with a number of unforeseen items of budget expenditure, which were covered within existing resources. As requested in the Report of the Committee on Budget and Finance on the work of its tenth session,¹ details of the main areas of expenditure are provided below.

2. As mentioned in the Committee's report, the main expenditure relates to four specific areas, which are further detailed below:

Area	Cost in euros
1. Judges	720,000
2. Staff (headquarters)	147,000
3. Field operations (staff and non-staff)	1,087,000
4. Headquarters operational	950,000
Total	2,904,000

1. Judges

3. The costs relate to a judge's disability pension, with the expenditure securing a disability policy for a judge who incurred disability after the age of 65.

In the contract negotiated with the Court's judges pension provider, Allianz, judges over the age of 65 are not covered for disability pension, meaning that the Court would not pay a disability premium on their behalf. If a judge over 65 is found to be entitled to a disability pension in accordance with the terms and conditions of service of judges, the Court pays the disability pension from its regular budget. Nevertheless, after negotiations with Allianz, it was agreed that since the judge was already in receipt of a disability pension, no premium would

¹ See ICC-ASP/7/3, para. 24.

have to be paid and that Allianz would calculate an actuarial estimate of the disability pension for the Court to pay, which would allow it to pay the judge a monthly disability pension for life.

This exceptional circumstance was not covered in the original pension plan and required additional financing as indicated below:

Table 1: Additional financing for judge's disability pension (in euros)

<i>Service</i>	<i>Costs</i>	<i>Funding</i>
Premium quoted by Allianz	1,407,170	
Coverage of premium:		
Amounted accrued in prior years		-450,649
Savings used from 2007 Judiciary budget		-719,799
Additional amount to transfer from MP IV to MP I (budget transfer)		-236,722
Total	1,407,170	-1,407,170

4. The Court made full use of accrued pension coverage from previous years in order to keep the unforeseen expenditure to a minimum. The remaining €236,722 has been transferred from Major Programme IV (Secretariat of the Assembly of States Parties) to Major Programme I (Judiciary) following a decision by the Assembly of States Parties at its resumed sixth session in June 2008.

2. Staff costs

5. Repatriation grants were the cause of additional staff-related expenditure in 2007. The problem concerning repatriation grants stems from the origins of the Court in The Hague, when a commitment was made to 19 staff members who joined the Court from the International Criminal Tribunal for the former Yugoslavia (ICTY) that their service with ICTY would be carried forward for purposes of repatriation grant calculation. This measure is only relevant for staff who joined the Court prior to the entry into force of the Inter-Agency Accord in November 2005. With the departure of some of the staff concerned in 2007, some of the repatriation grants had to be paid, which required the Court to address the issue. The Court decided to accrue for all staff concerned in order to ensure that further unforeseen expenditure would not occur in the future as a result of this initial agreement. The total cost of this measure is €147,000.

3. Field operations

6. Unexpected expenditure relating to field operations has occurred in three situations: Central African Republic, where a non-budgeted field office had to be opened; Darfur, where an unplanned precautionary evacuation of witnesses had to be organized; and in the Democratic Republic of the Congo (DRC), where the arrest of suspects required contracting of external services. All three activities created additional costs of €1,087,000. These are described in more detail below.

Central African Republic

7. The Office of the Prosecutor announced the opening of an investigation in the Central African Republic (CAR) in May 2007. This operational development was a departure from the 2007 budget assumptions, which had envisaged no new field office in 2007. In fact, in

anticipation of this announcement, the Field Operations Section had already launched the planning process for the opening of a field office in Bangui. The setting-up of a new field office came with several associated costs, as listed below:

- Office set-up:
 - €210,000 for 5 Toyota land cruisers adapted to local conditions
 - €94,000 for office lease
 - €75,000 for furniture, desks, bedding and containers required at the new field office
 - €59,000 for other equipment and operating expenses such as cleaning services, cost of water, mobile phones or shipping costs
 - €36,000 for office supplies (€28,000 for safes to secure documents and funds; €8,000 for fuel, oil and other material)
 - €20,000 for a generator to secure work conditions at the new field office.
- €15,000 in staff costs to cover the salaries of international staff supporting the Bangui field office.
- €35,000 in other staff costs to cover GTA salaries and associated costs such as appointment travel.
- €27,000 in travel costs relating to initial planning, contract negotiations, set-up and establishment of the office.
- €10,000 in contractual services relating to medical support for new staff and during the inaugural ceremony.

8. The set-up and basic equipping of this new office to support the operational needs created by the opening of a new investigation in the CAR amounted to €587,000 in unforeseen expenditure, which also had to be funded from other budgetary savings.

Chad

9. With the progress of the investigations in the Darfur situation and the imminent announcement of a request for arrest warrants, the Court had to organize the evacuation of 150 refugees from eastern Chad to a refugee camp in Abeche, in order to ensure their security. Expenditure relating to this unforeseen operation comprised:

- €194,000 relating to the construction of an office and refugee camp, including lease, food and water, generators, telephone lines and security provided by the Chad Government.
- €106,000 for aircraft rental.
- €48,000 for services provided by medical staff to the refugees.
- €20,000 for initial response team and services.
- €10,000 for cargo transport of tents and equipment from Uganda and trucks for the transportation of refugees.

10. The whole refugee evacuation in Darfur and Chad represented an additional €400,000 in expenditure for the Court.

Democratic Republic of the Congo (DRC)

11. The arrest that took place in the DRC in November 2007 required the Court to transfer €100,000 from other budgeted activities to address this unforeseen expenditure. These costs cover detention services and transport services from the DRC provided to the Court in support of this judicial activity.

4. Operational expenditure at headquarters

12. Additional services had to be contracted in 2007 relating to the construction of a new computer room at headquarters. In the absence of new interim premises in 2007, the existing computer centre at the Arc had become overloaded. The low load-bearing capacity of the office floors in the Arc and the lack of office space made it necessary to seek a new solution to the problem. The Court explored various options to increase capacity, and it was finally decided to build a supplementary computer room at the B-wing parking lot of the Arc. This facility is now complete and running. The total price of €947,000 included the cost of cooling, cabling, construction, insulation, weather protection, security installations and connectivity.

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