

Eighth session

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Second status report on the Court's investigations into efficiency measures***Introduction**

1. As noted in the Court's last report on its investigations into efficiency measures,¹ which was discussed by the Committee on Budget and Finance (hereinafter "the Committee") at its twelfth session, the Court's Strategic Plan clearly highlights the need for senior management to continuously investigate potential efficiency improvements. This strategic focus is at the root of all budgetary and operational planning. In addition to this strategic orientation, the Assembly of States Parties (hereinafter "the Assembly") requested the Court to make an investigation into the possibility of finding efficiency savings in the Court's activities in 2009.²

2. By doing so, the Assembly endorsed the Committee's recommendation that the Court explore ways of reforming procedures so as to manage workload and maximize work efficiency.³ The Committee also recommended reviewing administrative procedures with a view to eliminating red tape,⁴ and it requested the Court to look into the possibility of centralizing financial functions in the Budget and Finance Section.⁵

3. The Court regularly reviews possibilities for making savings in the course of its annual budget proposal. Having mechanisms to determine and guarantee the volume and level of services required is one of the key aspects of being an efficient Court. The Court has successfully made savings, enabling it to finance new activities without increasing its budgetary proposal in real terms for 2010. These savings are presented in detail in the proposed budget for 2010. The priority is on cutting administrative costs without affecting the amount of services provided throughout the Court. Whenever possible, increased efficiencies and the resulting savings enable the Court to undertake new or additional activities.

4. As well as contributing to the Court-wide efficiency drive, the Office of the Prosecutor (OTP) has increased the efficiency of its operations through its strategy of the past years of having a small, flexible office. This will be described in detail in its three-year report, which will be circulated later this year. Reviewing the efficiency of internal processes and

* Previously issued as ICC-ASP/8/CBF.2/6.

¹ ICC-ASP/8/6, Status report on the Court's investigations into efficiency measures for 2010.

² *Official Records of the Assembly of States Parties of the Rome Statute of the International Criminal Court, Seventh session, The Hague, 14-22 November 2008* (International Criminal Court publication ICC-ASP/7/20), vol I. part III, ICC-ASP/7/Res.4.

³ *Ibid.*, vol II.B.2, paragraph 55.

⁴ *Ibid.*, vol II.B.2, paragraph 56.

⁵ *Ibid.*, vol II.B.2, paragraph 83.

functions is an ongoing activity at the OTP and has enabled the Office to perform more investigations and prosecutions simultaneously, with the same number of staff. This is a result of having lean and flexible joint investigation and trial teams, successful cooperation, and optimized support areas where centralization has been implemented, enabling key staff to focus on core functions. These achievements are also reflected in the OTP's proposed budget for 2010, where no increase in resources is requested.

5. Notwithstanding the regular attention given to efficiency in the annual budget, the Assembly resolution and Committee recommendations have triggered a broader Court-wide project investigating possible efficiency measures. At the outset of the project, the Court analysed its cost structure and reported that, as stated in the Court's proposed budget for 2010, 86 per cent of the Court's budget is based on longer-term commitments, which would be difficult to alter in the short term. The analysis showed that 71 per cent of the costs are for judges' salaries, staff salaries and other staff-related contractual expenditures. A further 15 per cent of the Court's budget is related to commitments such as annual or multi-annual contracts. Because of this substantial percentage, and consequently high level of cost remanence, any cost savings will only materialise over the longer term.

Working group on efficiencies: Court-wide exercise

6. A Court-wide working group on efficiencies, comprising representatives of the Judiciary, OTP and the Registry, was set up by the Court's Coordination Council. The working group analyzed possible measures and focused on determining how structure and processes could best work in line with the Court's strategy, to increase the Court's efficiency and effectiveness.

7. The Court is looking at efficiency possibilities from two perspectives:

- Process review; and
- Structural review.

Process review

Re-engineering exercise

8. The review of possible measures to be taken by the Court in relation to processes mainly took the form of a re-engineering exercise. The goal of the re-engineering exercise is to look at business processes from a "clean slate" perspective and determine how they can best be constructed in order to improve the conduct of business.

9. At the start of the project, a consultant was contracted whose task was to steer a small group of Court staff through a complete process re-engineering exercise. For this purpose, the travel process was chosen. This choice was made not because there was a perception that the existing process was flawed but because it is a complicated process with many steps and Court-wide associations.

10. The first phase of the re-engineering process was completed in the design phase. The exercise involved nine representatives of the Court, all involved in different aspects of the travel process, and was set up as follows:

- Definition of the objectives of the exercise and programme outline;
- Definition of the scope of processes involved, including the analysis already conducted of current strengths, issues and cost drivers;

- Redesign assignment to introduce redesign thinking and disengage from existing processes: training experience on how improvements are achieved by process re-engineering;
- Brainstorm session about redesigned process (including supportive aspects with an integral view of the organization, e.g. planning and control ideas); and
- Determination of impact and feasibility of the proposed redesign processes.

11. The exercise took place in May 2009. As a follow-up to this exercise, further meetings took place between the sections involved in the changes proposed as a result of the session. Steps are now being taken to make some changes that will streamline the travel process. The efficiencies that will result from the exercise are expected to be in terms of time saving for both travellers and staff involved in authorizing and supporting the travel process. For example, the measures proposed will ensure that only one certification is required when a traveller puts in his or her request, or that the traveller's costs are covered directly rather than through the current double-step process of cash advance and post-travel balance. Nevertheless, it should be noted that, as can be seen in these examples, although the measures proposed will create a more efficient travel process, the time savings do not directly convert into easily quantifiable monetary savings.

12. All participants gained valuable insights into the practice of re-engineering exercises on work processes. The next phase of the project is to finalize a "train-the-trainer" exercise, with support from the consultant. This will allow the Court to move on to the next set of process re-engineering exercises using in-house resources only.

13. The Court has identified several processes within the following areas of its administrative operations where process re-engineering may create efficiencies with cost or other resource-saving results:

- Human Resources;
- Information and Communication Technologies;
- General Services;
- Budget and Finance;
- Field Operations; and
- General Administration.

14. Other operational areas of the Court will also be scrutinized with a view to their possible selection for re-engineering exercises. The selection of areas for future re-engineering activities, and their timing, will be determined by the working group on efficiencies and coordinated with its other efficiency-saving activities, as described below.

Structural review

15. The structural review consists of four categories: centralization of services, decentralization, outsourcing and insourcing.

Centralize services at headquarters

16. In evaluating potential efficiency gains, the Court needs to combine different criteria in its decision-making on the possible centralization of activities:

- The cost-benefit trade off;
- The feasibility of a measure, which is influenced by factors such as multitasking, where some tasks cannot be transferred, or the need for confidentiality (e.g. witness-related information);

- Guarantees relating to service delivery and quality; and
- Compliance with the Rome Statute.

17. These aspects make an efficiency review a more complex matter than a simple and straightforward costing exercise.

18. The Court has focused its initial evaluation on the centralization of financial functions, as requested by the Committee. A questionnaire was produced and sent to each division of the Court to ascertain how many full-time equivalents of work or part thereof were being performed locally in the execution of financial functions. The questionnaire resulted in substantial raw data on where and by whom these functions are being carried out. The Court is now in the process of analysing and refining this data.

19. At this stage, it appears that the distribution of these resources through different organs follows different organizational structures: distributed across different divisions in the Registry; centralized within a specific unit in OTP and compartmentalized in other bodies such as the Secretariat of the Assembly of States Parties, the Trust Fund for Victims and the Permanent Premises Project. The working group is looking into where further centralization is feasible inside organs and between the different entities of the Court.

20. The data collected from this exercise has enabled the Court to start assessing other efficiency measures in relation to the functions performed, such as:

- Alignment of grades for similar work;
- Assessment of the extent to which the automation of reports could make certain activities redundant; and
- Alignment of time spent in relation to volume of work proportionally across the different entities.

Decentralization, outsourcing and insourcing

21. At a later stage (after conclusion of the process re-engineering exercise), the Court plans to consider whether decentralization, outsourcing or insourcing of other activities might lead to further efficiency gains, assuming that the required service level, as well as independence, is maintained. It should be emphasized that, in accordance with the One Court principle, most of the administrative services of the Court are already highly centralized in the Registry.

Conclusion

22. As indicated in the introduction, the cost structure of the Court will not allow the Court to generate direct major savings that can be reflected immediately in the Court's proposed budget. Nevertheless, the Court is undertaking a thorough review of its operations. The Court expects the review of its activities to continue in the coming years, in coordination with other Court-wide projects with direct influence on the prioritization of its activities, such as the strategic planning or risk management of the Court's operations.