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Report on the Court Capacity Model

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Contents

Executive summary

The Court Capacity Model ("the Model") is a planning tool that allows the Court to determine the resources needed to achieve a certain output over a given period of time and to optimize the use of its resources.

The Model was developed by the Court to assist in:

- decision-making regarding the Court's capacity;
- improving the efficiency of the Court's activities; and in
- developing and justifying budgets.

The purpose of this report is to explain how the Court Capacity Model is structured and the way in which it is used.

The Model was developed on the basis of detailed analysis of the Court's current resources and processes and on assumptions for the future. Comprehensive data from all of the Court's activities have been integrated into the Model.

In addition to the difficulties inherent in forecasting future demands, the Court also has to deal with the uncertainty of accurately predicting its future functioning, as it is in the beginning stages of its operations. The Model will be continually adapted over time to reflect experiences.

The results of simulations using the Model are not included in this report, as they are being discussed at present.

The Court intends to present and discuss the results of the simulations with the Committee on Budget and Finance at the Committee's seventh session.

I. Introduction

1. The International Criminal Court ("the Court") is still a very young organization. It was established by the Rome Statute, which entered into force on 1 July 2002. The judges, Prosecutor and Registrar of the Court took office in 2003.

2. The Court has not yet completed a full cycle of its activities. It is in the preparatory phase for its first trial and is still in the process of refining its structure and procedures.

3. The Court is committed to being an efficient institution, as indicated in its Strategic Plan. Ensuring efficiency requires effective planning in all areas, including with respect to future capacity requirements.

4. The future capacity requirements of the Court represent a complex issue that is dependent on a number of factors, including:

- The number of situations, investigations, trials and appeals that will be handled by the Court;
- The length of time necessary for the arrest or surrender of a person wanted by the Court;
- The resources needed to deal with the different phases within a situation;
- The efficiency of the Court;
- The geographical location of the Court's resources and activities; and
- The Court's flexibility in responding to unanticipated demands.

5. In order to support discussions on its future requirements, the Court has developed the Court Capacity Model as a tool for correlating its potential achievements with its human resource needs.

6. The Model is based on real data acquired from the Court's experiences. Where the Court has limited experience, it has sought to develop as many realistic assumptions as possible. As with any attempt to predict the future, these assumptions involve uncertainties. Over time, as the Court's experience grows, the reliability and accuracy of the Model will steadily increase.

7. This report provides an overview of the purposes and operation of the Model. The results obtained from the Model will depend on the assumptions provided as input. The assumptions presented in this report are initial assumptions used for the development of the Model. The Court will continually review the assumptions and will present the results of the Model to the meetings of the Committee on Budget and Finance and the Assembly of States Parties in 2006.

II. Court Capacity Model: an overview

A. Objectives

8. The Model is a simulation and optimization tool to correlate the number of situations, investigations, trials and appeals which the Court can perform with a given set of resources over a given time-span (*e.g.* What would be the impact of the Court working in three or five situations simultaneously? What would be the consequences if the Court aims to have 10 trials over a period of five years?).

9. The primary objective of the Model therefore is to facilitate decision-making regarding the Court's size. By spreading the Court's activities over time and linking them to its human resource needs, the Model helps to identify those periods when additional human resources will be needed. It will also help to identify needs for the annual budget and to initiate the procedures for increasing the number of judges sufficiently in advance, should that be necessary. By providing information on the human resources needed to produce a range of outputs, the Model may also be used as the basis for estimating staffing levels for the permanent premises.

10. In addition to providing an overall correlation between the Court's resources and its outputs, the Model offers a number of secondary benefits.

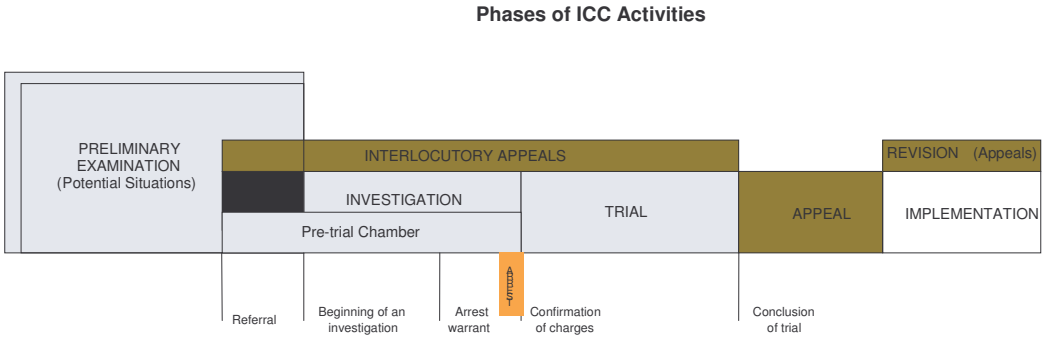
11. First, it provides the information needed for monitoring and increasing the efficiency of the Court. The Model can help identify and eliminate bottlenecks between organizational units. In developing the Model, the Court has also identified the outputs produced per staff resource at the level of each organizational unit. This information provides a basis for the Court to revisit the processes underlying each output to see where efficiency can be increased.

12. Second, the Model could be used in the future to assist the Court in justifying budget requests in terms of expected results. This will help clarify to the Assembly of States Parties the effects of budgetary changes on the Court's ability to achieve intended results and vice-versa. In addition, the Model is already being used in developing assumptions regarding the number of investigations and trials for 2007. In the future, the link to the budget will be further developed.

B. Methodology

13. The Model applies a production line approach to the Court's activities, which can be grouped into five phases spread over time from the initial analysis of information through to the completion of a case, including the enforcement of any sentences. This production line is depicted in Figure 1 below.

Figure 1



14. During each phase, the Court can be conceived of as producing certain outputs, or core activities. For example, during the investigation phase the Court produces completed investigations leading either to a confirmation of charges or to a decision to stop pursuing an investigation. During the trial phase, the Court produces complete trials resulting in a judgment, and so forth. The number of these core activities that can be produced depends on the human resources available, among other things.

15. The staff members of the Court either contribute directly to the completion of one or more core activities, or provide administrative or operational support to such activities. While

operational support is not necessarily tied to a particular case, it nonetheless provides direct support for the core activities (translation, detention, court management services, etc.). Administrative support is necessary for the Court's functioning but is not directly linked to its core activities (human resources, procurement, etc.).[1] By gathering information from across the Court, the Model identifies the contribution of each staff member to the operations of the Court, and thus the relationship between staff resources and total output.

16. The Model was developed in two stages. First, data were collected from all functional units of the Court.[2] A list of the different units can be found in annex II. Each unit was required to identify:

- Its main functions (or key activities and outputs);
- The time and staff resources (expressed as "full-time equivalents" or "FTE," with 1 FTE being equal to one staff member working a full-time schedule for one year) allocated to each function on a yearly basis[3];
- The output that can be produced with this capacity;
- The factors that would cause an increase or decrease in the output which the unit would be called upon to produce (dependency factors).

17. The information provided by each unit was set out in a table (as in Table 1). This information is based on the way units currently operate and does not account for efficiency gains which may be achieved through reorganization of work or for areas in which the staff of a unit currently work more than the equivalent of full-time.

Table 1. Operations Support Unit (OTP): Current distribution of resources over functions and output

FUNCTION	CURRENT FTE CAPACITY[4]	CURRENT OUTPUT	RATIO FTE:OUTPUT	DEPENDENCY FACTOR
Field operations support	3	Support for 3 situations	1 FTE per situation	Number of situations
Case data-entry	15	Support for 2.6 potential cases	5.8 FTE per potential case	Documents per investigation
Standard operating procedures (SOPs)	0.5	Required SOPs	0.5 FTE	Basic task (doesn't change)
Management / administration	1.5	Management, supervision and administration of the Unit	1.5 FTE	Basic task (doesn't change)

[1] A limited number of activities cannot be directly or indirectly linked to the core activities (e.g. building general awareness of the Court through public information, permanent premises, etc). Their definition and the way in which they were considered for integration are explained in annex I.

[2] As the Court has limited experience in conducting proceedings, and so as not to raise concerns about fairness and due process, a different approach was adopted with respect to the judiciary. The Court Capacity Model team, in collaboration with representatives of the different organs, developed assumptions as to the minimum amount of time needed for each stage of judicial proceedings and the number of proceedings a chamber could conduct simultaneously. Judges were invited to comment on the reasonableness of these assumptions, which were then reviewed in light of the comments received. The required staffing for Chambers is based on the proposed structure for Chambers as presented in the Court's draft programme budget for 2005 (*Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court*, Third Session, *The Hague, 6-10 September 2004* (International Criminal Court publication), Part II,.A.7, paras. 142 – 144*)*. Following the request of the Committee on Budget and Finance for additional justification, the staffing levels of Chambers will be re-evaluated in light of future experiences.

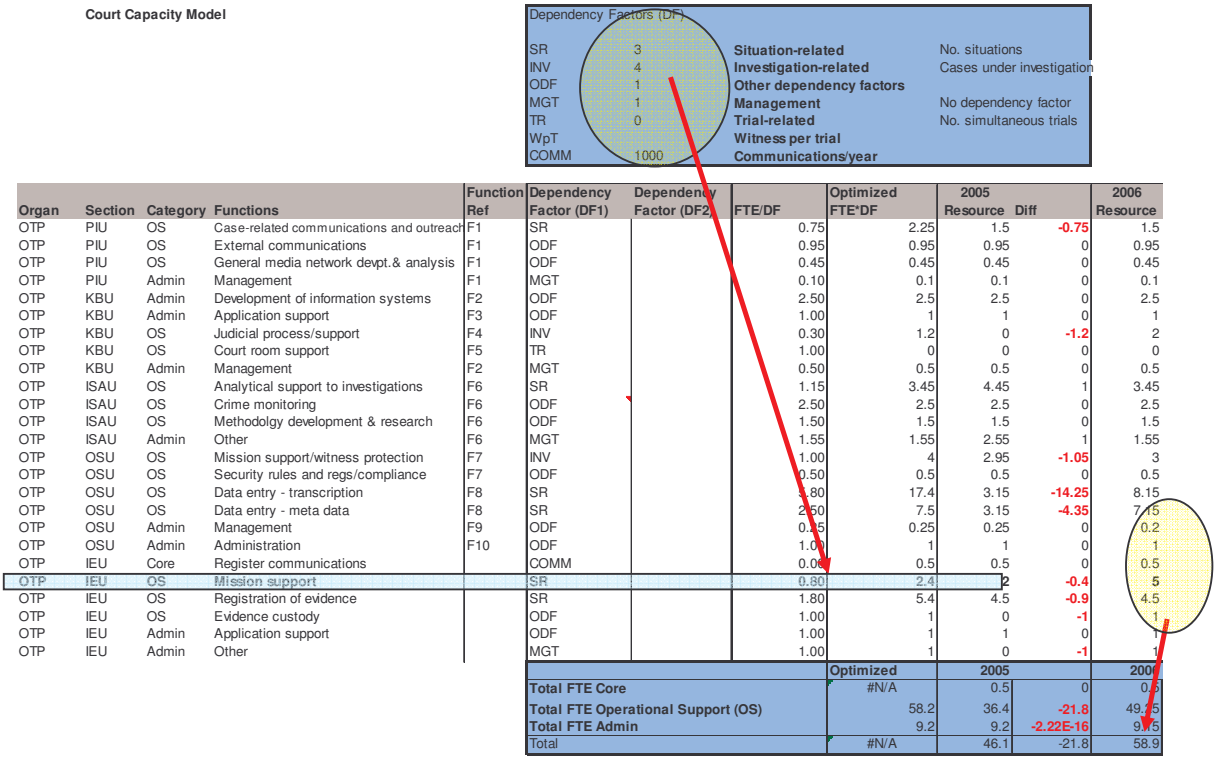
[3] Staff resources include staff on general temporary assistance (GTA) contracts that do not have a budgeted post.

[4] The total FTE capacity for each unit will in most cases add up to a whole number, equal to the number of posts budgeted for the unit.

18. The tables developed for each unit were reviewed by the team developing the Model, together with the unit's supervisors to verify the information provided and to ensure consistency across units.

19. The second stage of the Model's development was to integrate the documents pertaining to each unit into a master spreadsheet in which the available FTE and outputs are all linked to the core activities of the Court and their dependency factors. When the numbers of situations, investigations, trials and appeals are changed in the inputs, the spreadsheet will automatically adjust the level of staff required for all the functions affected in accordance with the dependency factors.

Figure 2 - Court Capacity Model: Example of the relation between functions and dependency factors



Court Capacity Model

Dependency Factors (DF)

SR	3	Situation-related
INV	4	Investigation-related
ODF	1	Other dependency factors
MGT	1	Management
TR	0	Trial-related
WpT		Witness per trial
COMM	1000	Communications/year

No. situations
Cases under investigation
No dependency factor
No. simultaneous trials

Organ	Section	Category	Functions	Function Ref	Dependency Factor (DF1)	Dependency Factor (DF2)	FTE/DF	Optimized FTE*DF	2005 Resource	Diff	2006 Resource
OTP	PIU	OS	Case-related communications and outreach	F1	SR		0.75	2.25	1.5	-0.75	1.5
OTP	PIU	OS	External communications	F1	ODF		0.95	0.95	0.95	0	0.95
OTP	PIU	OS	General media network devpt.& analysis	F1	ODF		0.45	0.45	0.45	0	0.45
OTP	PIU	Admin	Management	F1	MGT		0.10	0.1	0.1	0	0.1
OTP	KBU	Admin	Development of information systems	F2	ODF		2.50	2.5	2.5	0	2.5
OTP	KBU	Admin	Application support	F3	ODF		1.00	1	1	0	1
OTP	KBU	OS	Judicial process/support	F4	INV		0.30	1.2	0	-1.2	2
OTP	KBU	OS	Court room support	F5	TR		1.00	0	0	0	0
OTP	KBU	Admin	Management	F2	MGT		0.50	0.5	0.5	0	0.5
OTP	ISAU	OS	Analytical support to investigations	F6	SR		1.15	3.45	4.45	1	3.45
OTP	ISAU	OS	Crime monitoring	F6	ODF		2.50	2.5	2.5	0	2.5
OTP	ISAU	OS	Methodolgy development & research	F6	ODF		1.50	1.5	1.5	0	1.5
OTP	ISAU	Admin	Other	F6	MGT		1.55	1.55	2.55	1	1.55
OTP	OSU	OS	Mission support/witness protection	F7	INV		1.00	4	2.95	-1.05	3
OTP	OSU	OS	Security rules and regs/compliance	F7	ODF		0.50	0.5	0.5	0	0.5
OTP	OSU	OS	Data entry - transcription	F8	SR		1.80	17.4	3.15	-14.25	8.15
OTP	OSU	OS	Data entry - meta data	F8	SR		2.50	7.5	3.15	-4.35	7.15
OTP	OSU	Admin	Management	F9	ODF		0.25	0.25	0.25	0	0.2
OTP	OSU	Admin	Administration	F10	ODF		1.00	1	1	0	1
OTP	IEU	Core	Register communications		COMM		0.00	0.5	0.5	0	0.5
OTP	IEU	OS	Mission support		SR		0.80	2.4	2	-0.4	5
OTP	IEU	OS	Registration of evidence		SR		1.80	5.4	4.5	-0.9	4.5
OTP	IEU	OS	Evidence custody		ODF		1.00	1	0	-1	1
OTP	IEU	Admin	Application support		ODF		1.00	1	1	0	1
OTP	IEU	Admin	Other		MGT		1.00	1	0	-1	1

	Optimized	2005		2006
Total FTE Core	#N/A	0.5	0	0.5
Total FTE Operational Support (OS)	58.2	36.4	-21.8	49.25
Total FTE Admin	9.2	9.2	-2.22E-16	9.25
Total	#N/A	46.1	-21.8	58.9

20. Figure 2 represents an example of the integration of the information produced by the documents in a spreadsheet linking the functions and the FTE to the dependency factors. The function "Mission support" (Information and Evidence Unit - OTP), for example, is dependent on the number of situations. It requires the work of 0.8 FTE per situation. As the number of situations is 3 (in the "Dependency Factors" column), and as the Section currently has 2 FTE devoted to this function, an extra 0.4 FTE is needed at the moment to enable the Unit to perform this function adequately. In practice this is reflected in a delay in the work of the Unit.

III. Assumptions

21. The Model relies on many variables which affect the output produced by a given amount of staff resources. In order to be able to complete this exercise, the Model was fed

with assumptions with respect to the length of proceedings, the number of activities to be performed and the relationship between activities.

22. These assumptions are based on the Court's experiences to date, which are more extensive in some areas than others (for example, the Court has more experience in conducting investigations than trials). In some instances, such as the time required for the arrest and surrender of a person, the events in question depend on factors entirely outside the control of the Court. In such cases, the Court has striven to include in the Model assumptions that are as reasonable as possible.

23. The assumptions below were used for the purpose of explaining the Model. However, the Model was designed with sufficient flexibility to allow the assumptions to be changed in light of the Court's experiences.

- ⇨ Average length of procedures:
  - o Preliminary examination: 10 months
  - o Investigations: 25 months
    - ⇨ 15 months for the collection and analysis of evidence
    - ⇨ 1 month for the application for the arrest warrant (investigative activity continues)
    - ⇨ 6 months for the arrest / surrender (investigative activity continues)
    - ⇨ 3 months for the confirmation of charges (investigative activity continues)
  - o Trial: 21 months
    - ⇨ 6 months for disclosure and preparation for trial
    - ⇨ 15 months trial
  - o Appeals:
    - ⇨ Final appeals – 9 months
    - ⇨ Interlocutory appeals – 2 months[5]

- ⇨ Starting dates of activities[6]:
  - o Start of investigation phase: immediately after the end of the previous investigation, the Model assumes that the investigation team would be able to move to the next investigation;
  - o Start of trial phase: the first trial in a situation will start following the confirmation of charges and the second six months after the first;
  - o Start of appeals phase: the final appeals will start at the end of each trial and the interlocutory appeals will take place during the pre-trial and trial phases.

- ⇨ Arrest
  - o The most unpredictable element to be considered in the development of the Model was the length of time for arrest. This depends on different factors, such as whether or not the person is already arrested on other charges, knowledge of the person's exact whereabouts and the capacity or willingness of the Court's partners to execute the arrest warrants.
  - o The assumption used was that it would take an average of six months to effect an arrest. In the case of the *Prosecutor v. Kony et al*., this time frame has already proven too short. However, in the case of the

[5] There are different types of interlocutory appeals with different time-spans. The Model considers an average length of two months.
[6] Valid for the *Multiple Scenarios* approach – pp. 14.

Prosecutor v. Lubanga, a much shorter period was sufficient to have the indicted person before the Court.

- It could also happen that persons for whom arrest warrants have been issued simultaneously will be arrested at different times or that some will not be arrested at all (e.g. due to death or disappearance). This could create a future backlog of trials, if not all of the accused in a given case are arrested and sent to trial at the same time.

IV. Application of the Model

24. The Model can be used to align, through an optimization process, all of the Court's activities at desired levels. It can also be used to carry out simulations of the activities to be conducted and the resources that will be needed.

A. Optimization

25. The integration of all of the Court's activities into a production line facilitates the identification and review of areas that either have overcapacity or lack resources. An unbalanced organization would have as a consequence bottlenecks in its production line. The production line should be organized in such a way as to avoid both bottlenecks and overcapacities within the process. The outputs of the different phases need to be aligned both within and across phases. As one example of alignment within a phase, for each trial the Court requires a fixed ratio of one prosecution team, one defence team, one victim's representative team and three judges with their legal support, as well as all the necessary administrative support. As an example of alignment across phases, overcapacity at the level of investigations would lead either to the impossibility of absorbing the number of developed cases at a later phase (e.g. trials) or to unused investigative resources.

26. In order to provide the Court with the necessary elements for the optimization of its activities, two different approaches were used. First, the Model was used to spread over time the activities to be carried out by the Court in 2006 and 2007, based on the assumptions underlying the 2007 budget[7]. Second, the Model was used in the same manner, but taking into account the possibility that one additional trial could begin in 2007, as provided for in the contingency budget.

1. Budgetary assumptions scenario

27. Table 2 represents the activities under way at the end of a specific half year[8].

Table 2.[9]

Activity	2006 - 1	2006 - 2	2007 - 1	2007 - 2
Situations	3	4	4	4
Potential situations	6	8	8	8
Investigations	3	3	3	3
Trials	0	1	1	1
Interlocutory appeals	0	2	2	2
Final appeals	0	0	0	0

[7] 2007 budget proposal.

[8] If an investigation is finished in the middle of the period, another one will start subsequently, and the same investigation team will be responsible for carrying it out. The same approach is valid for trials (Prosecutors, Chambers) and appeals.

[9] The terminology used in Tables 2 and 3 reflects the way the phases of ICC activities were represented in "Figure 1". Potential situations refer to the analyses, under preliminary examinations, of situations that could require the opening of an investigation.

28. As a result of the definition of a number of activities, it is possible to identify the resources needed for each area of the Court per period under analysis.

2. Contingency scenario

29. Table 3 represents the activities under way at the end of a specific half year. The additional trial was added to the calculations.

Table 3.

Activity	2006 - 1	2006 - 2	2007 - 1	2007 - 2
Situations	3	4	4	4
Potential situations	6	8	8	8
Investigations	3	3	3	3
Trials	0	1	2	2
Interlocutory appeals	0	2	4	4
Final appeals	0	0	0	0

3. Conclusion

30. By aligning the necessary resources to these expectations, the Court will be able to avoid unnecessary expenditures in the form of overcapacity and bottlenecks that would delay procedures and/or decrease the required level of quality. Due to unpredictability in the long term caused by unknown factors such as the time required to secure arrests, the number of trials per investigation, and the number of accused per trial, among others, the optimization process is most accurate for short-term analysis.

31. The optimization process allows the Court, at least in the shorter term (one to two years), to ascertain the impact of the activities that are foreseeable and the resources that will be needed for an optimal process. The Court can address such inefficiencies by adding or subtracting resources and by building flexibility into its operations through various means which will allow the Court to vary the start-up time of a particular phase in a situation.

B. Simulations

32. Through the use of simulations, the Model assists the Court in identifying its future capacity requirements in light of different scenarios. Three different approaches for simulations were developed.

33. The *Timeline* approach forecasts the number of situations, investigations and proceedings the Court will perform over time. The Court's activities are spread over time based on the same assumptions used for the optimization process, but considering a longer period (five years). The activities evolved in time accordingly.

34. The shortcoming in using this approach is that it considers the average duration of each phase of the Court's activities. The duration of each phase is based on the Court's experience to date or on the assumptions developed. The uncertainty involved in the development of each of the phases could affect the applicability of these averages in the medium and long term.

35. Furthermore, it assumes an overly linear approach to the relationship between situations, investigations, trials and appeals. The simultaneous nature of these activities is influenced by the relationship between them. If there are more investigations per situation, the likelihood is that the total number of situations dealt with by the Court will decrease, and vice versa. The number of accused per investigation and the decision on whether or not to have

separate trials for each accused[10] will strongly influence the number of trials the Court would need to hold.

36. The *Maximum Snapshot* approach identifies an acceptable maximum number of simultaneous activities in any given moment. Instead of a linear planning approach, it makes an assessment of likely scenarios, presenting different possibilities for the combination of simultaneous activities (investigations, trials and appeals) in any given year.

37. The use of this approach avoids the problem of the average duration of activities, because there are no assumptions of duration. It also does not have a linear approach to the Court's activities.

38. Table 4 presents an example of different possible scenarios that could be considered and analyzed through this approach[11]:

Table 4.

Scenarios	Maximum number of simultaneous			
	Situations	Situations under investigation	Trials	Appeals
1	4	3	3	3
2	4	3	6	6
3	5	4	4	4
4	5	4	8	8
5	6	4	4	4
6	6	4	8	8

39. However, while the *Maximum Snapshot* approach provides initial insight into the Court's staffing requirements, it is still limited. The unpredictability of the Court's future activities makes it very difficult to determine which of the scenarios to be used are more realistic.

40. The *Multiple Scenario* approach is based on probability analysis. It combines a greater number of different possible scenarios and defines a range of results. This approach takes into consideration the difficulty of predicting the future activities of the Court with respect to the relationship between the numbers of situations, investigations, trials and appeals and the fact that the starting dates of situations are unknown. A wide range of possible scenarios was developed and the likelihood of each of them was evaluated. As a result, it was possible to define a minimum and maximum range for the Court's size. The methodology used is further explained in annex III.

41. The simulations approach is constrained by such factors as:

- ⇨ The difficulty of forecasting the future: it is impossible to predict the evolution of the demand for the activities of the Court and the starting date and complexity of situations;
- ⇨ The difficulty of establishing the relationships between situations, investigations, trials and appeals;
- ⇨ The limited data available in some areas.

42. Cross-checking of the three different approaches for simulation enables a range of staffing levels for the Court to be determined for long-term planning purposes.

[10] Chamber's decision, arrests taking place at different times, and other factors could lead to a decision to split the trials of the persons accused in a given investigation.
[11] The discussion on which scenarios to select is ongoing.

43. Although this range must be considered taking due account of the above caveats, it will represent the best approximation in light of the current data and experiences to date.

44. A more realistic scenario will become apparent over time. In the meantime, the Court will be focusing on the optimization of its *production line* and the efficiency of each unit.

V. Future steps

45. As the Model is based on the current organization of the Court, it does not necessarily reflect the most efficient organization possible. It should nevertheless be viewed as an integral part of the Court's strategic planning process. As such, the commitment to increased efficiency embodied in the Strategic Plan will be reflected in organizational changes which will be included in updated versions of the Model.

46. The Model will be continually updated over time. Staff members will be assigned the responsibility of ensuring that data from units are kept updated. The Court intends in the future to have the assumptions of the Model revised each year during the budget cycle. Each year a fundamental review of 20 per cent of the units' input to the Model will take place in a cycle that will repeat itself every five years.

Annexes

Annex I

Activities integrated into the Court Capacity Model but without links to dependency factors

1. Certain activities could not be directly linked to the Court's core activities. These activities were integrated into the Model but are not linked to any of the dependency factors that will affect the organization's resource requirements and were divided into two categories.

2. First, activities that depend on a certain level of growth to accompany the growth in the activities linked to dependency factors. While core activities and operational support activities are based largely on a linear link to dependency factors, part of the administrative activities is based on other dependency factors (ODF) which are not directly related to the core activities.

3. In general, the larger the organization becomes the less the administrative services are able to meet demands. In order to more realistically reflect growth in this area without building up excessive surplus, a stepped growth factor was introduced for the ODF dependency factor.

4. Therefore, instead of having a linear relationship with the core activities, a staggered approach will be adopted to increases in these activities.

5. As the ODF staff resource associated with such activities currently represents approximately 23% of total staff resources, and considering that the Court is committed to increasing its efficiency, it was assumed that the staff linked to the ODF factor should grow in proportion to the remaining staff of the Court. This growth, however, will be triggered only after a threshold in the number of FTEs has been crossed.

6. By further refining the Court's operations and the Model itself, likely distortions caused by inefficiencies in processes will be addressed and reviewed and it would therefore be possible to develop factors linking at least part of these activities to the core activities of the Court.

7. Second, currently identified activities which are not directly or indirectly related to the growth of the Court. This category includes managerial positions and the direct assistance provided to them. The necessary increase or decrease in these activities will be addressed in the context of the calculation of the yearly budget.

8. For both managerial activities and activities linked to "other dependency factors", the optimal number of staff will be achieved through the efficiency programmes which the Court will develop in the context of its Strategic Plan[1].

[1] Strategic Goal 3 of the ICC Strategic Plan states that the Court will "Excel in achieving desired results with minimal resources through streamlined structures and processes while maintaining flexibility, guaranteeing accountability and drawing upon sufficient qualified and motivated staff within a caring environment and a non-bureaucratic culture". As a priority action to achieve this goal, the Court intends in the next one to three years to "put in place a system of programmes to achieve identified optimal levels of quality with maximum efficiency".

Annex II

List of functional units and staff as per the 2006 budget proposal [1]

1. Judiciary[2]

1.1 Presidency……..……. 10
1.2 Pre-trial Division…….....…….. 27.5
1.3 Trial Division…….....…… 24
1.4 Appeals Division…….....… 20.5
Total Judiciary: 82

2. Office of the Prosecutor

2.1 Immediate Office of the Prosecutor[3]…….....…… 10
2.2 Services Section…….....……... 1
2.2.1 General Administration Unit..……..... 4
2.2.2 Language Services Unit…….....…….. 8
2.2.3 Knowledge-Base Unit…...…….....……... 6
2.2.4 Information and Evidence Unit…….....…… 13
2.3 Legal Advisory Section…….....… 4
2.4 Immediate Office of the Deputy Prosecutor (Investigations)...2
2.4.1 Planning and Operations Section…….....… 2
2.4.1.1 Operational Support Unit[4]…..... 20
2.4.1.2 Gender and Children Unit……..... 5
2.4.1.3 Investigative Strategies and Analysis Unit..10
2.4.2 Investigation Teams…….....… 63
2.5 Immediate Office of the Deputy Prosecutor (Prosecutions)... 2
2.5.1 Prosecution Section…….....…… 30
2.5.2 Appeals Section…….....….. 5
2.6 JCCD Office of the Head…….....…… 2
2.6.1 Situation Analysis Section…….....… 6
2.6.2 International Cooperation Section…….....…. 7
Total Office of the Prosecutor: 200

3. Registry

3.1 Immediate Office of the Registrar…….....….. 9

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[1] Proposed Programme Budget for 2006, *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court*, *Fourth session, The Hague, 28 November–3 December 2005 (*International Criminal Court publication), Part II.B.5.

[2] For the calculation of staff to Chambers, the model is based on the structure presented in the draft programme budget for 2005 (*Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court*, Third session, *The Hague, 6-10 September 2004* (International Criminal Court publication), Part II.A.7, paras. 142–144*)*. In accordance with the request of the Committee on Budget and Finance that the Court "provide additional justification in future years based on workload experience when it requests approval for the posts envisaged," the requirements for Chambers will be reviewed in future years (Report of the Committee on Budget and Finance on the work of its third session, August 2004, *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court*, *Third session, The Hague, 6-10 September 2004* (International Criminal Court publication), Part II.A.8 (b), paras 53-54).

[3] Including Public Information activity and part of Staff Strategy activity. The remaining part is under General Administration (OTP Services Section).

[4] Including forensic expertise.

3.2 Office of Internal Audit……..... 3
3.3 Legal Advisory Services Section……..... 8
3.4 Office of the Controller……..... 3
3.5 Security and Safety Section (Head)..…… 2
3.5.1 Field Security Unit……..... 12
3.5.2 Headquarters Security Unit …….... 42
3.5.3 Information Security Unit……..... 2
3.5.4 Operational Support Unit…… 8
3.6 Common Administrative Services Division (Head)..... 3
3.6.1 Human Resources Section (Head)……..... 2
3.6.1.1 Recruitment and Placement Unit..... 5
3.6.1.2 Staff Admin and Monitoring Unit..... 9
3.6.1.3 Training and Development Unit..... 2
3.6.1.4 Health and Welfare Unit……..... 4
3.6.2 Information and Communication Technologies Section (Head)……..... 3
3.6.2.1 Information Services Unit……..... 12
3.6.2.2 IT Operations Unit……..... 21
3.6.3 General Services Section (Head)……..... 2
3.6.3.1 Records Management Unit……..... 7
3.6.3.2 Travel Unit……..... 4
3.6.3.3 Logistics and Transport Unit……..... 13
3.6.3.4 Facilities Management Unit……..... 11
3.6.4 Field Operations Section…… …..... 5
3.6.5 Budget and Finance Section (Head) ……..... 2
3.6.5.1 Accounts Unit……..... 5
3.6.5.2 Disbursements Unit……..... 5
3.6.5.3 Payroll Unit……..... 4
3.6.5.4 Treasury Unit……..... 2
3.6.5.5 Budget Preparation Unit……..... 3
3.6.6. Procurement Section……. 6
3.7 Division of Court Services (Head)…….. ……..... 3
3.7.1 Court Management Section (Head) ……..... 1
3.7.1.1 Court Management Office Services……... 5
3.7.1.2 Court Management In-Court Services..... 24
3.7.2 Court Interpretation and Translation Section (Head).. 7
3.7.2.1 Interpretation Services……..... 20
3.7.2.2 Translation Services… ……..... 27
3.7.3 Detention Section…… ……... 7
3.7.4 Victims and Witnesses Unit……..... 35
3.8 Public Information and Documentation Section (Head)..... 2
3.8.1 Library and Documentation Centre……..... 4
3.8.2 Public Information Unit……..... 18
3.9 Division of Victims and Counsel (Head)……..... 3
3.9.1 Defence Support Section……..... 3
3.9.2 Victims Participation and Reparations Section..... 16
3.9.3 Office of Public Counsel for the Defence…..... 4
3.9.4 Office of Public Counsel for Victims……. 9

Total Registry: 407[5]

Total of established posts considered for the Court Capacity Model: 689

[5] The Secretariat of the States Parties and the Secretariat of the Trust Fund for Victims (3 staff members) are not included in this calculation.

Annex III

Multiple scenario approach

1. The first step in the development of probability analysis was to identify possible scenarios in the relationship between situations, investigations, trials and appeals. These scenarios can be changed in the model, which would lead to different results. Table III.1 indicates examples of scenarios to be applied:

Table III.1.

Output-scenario	Number of investigations in 1 situation	Number of trials per investigation	Number of appeals per trial
A	1	2	1
B	2	2	1
C	3	4	1

2. The second step was to develop a frequency for starting situations. Three possibilities were initially considered:

I	One new situation every 1 year
II	One new situation every 1.5 years
III	One new situation every 2 years

3. By combining the output with the starting date scenarios, 9 different scenarios were created:

I*A	I*B	I*C
II*A	II*B	II*C
III*A	III*B	III*C

4. These 9 output/starting date scenarios were spread over time according to the sequence of activities indicated in the assumptions and entered into the model in order to provide the required number of staff per period for each one of them.

5. Each scenario would result in a different outcome, in terms of the number of simultaneous activities and the number of staff necessary to perform them. In order to determine the range of staff the Court will require for the activities it will undertake over the next years, the next step was to evaluate the likelihood of each of these scenarios.

6. Evaluating their likelihood will allow different weights to be attributed, as appropriate. For example, the probability of having scenario “II*B” could be considered to be 15%, while that of having scenario “I*A” could be 2.5%, and the sum of the probabilities of all scenarios will be 100%.

7. The weighted average number of staff will be the sum of the probability of the occurrence of each scenario multiplied by its total outcome. The staffing range to be considered by the Court was extracted from the weighted average of all scenarios.

8. Table III.2 contains an example of the evaluation of the likelihood of each scenario and the calculation of the weighted average of staff.

Table III.2. Example of the probability of each hypothesis and the weighted average of staff

Hypothesis	Likelihood	Outcome (FTE)	Likelihood x Outcome
IA	2.5%	100	2.5
IIA	7.5%	80	6
IIIA	15.0%	90	13.5
IB	5.0%	120	6
IIB	15.0%	80	12
IIIB	30.0%	70	21
IC	2.5%	110	2.75
IIC	7.5%	85	6.4
IIIC	15.0%	60	9
TOTAL	100.0%		**79.2**

9. For the development of this approach, every scenario was spread over time, evolving throughout the investigation phase up to the trial and final appeal phases[1]. For the outcomes of every period (half-year) the weighted average was applied, producing different results according to the activities taking place in each of the 10 periods analyzed. As a result, a range of minimum and maximum FTE was obtained, taking into account the periods in which the lowest and highest number of FTE were required to carry out the activities with which the Court would be dealing.

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[1] In accordance with the time periods for the procedures mentioned above.