

## 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>	3,385.2	561.3	3,946.5		3,946.5	3,988.3	709.4	4,697.7	4,017.6	720.2	4,737.8	40.1	0.9
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>	388.7	529.3	918.0	218.7	1,136.7	129.1	920.5	1,049.6	130.4	1,225.2	1,355.6	306.0	29.2
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>	103.4	24.3	127.7		127.7	230.0	31.2	261.2	285.9		285.9	24.7	9.5
<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 of 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 road map.	<ul style="list-style-type: none"> <li>– Number of topical areas being covered in a comprehensive manner; and</li> <li>– Number of proposed new Rule changes.</li> </ul>	<p>Two.</p> <p>Two.</p>
<b>Objective 2 (SO 2.1.1)</b>		
Intra-organ structural review of the main organs completed and structural changes effectuated where indicated;	– Revision of areas indicated in intra-organ structural review; and	One.
Cross-cutting review of implications for overall Court structure; and	– Number of structural change needs identified.	One.
Consultation with States Parties, Committee, etc., with a view to any necessary Assembly decisions.		
<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	<ul style="list-style-type: none"> <li>– Quality of preparation and support of Presidency and judges' meetings in plenary/informal judges' meetings;</li> <li>– Level of efficiency in the management of all applications to the Presidency;</li> </ul>	<p>Fully satisfactory.</p> <p>All decisions issued within agreed timeline.</p>
Implementation of improved efficiency strategy.	<ul style="list-style-type: none"> <li>– Timeliness and quality of advice to the President and Vice-Presidents on administrative/managerial issues;</li> <li>– Level of flexibility and efficiency in the management of staffing of Judiciary within budgetary constraints; and</li> <li>– Number of areas identified where further efficiencies can be achieved.</li> </ul>	<p>Fully satisfactory.</p> <p>100%.</p> <p>One.</p>
<b>Objective 4 (SO 2.6.1)</b>		
Enhanced transparency and predictability of the budgetary process; and	<ul style="list-style-type: none"> <li>– Comparison and analysis of past budgetary processes;</li> <li>– Number of technology improvements; and</li> </ul>	<p>One.</p> <p>One.</p>
Refined budget assumptions for 2015 budget, including scenarios outlining probable future expenses.	– 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;	– Number of Presidency- and Chambers-specific risks identified;	Three.
Finalized review of the Court's crisis readiness; and	– Presidency crisis readiness assessed; and	Full review.
Improved link between strategy – budget – performance indicators.	– 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	<ul style="list-style-type: none"> <li>– Number of HWG / SGG meetings with assistance of a Presidency representative;</li> <li>– Number of informal judges' meetings with Assembly President/Vice-President; and</li> </ul>	<p>Representation at every meeting.</p> <p>Two.</p>
Intense and transparent dialogue between the Presidency of the Court and the Assembly Presidency.	– Number of bilateral meetings.	Two.
<b>Objective 7 (PO 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	<ul style="list-style-type: none"> <li>– Number of high-level meetings with States, international organizations and civil society;</li> <li>– Number of speeches at major conferences;</li> <li>– Participation in diplomatic and NGO briefings; and</li> <li>– Communication in interviews and press conferences.</li> </ul>	<p>100 meetings.</p> <p>Fifteen.</p> <p>Two + one.</p> <p>Fifteen + two.</p>
Use all opportunities such as bilateral meetings and public addresses to highlight benefits of joining to non-States Parties.		
<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 II.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 II.E. 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>
<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).  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).	<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.
<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).  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).	<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.
<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)	<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>	2,288.0	561.3	2,849.3		2,849.3	2,673.2	709.4	3,382.6	2,694.8	720.2	3,415.0	32.4	1.0
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>	143.4	529.3	672.7	218.7	891.4	10.0	920.5	930.5	10.0	1,225.2	1,235.2	304.7	32.7
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>		0.1	0.1		0.1	19.0		19.0	19.0		19.0		
<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>					1	2	18	3		24		11	11	35
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. Further, 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>	<ul style="list-style-type: none"> <li>– Pursue all requests of the Court for cooperation with relevant interlocutors at United Nations Headquarters until completion of requests;</li> </ul>	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 (G-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>	<i>259.4</i>		<i>259.4</i>		<i>259.4</i>	<i>238.1</i>		<i>238.1</i>	<i>234.5</i>		<i>234.5</i>	<i>-3.6</i>	<i>-1.5</i>
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>	<i>40.1</i>		<i>40.1</i>		<i>40.1</i>	<i>83.1</i>		<i>83.1</i>	<i>86.0</i>		<i>86.0</i>	<i>2.9</i>	<i>3.5</i>
<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	1	2
	Situation-related														
	<i>Subtotal</i>					<i>1</i>					<i>1</i>		<i>1</i>	<i>1</i>	<i>2</i>
New	Basic														
	Situation-related														
	<i>Subtotal</i>														
Redeployed/ Returned	Basic														
	Situation-related														
	<i>Subtotal</i>														
<b>Total</b>						<b>1</b>					<b>1</b>		<b>1</b>	<b>1</b>	<b>2</b>