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***ReVision* Report: Secretariat of the Assembly of States Parties**

Note by the Secretariat

The Coordinator for the consultations on the omnibus resolution hereby transmits to the Assembly the report of the Registry *ReVision* Project on the Secretariat of the Assembly of States Parties, dated 27 August 2015.



ReVision
Report

**Secretariat of the
Assembly of States Parties**

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I. INTRODUCTION

A. The report

1. The purpose of this document is to provide an overview of the activities that have taken place during the review of the Secretariat for the Assembly of States Parties ('Secretariat' or SASP), and to set out the observation and conclusions of the *ReVision* team, leading to the recommendations made to the President of the Assembly of States Parties as outlined herein. A copy of this report has also been provided to the Registrar, as the Chief Administrative Officer, under whose administrative responsibility the SASP falls (see below).

2. The present report reflects the themes analysed by the *ReVision* team as listed in the *ReVision* Project Plan, namely:
 - Distribution and performance of main functions;
 - Internal structure;
 - Resources and workload;
 - Work processes and workflows;
 - Systems and databases;
 - Communication, coordination and cooperation;
 - Regulatory Framework;
 - Human Resource Management; and
 - Staff morale.

B. Activities conducted

3. In assessing the structure and functioning of the SASP, the *ReVision* team conducted a number of activities in accordance with the Project Plan developed for the review of the Registry. These activities consisted of gathering and analysing information, interactive sessions with the SASP Director and staff, feedback from other stakeholders, such as diplomats in The Hague and New York and Registry staff interacting with the SASP, developing potential solutions to identified problems, testing them with relevant stakeholders, and formulating final recommendations. More specifically, the methodology adopted by the *ReVision* team comprised the following key steps:
 - Functional analysis, i.e. assessing the main functions of the SASP, whether they are performed at present, and whether there are any functional overlaps or gaps;
 - Design and launch of staff and client surveys;
 - Analysis of the surveys' results, as well as other information obtained during the review;
 - Drafting of the Scope of Review, i.e. a statement of the issues to be assessed during the review based on the feedback obtained from staff and clients, among others;
 - An initial meeting with the Director of ASP Secretariat in order to discuss the staff survey results;
 - A meeting with the entire ASP Secretariat to discuss the staff survey results and the process to be followed;

- Finalization of the Scope of Review;¹
 - Data gathering through collective and individual meetings with staff of the ASP Secretariat at the request of the *ReVision* team or at their initiative;
 - Individual meetings/interviews with stakeholders, including clients and staff in the Registry, the Chambers, Office of the Prosecutor, representatives of the States Parties, and the Committee on Budget and Finance (“CBF”);
 - Problem analysis, developing and evaluating solutions and obtaining and incorporating feedback from the ASP Secretariat;
 - A meeting with the ASP Secretariat in order to discuss the *ReVision* team’s considerations and proposals on the structure;
 - Submission of recommendations to the President of the ASP for consideration and decision.
4. The findings and recommendations contained in this report are the result of an interactive process of information gathering, with multiple feedback points for the relevant stakeholders. The report offers an analysis of various problems identified by the stakeholders as well as possible solutions proposed by the *ReVision* team, with input from the stakeholders. While most stakeholders agree with most of the recommendations contained herein, the *ReVision* Project has not necessarily sought consensus.
5. In conducting its activities and in formulating its recommendations, the *ReVision* team the team has been conscious of the wider interest of the ASP and the Rome Statute system, as appropriate, which go beyond the need to achieve greater efficiency and effectiveness in the functioning of the Secretariat.
6. The *ReVision* team wishes to thank the ASP Secretariat staff for their active participation in the project. Their cooperation, as well as that of other ICC staff, in the identification of the most relevant issues and their root causes, was critical in formulating the recommendations.
- C. **Themes**
7. While all the items listed in the Scope of Review were addressed during the data gathering, they are not necessarily all reflected in this report if they were not confirmed as being within the scope of the project and of sufficient importance to warrant analysis and recommendation. Conversely, some of the issues identified appear to relate to multiple themes. Where this is the case, such issues are discussed under one of the relevant themes to avoid repetition.
8. All recommendations contained in this report pertain to the ASP Secretariat unless specifically stated otherwise.
- D. **Guiding principles for the structure design**
9. The *ReVision* team developed a number of design principles, laid out in the ‘Principles on Organizational Design’ (Annex II), which guided its review of the Registry’s structure and operations. While these principles were developed primarily for the Registry, in the opinion of the *ReVision* team a number of them are also applicable *mutatis mutandis* to the SASP, with some

¹ The final Scope of Review is attached to this Report as Annex I.

minor modification as necessary to reflect the different status of the SASP in the overall structure of the Court. These principles are:

"One Registry" in "One Court"

The Registry's Divisions and Sections should work as one to achieve the Registry's mission and objectives. By extension, all parts of the Court, including the independent offices, should work together to achieve the goals of the Rome Statute system. This requires continuous and organized cooperation, coordination and information-sharing at all levels of the Organization.

Client service

The Registry is the Court's key service provider. This requires not only attending to the needs of our clients and partners, but also understanding these needs, monitoring developments in our clients' environments, and being able to adapt swiftly to changes so as to protect and serve their interests.

Empowerment with accountability

Managers and staff in general need to be empowered to take actions and decisions, including through clarifying roles and responsibilities, delegating decision-making authority as needed, holding managers and staff accountable for achieving results. This increases efficiency and effectiveness and boosts staff morale.

Consolidated functions

To the extent possible, similar or closely related functions should be consolidated and not duplicated across organizational units.

Effectiveness and efficiency

The Registry shall provide the best possible services, in the fastest and most cost-effective way. Any function that is not required by the Court's regulatory framework or for the effective management of the Registry operations should not be performed and the corresponding resources freed up for other purposes or to create savings.

10. In addition to the above Registry-wide design principles, a specific requirement for the review of the SASP is compliance with the Assembly's resolutions concerning the SASP role and set up. This was emphasised by the President of the ASP in discussions about the *ReVision* team's mandate. The *ReVision* team's recommendations respect the boundaries and principles set out in existing ASP resolutions regarding the SASP. Where the *ReVision* team has identified a matter which, in its opinion, warrants attention, but which falls outside its mandate, the team has flagged it for the consideration of the President of the Assembly. In any event, it is understood and accepted that the President of the Assembly is free to deviate from the *ReVision* recommendations and to adopt other measures, to supplement or modify measures recommended by the *ReVision* team, as he sees fit.

II. SUMMARY OF RECOMMENDATIONS

11. The table below lists the *ReVision* team's recommendations in a synthesised manner. The recommendations are sorted by theme². If a recommendation has an impact on several themes, it is only listed under the most relevant theme.

² Annex III - the Overview of Planned Activities.

Rec. Number	Recommendation	Theme	Owner
1	It is recommended that a fresh assessment be made of the mandate and scope of the substantive assistance provided by the SASP, first by the Bureau and then by the Assembly as a whole, with a view to determining the nature of the support and assistance that the Assembly requires from the SASP and the role (passive or pro-active) that it expects the SASP to play. As part of this determination, the relationship between the SASP and the organs of the Court (in particular the Registry) needs to be clarified, including in terms of division of responsibilities and information sharing.	Functional analysis	ASP Registry ReVision Project
2	It is recommended that, as part of the consideration of the SASP mandate and functioning, the President of the ASP and President of the Court discuss the distribution of tasks and the cooperation between the NYLO and the SASP in order to rationalize the assignment and performance of duties in light of the respective mandates and roles of the Presidency and the Secretariat.	Functional analysis	ASP President
3	It is recommended that upon approval by the President of the ASP, the Director SASP and the Registrar elaborate a proposal on services (and associated procedures and timelines) that the Registry could provide to the ASP on request and on behalf of the SASP.	Functional analysis	Director SASP
4	It is recommended to clarify the role and responsibilities of the President of the SASP and/or the Registrar in the formal appraisal of the performance of the Director of the SASP in accordance with the relevant Court legal texts.	Structure	President of ASP
5	It is recommended that the concept of 360-degree performance management be introduced for the Director of the SASP, consisting of gathering and reflecting feedback from States Parties representatives, SASP staff members as well as officials and staff of the Court who have frequent interaction with the Director.	Structure	President of ASP / Registrar
6	It is recommended to create a P-5 Deputy Director/ Senior Legal Officer in charge of substantive legal support to the Assembly against the existing P-5 Executive Secretary post and to create a P-4 Financial and Administrative Officer post on the basis of the previous work survey for the same post, against the existing P-4 Legal Officer post.	Structure	President of ASP
7	It is recommended that the Director take measures to strengthen the oversight and coordination of the activities of the Special Assistant in order to integrate the post more fully into the SASP's work, thereby enhancing the support provided to the President of the ASP.	Structure	Director SASP
8	It is recommended to merge any outstanding duties and responsibilities of the P-1 position, which are considered necessary, into the job profile of the P-2 Special Assistant post and to fill that post while discontinuing the P-1 post.	Structure	President of ASP
9	It is recommended that, if decided for the Registry to assume responsibility for the provision of technical and logistical support to the ASP on request and on behalf of the	Structure	Director of ASP and Registrar

	SASP, a further assessment be carried out of the functions of the Documentation Clerk and the Assistant Web Developer with a view to their potential deployment to and/or absorption by IMSS and partly PIOS, as appropriate, in order to achieve economies of scale.		
10	It is recommended that only one Administrative Assistant post be retained as part of the SASP structure, with additional temporary assistance being secured, if needed, either from within the Court or on a short-term contract.	Structure	President of ASP
11	It is recommended to adopt the revised structure for the SASP contained in this report.	Structure	President of ASP
12	It is recommended that consideration be given to outsourcing certain basic support functions to external contractors or to exploring other forms of temporary support from the Registry, which would provide greater efficiency and flexibility to the SASP.	Structure	President of ASP
13	It is recommended that the President of the ASP, the Bureau and the Director discuss and clarify the role and responsibilities of the Director in terms of the planning and coordination of meetings of the Assembly and its subsidiary bodies, and, if considered necessary, memorialize the outcomes of these discussions in a delegation of authority from the President or the Bureau to the Director.	Resources and workload	President of ASP
14	It is recommended that the Director of the SASP propose to the President of the ASP and the Organs of the Court a roadmap for making the SASP an active link between the Court and the Assembly, by promoting adherence to the Rome Statute system and facilitating the Assembly's support for the Court's activities.	Resources and workload	Director SASP
15	It is recommended that any core SASP processes, including the organization of ASP and Working Groups meetings, as well as the roles and responsibilities of SASP staff in such events, be documented in a protocol or SOP, to be updated and fine-tuned regularly, as required. It is further recommended that staff be actively encouraged to follow such established practices in order to ensure maximum stability and predictability in the Secretariat's operations.	Work processes and workflows /Communication	Director SASP
16	It is recommended that the Director take immediate practical steps to enable and encourage information sharing within the Secretariat, by emphasising, where necessary, the confidential nature of the information and the conditions, if any, for its sharing outside the Secretariat.	Work processes and workflows /Communication	Director SASP

17	It is recommended that regular all-staff meetings be held at least once every two weeks and used as a two-way information sharing platform, i.e. for the Director and other SASP staff to discuss pending and future assignments and projects, but also as an opportunity to exchange ideas and discuss opportunities to improve working methods.	Work processes and workflows /Communication	Director SASP
18	It is recommended that the Director ensure adequate induction of new staff members, in close cooperation with the Human Resources Section.	Work processes and workflows /Communication	Director SASP
19	It is recommended that the Director consider holding a workshop with SASP staff to discuss confidentiality and sensitivity in the context of SASP's work and what the consequences may be of unauthorized disclosure of sensitive and confidential information as a means to increasing mutual trust and the sharing of confidential information within the Secretariat.	Work processes and workflows /Communication	Director SASP
20	It is recommended that the SASP reach out to the Registry Information Management Services Section for advice and services to improve internal information management practices. It is further recommended that an information management protocol be adopted for the SASP, which, among others, spells out clear requirements and procedures for staff to involve colleagues in the information flow, as appropriate.	Systems and Databases	Director SASP
21	It is recommended that the SASP consult the Registry Information Management Services Section for advice and services to improve the external ASP information systems.	Systems and Databases	Director SASP
22	It is recommended that the SASP seek the cooperation of the Registry to create a joint knowledge base for governance-related documentation, including, but not limited to reports, background documentation and resolutions, as well as a breakdown of the objectives, tasks and recommendations contained therein. It is further recommended that the SASP maintain and share a single, up-to-date contact information database for ASP delegates to be available to other delegates, as well as designated Court officials.	Systems and Databases	Director SASP
23	It is recommended that the SASP rely on and benefit from IMSS expertise, services and equipment in the future and avoid resorting to ad hoc ICT solutions.	Systems and Databases	Director SASP
24	It is recommended that the President of the ASP consider appropriate measures to address the negative managerial practices described in this report. Such measures could include setting specific performance objectives for the	Human Resources Management & Staff	President of ASP

	Directors, formulating a performance improvement plan, providing coaching and leadership/management training, etc.	morale	
25	It is recommended that the President of the ASP ensure appropriate oversight of the SASP's management and respond swiftly to any managerial issues that may arise.	Human Resources Management & Staff morale	President ASP
26	It is recommended that the President of the ASP consider designating a member of the diplomatic community based in The Hague (possibly the Vice-President) to provide more regular direction and oversight to the Secretariat, and be delegated responsibility for the implementation of improvements to the management of human resources, including by regular meetings with SASP staff.	Human Resources Management & Staff morale	President ASP
27	It is recommended that the Director reach out to the Registry's Human Resources Section to obtain guidance and support in dealing with human resource management issues, such as the timely recruitment of staff, dealing with underperforming staff, improving the sick leave record and staff retention.	Human Resources Management & Staff morale	Director SASP
28	It is recommended that the Director report to the Bureau at least twice a year on the implementation of recommendations and other improvements.	Human Resources Management & Staff morale	Director SASP

III. OBSERVATIONS AND ANALYSIS

A. Introduction

12. The following sections contain the *ReVision* team's analysis of the issues identified during the review of the ASP Secretariat and the resultant recommendations.
13. An online staff survey was conducted with the aim of obtaining feedback from SASP staff and the Registry at large on a number of issues related to their work and the daily functioning of the SASP. The survey included 140 questions (including 8 open comment questions), and generated a response rate of 64 percent. This is a high response rate in comparison to Registry averages.
14. A second survey was conducted among representatives of States Parties who had had frequent interactions with the SASP in the recent past, including facilitators of Working Groups, the outgoing President and Vice-Presidents of the ASP. Furthermore, discussions were held with several Ambassadors in The Hague.
15. The staff survey results (Annex IV) were exceptionally unsatisfactory. In fact, the SASP scored the lowest compared to all other areas reviewed by the *ReVision* Project. In particular, the results

indicated a strong perception among staff of poor managerial practices within the SASP overall. For example, 0% of the participants felt that work carried out in the SASP was organised effectively or that effective processes were in place for communicating news, strategies, and goals to staff in a timely manner. Similarly, 0% of the participants thought that staff have the information they need to do their jobs and achieve their objectives or that there is adequate communication within the SASP. In addition, there was virtually no agreement among staff with the statement that staff are encouraged by their supervisor to collaborate and communicate actively with others in the Registry. 86% of the participants stated that they were looking for jobs outside the ICC.

16. The results of the questionnaire for State Parties representatives were more balanced. Overall, the majority of the participants stated a high level of satisfaction with the services provided by the SASP overall. The delegates whom the *ReVision* team queried reported that the substantive output was generally of a high quality. The same was reported for the practical and logistical support. Similarly, the quality and competences of the staff were appreciated by the facilitators, although some remarked that the quality of the staff was not unequivocally positive. In the formal questionnaire sent out to the facilitators, there were many positive statements about the Director. In individual meetings between the *ReVision* team and diplomats in The Hague, the comments were also generally positive about the output of the SASP, but less positive about its leadership and management. Some of the comments referred to a lack of clarity about the relationship between the SASP and the facilitators of working groups, including which services are truly required for facilitators.
17. A Scope of Review (“SoR”) was drafted on the basis of the feedback received through the staff survey, including open comments, feedback from the Director of the SASP, feedback from the Registrar and the President of the ASP, as well as any other relevant information in the possession of the *ReVision* team at the time of drafting.
18. Having analysed the various issues listed in the SoR, the *ReVision* team has identified the following five main root causes, which, in combination, affect adversely the functioning of the SASP:
 - Issues stemming from the formal mandate and functions of the SASP;
 - Lacking or unclear oversight of day-to-day work of the SASP;
 - Flawed managerial practices within the SASP; and
 - Vision as to the implementation of the SASP mandate in practice and the deterioration of the relationship with the Court.
19. The *ReVision* team will address each of these issues below and will recommend measures which could assist the Secretariat in streamlining its functioning.

B. Mandate and Functions of the Secretariat

20. Article 112 of the Rome Statute lays out the provisions relating to the establishment of the Assembly of States Parties as well as its substantive functions and role. At the second session of the ASP, on 12 September 2003, the Assembly adopted resolution ICC-ASP/2/Res.3 (“Resolution

3”) establishing the Permanent Secretariat of the Assembly and outlining its functions.³ According to Resolution 3, the functions of the Secretariat are “to provide the Assembly and its Bureau, with independent substantive servicing as well as administrative and technical assistance in the discharge of their responsibilities under the Rome Statute.”⁴ The resolution further specifies that “[t]he Secretariat, an integral part of the Court, shall operate under the full authority of the Assembly and report directly to the Assembly in matters concerning its activities, whereas the Director of the Secretariat shall be responsible to the Bureau of the Assembly for the proper functioning of the Secretariat”. According to Resolution 3, the main functions of the Secretariat are conference servicing functions; core legal and substantive support functions; core financial functions; general administrative functions, as further detailed in the below table.⁵

21. As part of its review of the SASP, the *ReVision* team first considered whether the functions required or mandated by Resolution 3 are actually performed by the SASP. It then assessed whether similar or related functions are also performed by the Court, in particular the Registry, in order to determine if any potential or actual overlap of functions is required or unavoidable, for example, to ensure the independence of the Secretariat or because it is intrinsically linked to another function.

Functions set out in Resolution 3	Is the Function Performed ?	Duplication/overlap ?
Conference servicing functions		
(a) planning, coordination and servicing of meetings, including the provision of interpretation services;	Yes, performed by SASP, Interpretation outsourced.	Interpretation services also provided by Registry and Registry provides servicing of non-ASP meetings, like diplomatic seminars, counsel seminars, etc
(b) preparation, processing and publishing of documentation, including the editing, translation, printing and distribution of documents; and	Yes, performed by SASP.	Also performed by Registry
(c) coordination of the effective functioning of conference and support services (staff, interpretation/translation, conference rooms, supplies, equipment, security services) before and during meetings.	Yes, performed by SASP.	Also performed by Registry, albeit not specifically for conference support purposes.
Core legal and substantive functions		

³http://www.icc-cpi.int/iccdocs/asp_docs/Publications/Compendium/Compendium.3rd.21.ENG.pdf

⁴ The services provided by the SASP extend also to the Credentials Committee, the Committee on Budget and Finance, the Special Working Group on the Crime of Aggression, and upon explicit decision by the Assembly, any subsidiary body that may be established by the Assembly.

⁵ See table below for further details and breakdown of sub-functions.

<p>(a) the provision of documentation; preparation of pre-session and in-session documents, reports and analytical summaries; preparation of notes and statements for the President of the Assembly or chairpersons of the serviced bodies; provision of interpretation; provision of legal advice on rules of procedure and the conduct of business; liaising with delegations; and making arrangements, upon request, for informal consultations among delegations;</p>	<p>Yes, performed by SASP.</p>	<p>Not performed by other Sections.</p>
<p>(b) advice within the Secretariat on legal and substantive issues relating to the work of the Secretariat and on the ramifications of the activities and decisions of the serviced bodies;</p>	<p>Yes, performed by SASP.</p>	<p>Organs often provide substantive input</p>
<p>(c) corresponding with Governments, the Court, non-governmental organizations and other relevant bodies and individuals;</p>	<p>Yes, performed by SASP.</p>	<p>Mainly performed by Registry and other organs of the Court.</p>
<p>(d) protocol and credentials, including the administration of the solemn undertakings by judges, the Prosecutor and the Registrar and the management of participation rights (credentials of States Parties, observers, other invited States, non-governmental organizations), travel arrangements;</p>	<p>Yes, performed by SASP.</p>	<p>Travel is organized by Registry; General Protocol function also performed by Registry.</p>
<p>(e) public relations;</p>	<p>Not performed by SASP, other than occasional press release.</p>	<p>Performed by Registry.</p>
<p>(f) cooperation with the host country; and</p>	<p>Not performed by the SASP.</p>	<p>Performed by Registry</p>
<p>(g) bringing to the attention of the serviced bodies any matter which in the opinion of the Secretariat requires their consideration.</p>	<p>Unclear whether and how it is performed.</p>	<p>Occasionally performed by Registry.</p>
<p>Core financial functions</p>		
<p>(a) the provision of advice on the Financial Regulations and Rules, drafting of statements on budgetary implications, and assistance in the preparation of texts on financial and budgetary matters;</p>	<p>Performed by Executive Secretary of CBF, administratively part of SASP.</p>	<p>Primarily performed by Registry; often serves as basis for advice provided by the Executive Secretary</p>

	(b) preparation of the section of the draft budget of the Court that relates to the Assembly and its Secretariat; and the establishment of the Permanent Secretariat of the Assembly of States Parties to the Court.	Performed by Executive Secretary for SASP	Not relevant
Records, archive and library functions			
	maintenance of records and archives, and a library	While SASP maintains certain records, the Registry performs the records archives and library function	Performed by Registry,
	the custody and proper preservation of the documents contained within the archives of the Assembly;	Partially performed by SASP	Partially performed by Registry. F
	the distribution of all documents of the Assembly and the Bureau;	Yes, performed by SASP.	
	maintaining a record of the ratification, acceptance, approval of or accession to the Statute, including relevant implementing legislation	Performed by SASP	President and Registry maintains record of other instruments being signed by States
Administrative functions			
	(a) secretarial work;	Yes, performed by SASP.	Not relevant
	(b) management of Secretariat personnel;	Yes, performed by SASP.	Not relevant
	(c) administration of the budget of the Secretariat;	Yes, performed by SASP.	Not relevant
	(d) building and property management;	Not performed by SASP	Performed by Registry

22. From the above table, it is evident that there is overlap between certain functions of the Secretariat and the Registry, as the Court’s neutral non-judicial administrative service provider. Interviews with stakeholders appeared to explain this overlap with the independence of the Secretariat from the Court. The *ReVision* team has assessed the requirement of independence in light of the Secretariat’s mandate, and has concluded that some of the existing overlap cannot be justified either by the Secretariat’s mandate or its independence. Moreover, at least some of it seems to stem from broader conceptual issues involving the roles and positioning of the SASP and the Registry vis-à-vis the States Parties. These issues are discussed below.
23. According to Resolution 3, the Secretariat operates under the full authority of the Assembly and reports directly to it. It provides “independent substantive servicing as well as administrative and technical assistance” to the Assembly and its Bureau, the Credentials Committee, the CBF,

the Special Working Group on the Crime of Aggression, as well as, upon explicit decision by the Assembly, any subsidiary body that may be established by the Assembly. At the same time, it forms an integral part of the Court and, for administrative purposes, the Secretariat and its staff are attached to the Registry of the Court.

24. Resolution ASP/2/10 (2003) further clarifies that “the Secretariat should be conceptualized as being part of the overall architecture of the Court”. Notably, the resolution distinguishes between the *authority* of the Secretariat “which is derived from the Assembly (and thus independent from the authority exercised by the Organs of the Court), and the *functions* of the Secretariat, which are in the field of non-judicial administration and servicing and *could thus be linked to the Registry*” (emphasis added). Resolution ASP/2/10 further stipulates that in “the servicing of the Assembly and its subsidiary bodies, the Secretariat operates under the full authority of the Assembly, as exercised by the Head of the Secretariat, independently of the authority of the Court”.
25. From interviews with various stakeholders it appears that there are two main reasons for the SASP’s independence from the Court. The first is related to the perceived need to shield the judicial institution and process from political influence from (individual) States Parties. The Secretariat was to act as a “buffer” between the States Parties and the Court. The second reason was that the SASP was supposed to provide neutral information and advice to the Assembly, not influenced by any of the Court’s Organs, on legal, substantive and financial/administrative matters. It was felt that without such a role, the ASP would not be able to determine the true budgetary and administrative issues and its response to them.
26. While the *ReVision* team understands and does not dispute this rationale, it is of the view that in practice, the distinction drawn between the Secretariat and the Court, in particular the Registry, has resulted in a number of operational problems, ineffective communication and a lack of trust.
27. In terms of its role to service the Assembly, the SASP appears to have been largely modelled on the United Nations (UN) Secretariat. However, in practice there are significant differences in the functioning of the two bodies. The UN Secretariat, plays a vital role in supporting the UN General Assembly and other UN bodies and UN programmes, and in providing administrative services like in other treaty-based organizations. In contrast, the SASP has no formal mandate to support the functioning of the Organization created by the treaty, the ICC, although, of course, this could reasonably be assumed to be part of its overall functioning. Many of the regular “secretariat” support functions, such as human resource management, security, building management, interpretation and translation, information technology, and most importantly budget and finance, have been entrusted to the Registry by the founders of the Court, as was the case in other international courts and tribunals. This has drawn a demarcation line between the Organization’s administration (done by the Registry) and the servicing of the Assembly (done by the SASP). In practical terms, this seriously impairs the nature and amount of technical information about the Court that the Secretariat has in its possession and the extent to which it is aware of the Court’s operations overall. While this institutional divide appears to have been deliberate (in order to ensure the independence of the SASP and the neutrality of its advice to the States Parties), it actually reduces the Secretariat’s ability to service the Assembly adequately in

view of its size, resources and lack of direct access to and knowledge of the Court's administrative operations. In fact, many States prefer to interact directly with Court officials regarding the Court's business and administration instead of doing so through the SASP.

28. Furthermore, in terms of the administration and servicing of the Court, the *ReVision* team considers that there is another important institutional difference between the ICC and other organizations. While the ICC Registry is largely modelled on the Registries of the UN *ad hoc* tribunals for the former Yugoslavia and Rwanda in terms of its structure and functioning, in the *ad hoc* tribunals the Registrar is appointed by the UN Secretary-General⁶ and is the administrative link between the tribunal and the UN Secretariat. It can be said that by extension the Registrar is answerable to the UN General Assembly through the Secretary-General. Furthermore, the appointment of the tribunal's Chief of Administration is approved/cleared by the UN Secretariat. In essence, the Registry is - at least for part of its functions - an extension of the UN Secretariat and subject to regular Secretariat support and oversight exercised by the Office of Legal Affairs, Office of Human Resources Management, etc., for purposes of the Fifth and Sixth Committees (and the Advisory Committee on Administrative and Budgetary Questions).
29. At the ICC, the Registrar is elected by the Court's Judges and reports solely to the President of the Court. Due to this conceptual difference,⁷ the relationship between the SASP and the ICC Registry is completely different from that between the UN Secretariat and the Registries of the *ad hoc* tribunals. While this model is not wrong *per se*, it presents a number of inherent practical difficulties, which, in the opinion of the *ReVision* team, have yet to be resolved in the day-to-day operations of the Court, and in particular, of the SASP. This means primarily bridging the gap between the core substantive functions of the SASP (including serving as institutional memory for the Assembly and providing guidance and advice) and the administration of the Court.
30. The (enforced) perception that the SASP is separate from the Court (see below) and serves the States as opposed to acting as a partner to the Organization has led some within the Court to question the SASP's neutrality and to avoid doing business with it. Various senior Court officials, are of the opinion that the SASP has, on occasion, represented and advocated for the interests of individual States which were perceived to depart from the letter and spirit of the Rome Statute. When asked about this, the SASP Director stated that he felt it was his duty to act in and protect the interests of States. He also reported not feeling in a position to say 'no' to individual States. The *ReVision* team considers that the role of the Secretariat is to ensure that the Assembly and its subsidiary bodies receive adequate services and advice in order for them to exercise their legislative and oversight functions properly. In providing such services and advice, the Secretariat should, in the view of the *ReVision* team, act in furtherance of (if not as guardian of) the Rome Statute system by offering guidance and moderation and serving as an active link between the States and the Court. If this so, the SASP does not seem to perform this role adequately at present as it avoids taking positions that may be seen as contrary to the (perceived)

⁶ Even though he or she works "under the authority" of the President of the tribunal and the President is consulted prior to the appointment of the Registrar

⁷ This difference can be explained at least partly by the fact that the ICC is *the* international organization established by the Rome Statute whereas the *ad hoc* tribunals are subsidiary organs of the UN Security Council.

interests of individual States.

31. In addition, most interviews conducted by the *ReVision* team veered towards the view that the SASP is a reactive body that is driven by the agenda of States Parties, instead of being a neutral institutional partner to both the States Parties and the Court. Indeed, the SASP Director views the SASP as not being part of the Court, which, in the view of the *ReVision* team, is inconsistent with the applicable resolution⁸ and affects adversely the functioning of both the SASP and the Court. By distancing itself from the Court, the SASP loses direct access to information and, in turn, cannot fulfil some of its essential support and advisory functions adequately. This approach also weakens the link between the ASP and the Court and is ultimately detrimental to the effective functioning of the Court itself. The *ReVision* team believes that the intention behind the establishment of the SASP was, partly, for it to be a strong central linking pin between the Assembly and the Court, to facilitate a dialogue between them, and to proactively centre the debate on the most relevant issues. As discussed further below, this does not seem to be the case at present.
32. In sum, the *ReVision* team considers that the current position and functioning of the SASP are different from what the ASP had envisaged originally. There appear to be built-in tensions and even mistrust between the Court and the Secretariat due to the complex and, it is submitted, inefficient division of responsibilities between them, particularly in the areas of substantive support and advice to the ASP. A number of Ambassadors interviewed by the *ReVision* team have commented on this. It is unclear whether the practice has made the originally envisaged substantive role of the Secretariat obsolete or the Secretariat is simply unable to perform that role adequately. It is evident, however, that to perform its advisory role effectively, the SASP requires a much better understanding of the Court's operations and greater access to technical information about the administration of the Court. As mentioned earlier, in practice today many States Parties approach the Court directly for information and draw their own conclusions, without the assistance of the Secretariat. As a result, its role could possibly further dilute into a conference and meeting supporting body, providing only technical and logistical support to the States, but no substantive support. This is not what was originally intended with the creation of the SASP.
33. In the *ReVision* team's opinion, there could be two possible explanations of this reality: either the States do not require independent advice from the Secretariat on the Court's operations and such advice and information should be obtained directly from the Court, or the Secretariat's ability to provide such advice and information must be reviewed and possibly enhanced in terms of substantive expertise, access to information and working methods. Only the Assembly can make this determination for it is the Assembly that provides the SASP's mandate and is the recipient of its services. **In light of the above observations, the *ReVision* team recommends that a fresh assessment be made of the mandate and scope of the substantive assistance provided by the SASP, first by the Bureau and then by the Assembly as a whole, with a view to determining the nature of the support and assistance that the Assembly requires from the SASP and the role (passive or pro-active) that it expects the SASP to play. As part of this determination, the relationship between the SASP and the organs of the Court (in particular the Registry) needs**

⁸ See paragraph 24 *supra*

to be clarified, including in terms of division of responsibilities and information sharing (Recommendation 1).

New York Liaison Office

34. The *ReVision* team deems it necessary to address briefly certain issues pertaining to the New York Liaison Office (NYLO). Even though the NYLO is part of a different major programme (Judiciary – Presidency) and, as such is outside of the scope of the *ReVision* project, the existence of the office has an impact on the functioning of the SASP.
35. When it was conceived, the NYLO was meant to also assist with the servicing of the Bureau, including the President of the Assembly. This is reflected in the Options Paper prepared by the Bureau, which the Assembly endorsed and was also referred to when the NYLO was established in 2005 by the Court.⁹ It states that “[t]he creation of a New York liaison office is aimed at providing support to the Court’s investigations, field operations and general functions through facilitating interaction between the organs of the Court and the Secretariat of the Assembly of State Parties on the one hand and the United Nations and its agencies on the other.” It also lists that the NYLO is to provide “practical administrative, logistical and operational support” to the SASP.
36. Although it was outlined in the Options Paper that “[i]n view of its administrative and operational character, the office should be attached to the Registry”, the Court ultimately decided – for reasons the *ReVision* team is unaware of - that the NYLO would be part of Major Programme I, i.e. the Presidency. This was done without changing its role and duties as conceived in the Options Paper.
37. The 2005 programme budget stated that the NYLO’s “primary function is to develop the operational cooperation needed between the Court and the United Nations” [.....]. It also contributes to efficient administration by providing technical and logistical support for meetings of the Assembly of States Parties, including its Bureau and subsidiary bodies.”¹⁰
38. From the point of view of institutional design, the approach taken raises a number of questions. If the NYLO is structurally part of the Presidency, and given its mandate, by extension the Presidency is required to support the States and the Assembly, the SASP and the Organs of the

⁹ Option paper by the Bureau on the establishment of a New York Liaison Office (ICC-ASP/4/6) (“Options Paper”), paragraph 4, refers to the responsibilities of the Liaison Office as including:

For the Secretariat of the Assembly and States Parties:

“(i) Carrying out logistical arrangements and providing technical support for the Assembly, including its President, Bureau and subsidiary bodies;
(ii) Undertaking communication with States Parties, particularly those without representation in The Hague;
(iii) Establishing relationships with, and as necessary promoting ratification of the Rome Statute among States not party to the Statute;
(iv) Facilitating and servicing deliberations among States Parties in relation to Court issues, particularly in connection to activities of the Assembly, including its Bureau and New York based subsidiary bodies.”

Paragraph 5 of the Options Paper also indicates that the NYLO “would serve the organs of the Court and the Secretariat of the Assembly, and would take instructions from and report directly to officials in The Hague.

¹⁰ ICC-ASP/5/32, Part II, External audit, internal audit, programme budget for 2007 and related documents,

Court. Furthermore, from the point of view of consistency, if independence from the Court was a major consideration in assigning similar support functions to the SASP, it is unclear why assigning such functions to the Presidency would not raise similar concerns.

39. The *ReVision* team also considers that the distribution of roles between the NYLO and the SASP is unclear and should be reviewed. In practice, it seems that not all of the functions assigned to the NYLO as stipulated above are being performed at present. According to the SASP Director and the former ASP President, the SASP does not receive the services it requests and requires from the NYLO. It has been observed by other stakeholders that the relationship between the Director of the SASP and the NYLO is not good and this is affecting service-delivery. Furthermore, the current distribution of functions does not seem to take into account the creation of the post of Special Assistant to the President of the ASP – which is part of the SASP – and the support functions that this post carries out.
40. **It is therefore recommended that, as part of the consideration of the SASP mandate and functioning, the President of the ASP and President of the Court discuss the distribution of tasks and the cooperation between the NYLO and the SASP in order to rationalize the assignment and performance of duties in light of the respective mandates and roles of the Presidency and the Secretariat (Recommendation 2)** In this light, it should also be considered that both the Prosecutor and the Registrar rely on the services of the NYLO for operational activities and should be consulted on distribution of roles.

C. Authority and functions of the SASP

41. As was noted earlier, a distinction is made between the authority of the SASP and its functions. A number of the SASP functions overlap with functions performed by the Registry. If the inventory of support functions required by the Assembly were to remain unchanged, and noting that the Assembly is the parent body of both the SASP and the Court (with particular reference to the Registry), the *ReVision* team considers that the performance of these functions could be streamlined. In particular, the core substantive advisory and legal functions assigned to the SASP should be strengthened (as recommended below) while the Registry, at the request and on behalf of the SASP could, in the opinion of the *ReVision* team, implement many of the technical or auxiliary functions more efficiently and effectively. This includes the practical organization of meetings, the facilitation of conferences, securing interpretation services, archiving and library functions, the publication of documents, etc. as the Registry already performs similar functions. The benefit of such pooling – as envisaged by the early ASP resolutions – is that it would be possible and/or easier to absorb workload fluctuations and to ensure that during times of lower activity, the relevant staff can perform other duties. This would not mean that the SASP should not perform certain administrative tasks itself, like logging correspondence, transmitting invoices, maintaining leave records for its staff, requesting travel, etc.
42. In the opinion of the *ReVision* team, the pooling of certain resources and functions within the Registry should be considered as a measure for increasing the efficiency and effectiveness of the Secretariat’s *substantive* work, without affecting its independence. Resolution 3 already provides for the “joint responses to situations of increased workload” by providing the Secretariat with “relevant *expertise* and physical resources existent with the Court, whenever possible based on

arrangements that the Secretariat and the Court should agree...”¹¹ The reference to the Court’s “expertise” in this sentence is an indication, in the opinion of the *ReVision* team, that where such expertise is readily available, the Secretariat may, and arguably should, rely on it. This is particularly true for the knowledge and experience of the Court’s Organs on substantive issues (e.g. legal and financial) pending before the ASP, which the Secretariat could draw on in the delivery of its services to the States Parties. The Secretariat would add value to that expertise by providing an independent assessment and analysis and ensuring that the information provided is objective.

43. On the other hand, it also appears that the Secretariat has assumed responsibilities for functions, which would normally be carried out by the Registry, such as providing information technology and developing the extranet. In the *ReVision* team’s view, this is an unnecessary duplication of effort which in no way contributes to or is required by the independence of the SASP.

44. In sum, the *ReVision* team believes that greater synergies could be gained if the Registry was responsible for the provision of such services, particularly in view of the expected increase in efficiency of the Registry as a result of the *ReVision* project. This relates to information management (IT hardware, extranet, publication of official documents) and meeting support and reproduction. In relation to meeting support, of particular importance for the SASP is to obtain the required support for the practical and logistical organization of meetings, including:
 - a. Room booking, configuration, cleaning, catering, furnishing, i.e. podium, lectern, table skirts, flowers, name cards etc. (could be provided by GSS - FMU);
 - b. Travel –flights, trains, visas, accommodation, local information etc. (could be provided by GSS – Travel);
 - c. Local transportation, general logistics support. (could be provided by GSS - LTU)
 - d. Procurement – especially for meetings to be held at other venues, hiring of equipment and services etc. (could be provided by GSS – Procurement);
 - e. Audio-visual, video conferencing, wifi, microphones, interpretation booths, computers, projectors etc. (could be provided by IMSS);
 - f. Interpretation and translation services (could be provided by LSS);
 - g. Cashier, DSA advances and payments, cash payments of services (could be provided by Finance);
 - h. Registration/screening of visitors, security services for high level meetings, Dutch policy service coordination (could be provided by SSS);
 - i. Co-ordination on VIP participants, protocol (could be provided by PIOS).

45. The *ReVision* team observes that the Registry already provides many of the above services for The Hague-based ASP meetings, including travel, procurement, audio-visual, finance services and registration of visitors. In its review of the Registry, the *ReVision* team has concluded that there might be a need to create a dedicated conference manager function in the Registry to coordinate the provision of such services anyway due to the fact that the Permanent Premises are

¹¹ Resolution 3 establishing the Secretariat, ICC-ASP/2/3, para. 8.2.

designed and intended to offer more conference facilities and will likely be used more often for these purposes. This would further facilitate the provision of the corresponding services to the ASP as well.

46. The SASP Director has indicated that he would be reluctant to rely on a single Registry logistical service for the organization of working groups and the meetings of the Assembly. In interviews with the *ReVision* team he stated that not only had he been unable to rely on these services in the past, but also doing so would dilute his ability to take responsibility. He also fears that the Assembly would hold him accountable for any failings of the Registry. The *ReVision* team understands the argument, but respectfully disagrees with this reasoning. The distribution of roles and the assignment of responsibilities between the SASP and the Registry can easily be clarified and stipulated in writing through internal policies and SOPs. These would constitute an agreement as to the required services, their timing and which part of the Registry is responsible for their delivery. Moreover, it could be envisaged that the Director would be responsible for, *inter alia*, ensuring appropriate planning, the formulation of clear service requirements and for information sharing with the Registry, whereas the Registry would be responsible for the timely implementation of the required services. In other words, the Registry would be a service provider to the SASP. By analogy the SASP does not currently run in-house catering nor does it own a conference centre. It sources these goods and services externally.
47. The *ReVision* team believes that if the Registry were to provide these services, the Secretariat and, through it the Assembly, would still remain in control of the meetings and would merely rely on the Registry for the practical implementation of a full service. In this regard, a restructured and streamlined Registry as a result of the *ReVision* project would be able to assist the Secretariat more effectively, in a uniform and cost-effective manner. Finally, a redistribution and recalibration of functions between the Registry and the Secretariat would have the added benefit of freeing up resources within the Secretariat, which could be better used on substantive support and assistance to the Assembly. **The *ReVision* team therefore recommends that upon approval by the President of the ASP, the Director SASP and the Registrar elaborate a proposal on services (and associated procedures and timelines) that the Registry could provide to the ASP on request and on behalf of the SASP (Recommendation 3).**

D. Internal Structure of the SASP

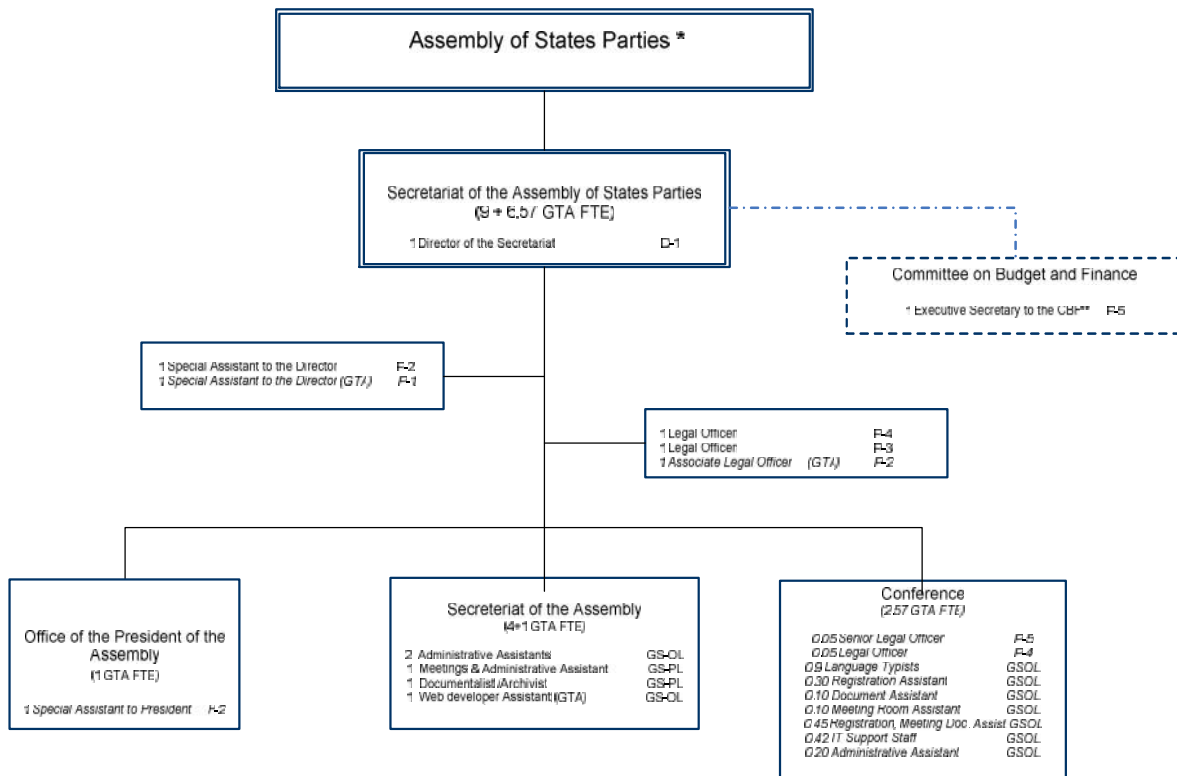
Current structure and staffing

48. When the Secretariat was established in 2003, the Assembly approved a total of six core posts, three at the professional level: the Director (D-1), a P-4 Legal Officer, a P-4 Conference Services Officer and three Administrative Assistants.¹²
49. As of 2014, the Secretariat had a total of nine core posts, five of which are at the professional level: Director (D-1 level), Executive Secretary to the CBF (P-5), Legal Officer (P-4), Legal Officer

¹² Given the need for greater support during the preparations for the annual session of the Assembly and the sessions of subsidiary bodies such as the CBF, there has always been provision for a certain level of temporary assistance, funded by GTA posts.

(P-3), Special Assistant to the Director (P-2). There are four administrative posts: a Documentation Clerk and three Administrative Assistants. There are also a number of 12-months GTA-funded positions, as well as separate GTA funds for the purposes of the annual meeting of the ASP, as depicted in the below organigram.

50. The current approved structure and reporting lines of the SASP are as follows:



Structure in practice

51. The ReVision team notes that it has been difficult to determine the actual required structure and staffing of the SASP due to the fact that many of the posts depicted in the above organigram have been vacant for significant periods of time despite the heavy workload of the SASP, especially in the build-up to and during the ASP meetings. Furthermore, the reporting lines shown in the organigram are hardly observed: in practice all staff report directly to the Director, whereas staff that are currently ‘administratively part of the Secretariat’ have no real managerial link to the SASP other than their leave requests being approved by the Director.

52. Furthermore, the ReVision team notes with concern that several staff members continue to be employed on temporary contracts funded against GTA, despite the fact that they have worked in the Secretariat for several years and have been responsible for performing core functions. The rationale as to why these posts have not been converted into established posts will be addressed under the heading of ‘Human resources and staff morale’.

Structural problems

53. The *ReVision* tem has reviewed the current structure of the SASP and has determined that in view of the functional analysis above, it is not fit for purpose.

Director

54. According to Resolution 3, “the Secretariat shall be directed by the Director of the Secretariat, who will be selected by the Bureau of the Assembly, in consultation with States Parties, on the basis of a competitive procedure, initiated by the Registrar, and thereupon appointed by the Registrar. The Director of the Secretariat shall have a comprehensive knowledge of the purposes, principles and procedures of the International Criminal Court and shall demonstrate that he/she possesses, if possible through experience gained at the international level, broad managerial and administrative skills.”
55. While the *ReVision* team has not identified any major issues with the Director’s work survey, the same cannot be said about his reporting line. From the various legal texts, it is not entirely clear to whom the Director is accountable. Many assume that the Director reports and is accountable to the President of the ASP, while others believe that he reports to the Bureau and the Assembly as a whole. The Director’s understanding is that he reports to the President of the Assembly. On the other hand, it could be argued that to the extent that the SASP falls under the Registry for administrative purposes, the Registrar should be the Director's First Reporting Officer.¹³ In reality, it remains unclear who is responsible for the Director's performance appraisal and for providing day-to-day supervision. The previous President of the Assembly was based in New York and the current President is based in Dakar and as such, they have (had) little opportunity to observe first-hand how the Secretariat is run on a day-to-day basis, how projects and staff are managed, etc. The effectiveness of a supervisory link to the President of the Assembly is further questioned based on the fact that, to the *ReVision* team’s knowledge, the Director's performance has never been appraised formally. This is in contrast with the requirement that all staff members are entitled to have their performance appraised and, where necessary, be assisted by their line managers in improving their performance. The *ReVision* team believes that at least some of the Director's reported managerial weaknesses discussed below could have been detected and addressed earlier if he had his performance appraised formally. As such, **it is recommended to clarify the role and responsibilities of the President of the SASP and/or the Registrar in the formal appraisal of the performance of the Director of the SASP in accordance with the relevant Court legal texts (Recommendation 4). It is further recommended that the concept of 360-degree performance management be introduced for the Director of the SASP, consisting of gathering and reflecting feedback from States Parties representatives, SASP staff members as well as officials and staff of the Court who have frequent interaction with the Director (Recommendation 5).**

Deputy Director

56. At present, the Director does not have a dedicated deputy to rely on and to share the managerial and supervisory responsibilities. At the time the SASP was being established, it was envisaged that it would employ a Legal Officer and a Financial Officer and that “either the Legal Officer or

¹³ This should imply amongst other the approving of leave, certifying the Director’s travel and expenditure directly related to the Director, such as hospitality.

the Financial Officer should also act as Deputy Head of the Secretariat”.¹⁴ This was never structurally implemented. It is further noted that while a Legal Officer and an Administrative and Financial Officer posts existed at the P4 level, the later post was suppressed at the request of the CBF in 2011 and the post of Executive Secretary to the CBF was created instead.

57. In practice, the lack of a deputy, in conjunction with the Director’s reported style of micro-management, and no delegation of authority, causes a number of bottlenecks and other operational difficulties for the Secretariat. The Director has many external engagements and is often unable to attend to all pending tasks. It has been observed that in the absence of the Director, decisions are not taken or taken with significant delay. In the opinion of the *ReVision* team, a deputy who has the authority to take decisions in the absence of the Director, in addition to his or her own portfolio of responsibilities, would be very beneficial to the functioning of the Secretariat and would lead to a more balanced division of labour within the Secretariat.

Executive Secretary

58. The P-5 post of Executive Secretary to the CBF was established by the Assembly at the end of 2011, at the request of the CBF. As mentioned above, the prior post of P-4 Finance and Administration Officer was abolished and the current P-5 post was created in its stead in major programme IV.¹⁵ Although the Executive Secretary remains administratively part of the Secretariat, he reports directly to the Chair of the CBF.
59. The *ReVision* team believes that several problems arise in relation to the post of the Executive Secretary. While the servicing of the CBF is an integral part of the mandate of the SASP, the Executive Secretary is substantively independent from the other parts of the Secretariat. Yet, during the sessions of the CBF, the Executive Secretary assumes full control over significant portions of the SASP resources. In terms of the substantive and technical servicing of the two annual sessions of the CBF, the Executive Secretary has at his disposal virtually all the human resources of the Secretariat, both during the preparation for and the sessions themselves. In other words, in practice the Secretariat as a whole, except the Director, supports the CBF through the Executive Secretary. At the same time, the incumbent continues to perform functions for the Secretariat, particularly as regards the finance and administration of major programme IV, in addition to his duties as Executive Secretary to the Committee. It means that the separation between the SASP and the Executive Secretary is largely fictitious.
60. In relation to the core financial functions of the post, the Executive Secretary is a source of significant frustration within the Court and is often seen as a mere mailbox – transmitting the Court’s responses to CBF requests, without adding any value in the process. Moreover, as mentioned above, the CBF and the States often correspond directly with the Organs of the Court and obtain information from them, which further puts in question the added value of the post.
61. Moreover, the place of the post within the SASP structure is also something to consider. While

¹⁴ ICC-ASP/2/2, para 322.

¹⁵ The P-4 post of Finance and Administration officer had been requested by the CBF and was then approved by the Assembly at its Sixth session in 2007 (*Official Records of the Assembly of States Parties... Sixth session*, vol. II, part B. 2, para. 76).

the CBF seems to value the independence of the Executive Secretary from the Organs of the Court, there is no functional reason for the post's independence from the Director of the SASP. It has been argued that the Director is too politicized for the Executive Secretary to report to him. In the assessment of the *ReVision* team, in a properly functioning Secretariat which puts the values of the Rome Statute system first, there should be no reason why the SASP and its staff cannot support the CBF directly.

62. Finally, after a careful review of the functions of the Executive Secretary, the *ReVision* team is of the view that the current classification of the post at the P5 level may not be justified. The P4 Financial and Administrative Officer was upgraded to the P5 level as a follow-up on CBF's recommendations, to provide analysis of detailed data on resources requested by the Court and "other key functions that are not possible under current circumstances of the meetings of the Committee". The *ReVision* team analysed the duties of the P4 post in comparison to the P5 post and does not see any significant difference.¹⁶ While the current P5 post was classified in 2011, according to the Human Resources Section, "the new profile was internally classified in order to *merely document the decision of the CBF*" (emphasis added). Based on its own assessment of the functions and the HRS explanation about the classification process, the *ReVision* team has concerns over the depth of the classifier's review (if any) and the strength of the classification altogether. Notably, if there has been a review of the duties and responsibilities, the post was likely classified at the P5 level due to its functional independence, which, as noted above, the *ReVision* team believes is misunderstood and does not have to include independence from the Director of the SASP. Moreover, the post is said to be in direct liaison with the Bureau, but if this is the case at all, it is not on substantive matters. As mentioned earlier, in recent years substantive contacts take place mostly with senior Court officials directly.

63. On a related note, in the opinion of the *ReVision* team the complexity of the work of the SASP and the support it needs to be able to provide to the Assembly are more on the side of the substantive, advisory and legal functions, than the support in financial and administrative matters to the CBF. When comparing the weight of the highest-level legal function (the P4 Legal Officer) and that of the Executive Secretary (P5), the *ReVision* team finds that there is a structural imbalance within the SASP. In particular, the team believes that a swap of the existing P-5 and P-4 posts could be envisaged whereby the P-5 resource is utilised to create the post of Deputy Director/ Senior Legal Officer in charge of substantive legal support to the Assembly and the P-4 resource is used to create a Financial and Administrative Officer, largely on the basis of the old work survey for the same post. This would allow the Director to focus on strategy for the SASP and providing strategic guidance to the Bureau, conducting external activities and being in charge of overall management of the SASP. The introduction of a Senior Legal Officer post would allow for the abolition of the existing P-4 Legal Officer post.

64. The added benefit of bringing the core financial and administrative functions back into the Secretariat is that the Assembly and its subsidiary bodies can benefit from a unified comprehensive service. Subject matters, such as victim participation, reparations, legal aid, etc., have both legal *and* administrative aspects, and the Secretariat's advice on such matters should be holistic. It is recommended that the Director - through appropriate information sharing and

¹⁶ See Annex V for a comparison of duties.

empowerment of staff - ensure effective coordination among the legal and financial positions within the SASP to deliver a holistic service.

65. Should there be any concern over the services delivered to the CBF, the Chair of the CBF could direct such concerns to the President of the ASP who, in turn, will address the Director or the concerns can be raised directly with the Director.
66. **In light of the above, it is recommended to create a P-5 Deputy Director/ Senior Legal Officer in charge of substantive legal support to the Assembly against the existing P-5 Executive Secretary post and to create a P-4 Financial and Administrative Officer post on the basis of the previous work survey for the same post, against the existing P-4 Legal Officer post (Recommendation 6).**

Special Assistant to the President of the ASP

67. The *ReVision* team also observes that the link between the SASP and the P-2 Special Assistant to the ASP President is currently rather weak. The post of the Special Assistant is a SASP position, currently based in New York with the Senegalese Mission to the United Nations. This position was created against GTA out of the need to assist the President of the ASP in his/her day-to-day activities in fulfilment of his mandate. Indeed, there are a myriad of issues and activities in the purview of the ASP President, and it is essential that he has access to special assistance and support at all times. In addition to assisting the incoming President, the incumbent of the post is also intended to provide substantive servicing to the Assembly when it meets at the United Nations Headquarters, to the Bureau and the New York Working Group.
68. One of the intended purposes of the Special Assistant position was to ensure effective liaison between the President and the SASP so that relevant background information is factored into the President's activities that in turn, further shape and feed into the work of the SASP. It seems that this goal is not entirely met at present. In the organigram, the position is attributed to the Office of the President of the ASP. In reality, it has in the past meant that the position is supervised directly by the President and is part of the SASP mainly (if not solely) for administrative purposes and is not considered part of the regular SASP workforce. The Revision Project considers that there is no need for this *de facto* status. The essence of the functions of the Special Assistant to the President is not different from the overall functions and mission of the SASP. It is a responsibility of the Director to service the President. The *ReVision* team considers therefore that the post should be part of the regular functioning of the SASP, with a reporting line to the Director, but with (unchanged) tasks of directly supporting the President of the ASP and ensuring effective liaison with the rest of the SASP staff. **It is recommended therefore that the Director take measures to strengthen the oversight and coordination of the activities of the Special Assistant in order to integrate the post more fully into the SASP's work, thereby enhancing the support provided to the President of the ASP (Recommendation 7).**

Special Assistant to the Director

69. The *ReVision* team observes that the post of P-2 Special Assistant to the Director has been held vacant for many years while a P-1 position funded against GTA has been created and filled for the same duration. Having considered the description of duties and responsibilities of the two posts, as well as the corresponding workload, the *ReVision* team has concluded that the

permanent workload does not justify the co-existence of both posts and one of them can be abolished. The *ReVision* team considers that a P-2 post is in line with the usual grade of such posts, particularly if the Special Assistant also performs administrative tasks, such as document management and archiving and the coordination of regular meetings. **It is recommended to merge any outstanding duties and responsibilities of the P-1 position, which are considered necessary, into the job profile of the P-2 Special Assistant post and to fill that post while discontinuing the P-1 post (Recommendation 8).**

Legal Officers

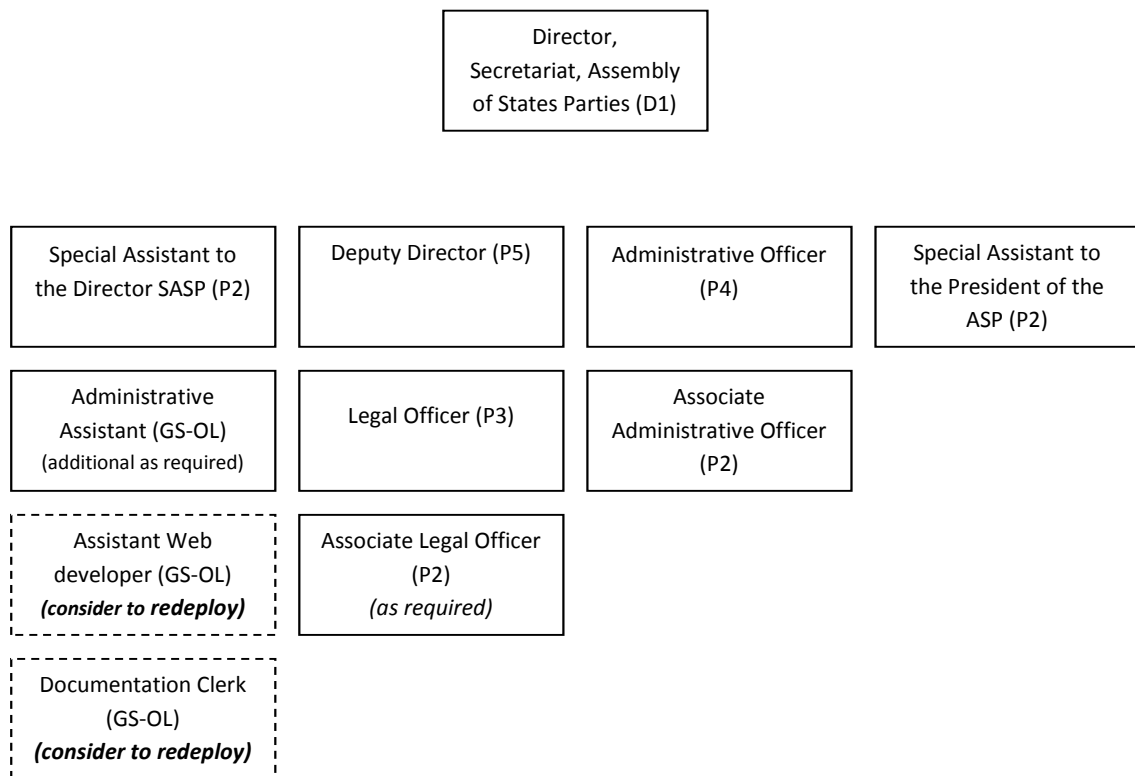
70. The two Legal Officer posts (P4 and P3) have essentially been the core capacity of the Secretariat over the past years. The Legal Officers, while being of different levels, have not had discernable differences in the assignment of work. At the time of writing, the P3 post is vacant and is not temporarily filled, and the incumbent of the P4 post is on Special Leave Without Pay and no temporary replacement was recruited. The *ReVision* team observes that the Legal Officers are often under significant pressure. Virtually all staff members who have performed this role consider that the heavy workload is not so much the result of insufficient resources as is the result of lack of proper planning. For example, parallel working group meetings and other requests competing for priority often cause spikes in workload, which, according to the staff, could be avoided with better planning and coordination and creating more realistic expectations among facilitators and other clients. Moreover, the *ReVision* team was led to believe that requests were often made to staff last-minute and presented as urgent, often requiring them to work late in order to manage, while according to staff they ultimately proved not to be urgent. These issues are further addressed in the section on resources and workload below. The *ReVision* team considers that there is no need for additional Legal Officers at present and that rather the inefficiencies in the handling of the workload need to be resolved first. Depending on the project workload of the SASP, should additional legal staff become necessary notwithstanding such efficiency gains and the recommended pooling of resources and expertise with the other Organs of the Court, it may be appropriate to recruit a P-2 Associate Legal Officer on a temporary basis against GTA funds.

Other Posts

71. The *ReVision* team has also reviewed the job description of the Documentation Clerk and has no major concerns in terms of the functions of the post. The *ReVision* team believes, however, that synergies and greater efficiency could be achieved by redeploying this post to the Registry Information Management Services Section (IMSS). That Section has both the expertise and capacity to absorb workload fluctuations and would, in turn, allow for the assignment of other work to the Documentation Clerk in low workload periods. This way, there can be more effective pooling of resources.
72. Similarly, in relation to the Assistant Web Developer post, the *ReVision* team considers that in the event of pooling of resources between the SASP and the Registry as recommend above, part of the functions of the post should be performed by IMSS, in particular the provision of IT support. In addition, the functions of maintaining the extranet and the Assembly of State Parties section of the Court's webpage overlap with functions performed by the Public Information and Outreach Section (PIOS). The *ReVision* team notes that there is already significant informal

cooperation between the Assistant Web Developer and the relevant PIOS staff. If the IT support functions are assumed by IMSS, it may be possible that the other functions of the Assistant Web Developer (such as development of the extranet, for example) could be assumed by existing staff in PIOS. The posting of documents on the extranet can be performed by non-technical, administrative staff.

73. **It is recommended that if it is decided that the Registry would assume responsibility for the provision of technical and logistical support to the ASP on request and on behalf of the SASP (as recommended above), a further assessment be carried out of the functions of the Documentation Clerk and the Assistant Web Developer with a view to their potential deployment to and/or absorption by IMSS and partly PIOS, as appropriate, in order to achieve economies of scale (Recommendation 9).** In the view of the *ReVision* team, this would lead to greater efficiency and the capacity to absorb additional workload at no additional cost while the SASP will continue receiving the same or better service.
74. In relation to the two Administrative Assistants, the *ReVision* team considers that the regular workload does not justify the existence of two posts. It notes in this regard that at least one of the posts has remained unfilled for significant periods of time and this does not seem to have affected the overall functioning of the SASP. As such, **it is recommended that only one Administrative Assistant post be retained as part of the SASP structure, with additional temporary assistance being secured, if needed, either from within the Court or on a short-term contract (Recommendation 10).**
75. The *ReVision* team also notes that recently the Executive Secretary has requested additional temporary resources to assist during peak activity. This request appears to have been approved by the CBF. As elaborated in greater detail elsewhere in this report, the *ReVision* team is of the view that, as a matter of principle, the addition of temporary substantive staff to an office like the Secretariat does not help building and retaining institutional memory (and by extension, staff retention). The *ReVision* team considers that should there be a genuine need for additional help during peak periods, such additional resources could come either from the pooling or resources with the Registry described above (for example, from the Registry Division of Management Services), or it would be advisable to establish a permanent post instead. In the latter case, that post could be responsible for the servicing of all meetings, not just the CBF meetings, for general administrative tasks within the SASP, and for acting as permanent back-up to the P-4 Financial and Administrative Officer.
76. **In sum, the *ReVision* team recommends the adoption of the following revised structure for the SASP (Recommendation 11):**



E. Resources and workload

77. The *ReVision* team has held several meetings with SASP Director, staff and other stakeholders, in which resources and workload were discussed. Based on the information collected and its own analysis, the *ReVision* team has made a number of observations and believes that several measures can be taken to address any resource and workload issues.
78. The SASP’s workload is quite uneven throughout the year. Indeed, Resolution ASP/2/10 (2003) states that clearly and rightly points to “peak periods before, during and soon after meetings of the serviced bodies, alternating with periods of lesser workload”. For this reason, the SASP was kept “fairly small”, with a clearly underlined need for the “pooling of personnel an equipment with the Court, whenever this is feasible without compromising the quality of service and the independence of the Secretariat will need on substantive issues”.
79. In this regard, it is also recalled that “[t]he Secretariat and the other sections of the Court shall attempt, within the bounds of mutual respect for the independent exercise of their respective functions and of maintaining high levels of professionalism, integrity and competence, to find joint responses to situations of increased workload at the Secretariat, by making available to the Secretariat, to the greatest possible extent, the relevant expertise and physical resources of the other sections of the Court, whenever possible based on arrangements that the Secretariat and the other sections of the Court should agree in anticipation of such situations.”¹⁷ As mentioned

¹⁷ ASP/2/10 (2003)

earlier,¹⁸ the explicit reference to expertise, in addition to physical resources, is, in the view of the *ReVision* team, indicative of the Assembly's intention to achieve synergies and economies of scale between the SASP and the Court in order not to duplicate effort and resources.

80. When the Secretariat was first established and became operational in 2004, it was called upon to service the following activities:
- Assembly of States Parties, annual session and occasionally a resumed session;
 - Committee on Budget and Finance, two annual sessions;
 - Bureau (based in New York);
 - New York Working Group of the Bureau (NYWG); and
 - The Hague Working Group of the Bureau (HWG).
81. Subsequently, new bodies were established which required assistance from the Secretariat in its substantive and technical servicing:
- Oversight Committee on permanent premises;
 - Working Group on Amendments (based in New York);
 - Study Group on Governance (under The Hague Working Group);
 - Advisory Committee on Nominations of Judges.
82. The workload of the SASP has been increasing steadily since its inception. This is due to both the number of bodies to be serviced, and the number of meetings and the number of facilitators/focal points to assist. The *ReVision* team itself has observed that the Secretariat's workload goes through ebbs and flows. Typically, before and during the ASP and the CBF sessions, there is a sharp increase in the number and nature of the activities the SASP is involved in for which it hires additional temporary resources. While the overall workload of the SASP is reported to have decreased somewhat in comparison to previous years as a result of fewer Working Groups to be serviced, it is still heavier than originally envisaged when the Secretariat was first established.
83. Moreover, it has to be recognized that at present, the SASP has little control over its workload as it is driven primarily by the demands and assistance needs of external actors, such as facilitators of Working Groups, the Bureau, the ASP subsidiary bodies, as well as individual diplomats. While the Assembly usually has a yearly work plan, which allows for some advance planning, the meetings the SASP is called upon to support present a challenge in practice, because of a lack of coordination between the different facilitators, the often overlapping meeting schedules and the inability (or unwillingness) of the SASP to play an active role in regulating this process.
84. Against this background, the *ReVision* team sees several opportunities to improve the situation and make the SASP workload more even and more manageable.
85. First and foremost, the possibility of pooling of resources with the Registry in the provision of

¹⁸ See para. 42 *supra*.

technical and logistical support should be explored. As mentioned earlier, a number of tasks carried out by the Secretariat overlap with services already provided by the Registry. If the Registry assumes responsibility for these tasks, the SASP would be able to focus all its efforts on the provision of substantive support and advice. Furthermore, because of its size and specific expertise in most of the areas identified above,¹⁹ arguably the Registry has a greater capacity to absorb workload fluctuations during peak periods. Such capacity does not exist within the SASP, which is a recognized built-in weakness of the Secretariat structure. Increasing staffing levels in the SASP with either established or temporary posts would not be optimal for the reasons discussed earlier (no full-time occupation in low activity periods and loss of institutional knowledge). The *ReVision* team also believes that in addition to the recommendation to rely more heavily on Registry services for the organization of meetings,²⁰ **it is recommended that consideration be given to outsourcing certain basic support functions to external contractors or to exploring other forms of temporary support from the Registry, which would provide greater efficiency and flexibility to the SASP (Recommendation 12).**

86. Another factor which affects the SASP's workload is the perceived risk-averse approach of the Director. Staff have reported that the Director is reluctant to take a pro-active role in the scheduling of meetings and essentially agrees to every request made by the States, which has a negative effect not only on the Secretariat's workload, but also on its ability to assist the Assembly meaningfully. When questioned about this, the Director expressed concerns about the number of meetings and other requests and the lack of sufficient resources to deal with the corresponding workload. At the same time he stated he did not feel in a position to suggest a different date for an event or to advise on the type of meetings and the support the SASP can provide.
87. From a customer service perspective, it is commendable that the Director feels he needs to respond positively to any request for assistance. Indeed, many of the diplomats interviewed by the *ReVision* team have expressed satisfaction with the manner in which their requests for assistance are being dealt with. At the same time, the *ReVision* team considers that in view of the limited resources available and the lack of coordination between different activities requiring support, this approach is unsustainable and likely to affect adversely the overall quality of the services provided by the SASP and its added value in the long run. It is also recognized that the ASP President, the Bureau and individual facilitators are not always aware of the competing demands placed on the SASP. However, there is no entity better placed than the SASP itself to provide that information and to coordinate these activities through active dialogue with the relevant bodies.
88. The *ReVision* team considers that in view of his institutional knowledge and position, the Director could play a key pro-active role in coordinating and advising the various facilitations and Working Groups and in coordinating their work. Indeed, some of the Ambassadors interviewed by the *ReVision* team have expressed a strong desire in this respect, regretting that the assistance they receive from the Secretariat currently is limited to technical and logistical support, often upon request. To the extent that the responsibilities of the Director in this regard

¹⁹ See para. 44 *supra*.

²⁰ See para. 47 *supra*.

may be unclear, **it is recommended that the President of the ASP, the Bureau and the Director discuss and clarify the role and responsibilities of the Director in terms of the planning and coordination of meetings of the Assembly and its subsidiary bodies, and, if considered necessary, memorialize the outcomes of these discussions in a delegation of authority from the President or Bureau to the Director (Recommendation 13).** The *ReVision* team considers that such a role already exists and in any event would be consistent with the level of the post.

89. Furthermore, as discussed above, the resources of the SASP are directly impacted by the number and nature of the activities the Secretariat is called upon to support. Several stakeholders with long-standing institutional memory have observed that the external governance activities that the Assembly has been engaged are far heavier than was ever expected or foreseen. Some have referred to it as the “ICC governance industry”, implying that it is a self-sustaining process without clear added benefits for either for the ASP, the Court or the Rome Statute system as a whole.
90. The *ReVision* team has noticed that the governance provided by the ASP to the Court in recent years has been focussed mainly on input (e.g. budget) and process (e.g. legal aid, victim participation, etc) as opposed to output, the attainment of strategic objectives and the exercise of the ASP's legislative authority to improve the Court's operations. This is an area where the SASP could have a strong positive influence by proactively providing guidance to the ASP.
91. The governance process is, by all accounts, very labour and resource intensive for both the Court and the representatives of States Parties, as well as the SASP. The *ReVision* team also observes that there seem to be some inconsistency in the working methods and practices of the various working groups. This also affects the functioning of the SASP, as well as information sharing between working groups. It has been observed, for example, that it is up to the facilitators to decide whether or not the minutes of their meetings should be shared. While recognizing that these are matters falling outside the scope of its review of the SASP, the *ReVision* team believes that some standardization of working practices, as mandated by the Bureau, would have a positive effect on the SASP's ability to plan its work and could increase the efficiency and effectiveness of these meetings overall. For example, new facilitators, once appointed, could receive a briefing by the SASP, which could include a description of such standard practices. The *ReVision* team is aware of and welcomes the on-going efforts that States are undertaking to reduce the number of working Groups both in The Hague and in New York and considers that this would resolve many of the SASP's workload and resources difficulties effectively.
92. In this respect, as the main facilitator of the Assembly, the SASP could play a much more active role in facilitating and focusing the dialogue and interactions between the Court and the Assembly. This could include advice on substantive matters, for example, drawing attention to issues which need special attention by the Assembly, issues for which the Court needs specific political or other support from the Assembly, and matters which, in the opinion of the Director, would advance the implementation of and adherence to the Rome Statute system, as well as more technical issues, such as the planning and holding of meetings. In doing so, the SASP would assist the Assembly in identifying and setting priorities and possibly rethinking some of its working methods. At the same time, this would increase the Director's ability to manage the SASP's workload and plan its activities better, thereby providing more effective and meaningful support to the ASP. This advisory role of the SASP should, of course, remain neutral vis-à-vis the

judicial and prosecutorial activities of the Court. **It is recommended that the Director of the SASP propose to the President of the ASP and the Organs of the Court a roadmap for making the SASP an active link between the Court and the Assembly, by promoting adherence to the Rome Statute system and facilitating the Assembly’s support for the Court’s activities (Recommendation 14).**

93. Furthermore, the *ReVision* team considers that the SASP¹ resources are also adversely affected by the apparent dysfunctional working methods, low staff morale, and long-term unfilled vacancies. SASP staff members have reported overlaps and duplication of work, last-minute requests and assignments, often presented as “urgent” due to what they see as a lack of proper planning on the part of management. Staff have also expressed concerns about the lack of objective criteria in the assignment of work and have described work processes as *ad hoc*.
94. The *ReVision* team has observed that indeed there is little delegation of authority within the Secretariat and the distribution of roles and responsibilities is somewhat random and unclear. Furthermore, several legal posts have been left vacant for a long time, which has naturally impaired the availability of SASP resources who can provide substantive legal advice. These issues are mentioned here for completeness – because they have an impact on how the SASP’s resources are utilised. However, they are primarily matters of human resources management and staff morale, which is why they will be addressed in the relevant section below.

F. Work processes and workflows/Communication

95. Having reviewed the work processes and workflows of the Secretariat, i.e. the standardized practices and procedures followed for recurring tasks, the *ReVision* team concludes that some areas are well organized, mainly the more technical and clerical tasks, such as the maintenance of the extranet, providing documentation to States representatives and the publishing of official documents.
96. However, more generally, the *ReVision* team felt that the organization of the core substantive work of the SASP would benefit from some clarification and standardization in order to improve efficiency and predictability. This mainly refers to the need for standardized processes for the organization of meetings, the management of internal files (other than the areas mentioned above), and the production of advisory products. While the *ReVision* team has not received any significant complaint about the quality of the SASP’s output (in fact, most diplomats interviewed have expressed satisfaction with the services received), the current working method is that the Director manages every step of the process personally. In addition to placing an unnecessarily heavy burden on the Director, this *modus operandi* results in inefficient and ineffective use of resources and is frustrating and demotivating to the SASP staff. Moreover, it causes difficulties in terms of availability of information and awareness of the procedures to be followed in given circumstances since reportedly, most decisions are taken *ad hoc* by the Director. In fact, some staff feel that information is deliberately kept away from them. The *ReVision* team can see why this approach could be problematic particularly at times of high workload and pressure, such as the organization of the ASP meetings. Basic work processes and workflows, roles and responsibilities could be described in a simple SOP. That would not only provide clarity and predictability in SASP operations, but would also facilitate the induction of new staff members.

In addition, such SOP could be made available to (new) working group facilitators and others who work closely with the Secretariat so as to make them aware of its services and work processes, which would facilitate communication and cooperation.

97. Another factor affecting the Secretariat's workflows and processes is the lack of adequate internal communication. Communication about work assignments seems to often take the form of one-on-one discussions between the Director and a given staff member even for project that involve multiple staff members. Staff have reported that information is routinely not shared within the office: staff are not informed of developments that affect their work, not copied on e-mails relevant to them, and plans, if they exist, are not shared with everybody. Consequently, tasks are often duplicated as staff are unaware of the assignment of the same or related task to a colleague. The *ReVision* team finds this problematic because it suggests inefficient operations within the Secretariat and work processes that involve the Director in operational and non-strategic issues. As discussed elsewhere in this report, there is a need to clarify roles and responsibilities and increase the delegation of authority.
98. From its interviews with staff members, the *ReVision* team was also led to believe that information sharing within the Secretariat may actually be discouraged. The Director stated that to the extent this is the case, the reason is the sensitive or confidential nature of some communications. While the *ReVision* sees merit in this concern, it notes that there are numerous Sections within the Court, which handle and are privy to extremely sensitive information. This is not and should not be a reason to prevent sharing of information internally within the Section, particularly where such information is needed in order for staff members to carry out their work in a professional and effective manner, to understand how their work contributes to the greater goals of the team and, last but not least, for them to feel valued and trusted.
99. Similarly, staff reported that they are not allowed to have direct interactions with ASP delegates on substantive matters and that all such communication goes through the Director. The *ReVision* team considers that this complaint is related to the lack of authority delegated to the SASP staff and what would seem to be a lack of trust in them by the Director. The *ReVision* team believes that empowering SASP staff to communicate with the delegates on work-related issues would improve their ability to assist them. It is fully understood that the Director needs to keep an overview of pending issues and to be in a position to provide guidance and support. A number of elementary reporting mechanisms exist that could be put in place achieve that.
100. In light of the above, the *ReVision* team makes the following recommendations:
101. **It is recommended that any core SASP processes, including the organization of ASP and Working Groups meetings, as well as the roles and responsibilities of SASP staff in such events, be documented in a protocol or SOP, to be updated and fine-tuned regularly, as required. It is further recommended that staff be actively encouraged to follow such established practices in order to ensure maximum stability and predictability in the Secretariat's operations (Recommendation 15).**
102. **It is recommended that the Director take immediate practical steps to enable and encourage information sharing within the Secretariat, by emphasising, where necessary, the confidential nature of the information and the conditions, if any, for its sharing outside the Secretariat**

(Recommendation 16).

103. **It is recommended that regular all-staff meetings be held at least once every two weeks and used as a two-way information sharing platform, i.e. for the Director and other SASP staff to discuss pending and future assignments and projects, but also as an opportunity to exchange ideas and discuss opportunities to improve working methods (Recommendation 17).**
104. **It is recommended that the Director ensure adequate induction of new staff members, in close cooperation with the Human Resources Section (Recommendation 18).**
105. **It is recommended that the Director consider holding a workshop with SASP staff to discuss confidentiality and sensitivity in the context of SASP's work and what the consequences may be of unauthorized disclosure of sensitive and confidential information as a means to increasing mutual trust and the sharing of confidential information within the Secretariat (Recommendation 19).**

G. Systems and databases

106. The importance of functional and user-friendly systems and databases in an organisation such as the ICC cannot be overemphasised. Database management systems are important as they provide a highly efficient method for handling multiple types of data. The systems should be built to be as versatile as possible. Furthermore, proper systems and databases replace manual, which saves significant time and reduces errors. Data should be categorised and structured so as to suit the needs of users in a relatively simple manner.
107. In the opinion of the *ReVision* team, the Secretariat would benefit greatly from improving its use of systems and databases.

SASP internal information system

108. Currently, only one person within the entire Secretariat has access to the TRIM information management system. All other staff members save documents and information on a relatively disorganized shared folder of the SASP. This is seen as a highly inefficient method of storing and accessing information. This problem is exacerbated by the fact that there is little uniformity in the manner in which documents are saved on the shared folder.
109. In addition, because institutional memory is not being retained in systems and databases, knowledge management is completely dependent upon the memory of staff members working within the Secretariat at a given time and it is mainly vested in the Director. Considering that the SASP is meant to serve as the institutional memory for the ASP, the SASP's information systems require serious attention. It should be possible for staff with the proper authorization to access any and all documentation and information related or relevant to a subject matter. This requires the systematic tagging and categorization of information in an Electronic Document and Records Management System (like TRIM), which is currently not the case. Alternatively, the SASP could likely make good use of the functionality offered by Sharepoint for the same purpose. Once a proper system and working method are defined, all SASP staff members can easily maintain and share information and the SASP will not require a dedicated information management post.

External ASP information systems

110. The SASP maintains an extranet which is a web-based system for delegates and members of subsidiary bodies, like the CBF, to access documentation required for meetings, etc. The *ReVision* team would first like to commend the Secretariat for its transition away from paper copies of the relevant documents and using the extranet instead. Users have reported some difficulties with the extranet: that it requires complex passwords and it is not user-friendly, which may have an impact on whether delegates opt for downloading documents and other relevant information or not. Due to the (perceived) complexity of the system, delegates often request the SASP staff to send them documents that are already uploaded onto the extranet.
111. The *ReVision* team believes that it would be worth exploring the use of dedicated tablets or improved systems in order to facilitate the Secretariat's conferencing support function. There are some systems readily available on the market, which may easily fill the gap. For example, this would allow delegates to receive documents live, to record their comments, organize documents by subject or meeting, etc. Improvements in this would likely allow easier control of meeting documentation, quick release and distribution of new versions and notifications, access controls, etc.
112. As part of the above improvements, the SASP could also consider maintaining and providing topical digests to better inform new delegates of relevant background as well as the evolution of the Assembly's decisions on a variety of subjects. This information would also serve to enhance internal knowledge management. Currently, the SASP maintains a keyword listing of relevant resolutions, but that does not allow ASP users to easily grasp the historical developments.

Publicly available information systems

113. The *ReVision* Project observes that the official records and documentation maintained on the Court's website are formatted and provided in a very traditional (UN-like) fashion. The *ReVision* team observed – also based on comments from several stakeholders – that it is often unclear (unless one has delved into the records of the ASP) that certain documents exist or are accessible. The *ReVision* team considers it beneficial – for purposes of better informing the public at large and promoting the image of the Court – that key documents, such as strategic plans (Information Technology, Human Resources Management, etc.), budgets and performance reports, substantive reports on the Court's core activities, etc. be published in a more appealing and modern manner (if necessary only after approval by the ASP). The current approach to the publication of said documents illustrates the existing disconnect of the SASP from other functions performed by the Registry, such as the Court's public information, as discussed above. The *ReVision* team maintains that better, more integrated, appealing and transparent information would serve the interest of both the Court and the ASP.

Sharing information with the Court

114. As part of the review of the Registry, the *ReVision* team has found that information in relation to governance bodies (ASP, CBF, Audit committee, Hague Working Group, etc.) is kept both by the SASP and multiple parts of the Court (and even duplicated within certain Organs). This includes for example reports, background documentation and resolutions, as well as a breakdown of the objectives, tasks and recommendations contained therein. This results in unnecessary (and

avoidable) duplication of effort and resources in managing this information. There is a strong perception on the part of Court officials that the SASP, and the Executive Secretary of the CBF in particular, are deliberately not sharing such information available to them, which requires the Court to maintain separate databases. Whether this is the case or not, such a practice is inefficient and creates a negative atmosphere between the Court and Executive Secretary/SASP. In the view of the *ReVision* team, there is no reason why there could not be a common knowledge base where such information and documentation is preserved and shared between the SASP and the Court. This information should be turned into institutional knowledge, easily accessible to all interest sides in the Court, and organized in such a way so as to facilitate retrieval, for example, by topic.

115. On a related note, the *ReVision* team has noticed that there is often confusion and overlap in relation to the maintaining of official information about ASP delegates, in particular their contact information. Some ASP delegates, as well as SASP and other Court officials, have observed that it is not always clear who is the current representatives of States and how they can be contacted. The *ReVision* team observes this should not be necessary.

IT support for SASP

116. The *ReVision* team notes that the Director has procured a number of Apple laptop computers, which are used for official business apparently because he was dissatisfied with the service provided by the former ICT Section of the Registry. The rest of the Court uses regular personal computers on Windows software. This choice seems to have led to certain inefficiencies as this hardware cannot be serviced or maintained centrally. It has also caused difficulties in transitioning between the two operating systems, especially when staff are either based away from the seat of the Court or work remotely, for example, during ASP sessions in New York. This relates to, amongst others, information security restrictions: there are security measures in place to control access to information, which make it harder to work on Apple-run hardware. It is therefore advisable that *ad hoc* ICT solutions be avoided in the future and that SASP benefit fully of IMSS expertise, services and equipment in the future. This is an area where, the view of the *ReVision* team, the greater reliance on Registry services by the SASP can be implemented the most seamlessly.
117. In light of the above, the *ReVision* team makes the following recommendations:
118. **It is recommended that the SASP reach out to the Registry Information Management Services Section for advice and services to improve internal information management practices. It is further recommended that an information management protocol be adopted for the SASP, which, among others, spells out clear requirements and procedures for staff to involve colleagues in the information flow, as appropriate (Recommendation 21).**
119. **It is recommended that the SASP consult the Registry Information Management Services Section for advice and services to improve the external ASP information systems (Recommendation 22).**
120. **It is recommended that the SASP seek the cooperation of the Registry to create a joint knowledge base for governance-related documentation, including, but not limited to reports, background documentation and resolutions, as well as a breakdown of the objectives, tasks**

and recommendations contained therein. It is further recommended that the SASP maintain and share a single, up-to-date contact information database for ASP delegates to be available to other delegates, as well as designated Court officials (Recommendation 23).

121. It is recommended that the SASP that SASP rely on and benefit from IMSS expertise, services and equipment in the future and avoid resorting to ad hoc ICT solutions (Recommendation 24).

H. Human Resources Management and Staff Morale

122. In the opinion of the *ReVision* team, this is the most problematic area of the functioning of the SASP is human resources management and staff morale. In making this observation, the *ReVision* team refers to reports it has received from current and former SASP staff and others, that there are serious issues with many of the managerial practices within the Secretariat, which have affected adversely both staff morale and retention. Staff do not feel empowered, trusted or recognised for their work or achievements. Some said they required permission or approval of the Director to carry out even basic functions as there is no delegation of responsibilities. Moreover, the Director seems to be feared by some staff²¹ and is seen by others as belittling or even bullying his staff. Modern management practices, such as keeping employees involved and motivated throughout the work process and developing a commitment to the mission, vision and values of the organization, seem to be absent altogether.

123. Perhaps not surprisingly in these circumstances, there is little harmony and cohesion amongst staff in the Secretariat. There are internal divisions and interpersonal conflicts. As discussed earlier, information sharing, coordination and cooperation amongst staff are lacking, which causes duplication of work and contributes to an atmosphere of distrust in the office. Staff work mainly individually, in a silo, with not much opportunity for collaboration with each other.²² This affects not only the efficiency and effectiveness of the Secretariat, but also its reputation, in particular among the ASP delegates, some of whom have commented that SASP staff are not always aware of relevant information or developments. There is also a perception of an unwarranted segregation of General Service staff as compared with Professional staff. Although not directly witnessed by the *ReVision* team, the Director was often described as being hierarchal, patronising and not treating all staff equally.

124. Furthermore, as mentioned earlier, a number of established posts within the SASP have remained vacant for a number of years. Some staff have suggested that the Director prefers to hire staff on short-term GTA-funded positions in order to control them through the threat of non-renewal of contracts. In one of the meetings with the Director, he expressed the view that

²¹ The following remarks have been made in interviews with the *ReVision* team: “the boss personalises everything”, “staff are afraid to raise such issues with him because they are afraid he is vindictive”, “he can be aggressive”, “I am always looking over my shoulder”, “there is no respect or tolerance for contrary views and opinions.”

²² One staff member commented: “whenever the ASP is in session, it is madness; there will be 20 to 30 people working in the Secretariat on a temporary basis, but no one knows what the others are doing because they all report directly to the Director.”

staff on fixed-term contracts become too comfortable in their jobs and lack the necessary drive. There is also a perception of lack of transparency in recruitment, the hiring of “young inexperienced GTAs” and of “friends or friends’ friends.” Some senior Registry managers have commented that the Director appears to purposefully deviate from standard recruitment procedures, which he views as too slow. The *ReVision* team is not in a position to assess to what extent these perceptions correspond to the truth. It is clear, however, that the chronic ‘underfilling’ of available posts within the SASP does have a negative affects on the Secretariat’s effectiveness and efficiency. In the *ReVision* team’s opinion, is difficult to justify the practice of hiring short-term GTA-funded positions time and where there are vacant established posts.²³ This results in high staff turnover and does not allow for the retention of institutional memory - one of the SASP’s core support functions to the ASP. It also appears to be linked to the lack of sufficient capacity within the Secretariat to provide substantial support to the ASP - something that some diplomats interviewed by the *ReVision* team have identified as a weakness in the SASP operations.

125. This leads to the issue of staff morale, on which the views are somewhat divided. Some staff did not have any major issue with staff morale and even identified “understanding amongst colleagues” as key motivational factors for them. However, the majority of staff believe that staff morale is low due to the working environment and managerial practices, which, in turn, has an adverse effect on the office’s overall performance. Several staff members also drew attention to the exceptionally high rate of sick leave in the Secretariat in the past, pointing out that the working conditions have had a detrimental impact on people’s health. The *ReVision* team has made some inquiries with the Court’s Medical Officer who has confirmed that the sick leave rate of the Secretariat is indeed very high compared to other areas of the Court. The Medical Officer also stated that in her view, this it is attributable to the SASP working environment, something she has brought to the attention of the Director in the past.
126. In relation to staff engagement and staff development - typically key motivating factors for staff - the majority of SASP staff feel that they are not challenged enough professionally, that their skills and abilities are not fully utilized. This is particularly true for the legal staff who reported that their work rarely involves substantive matters and is often reduced to note-taking at meetings, drafting of circulation email messages, and editing of documents. They consider such assignments to be well below their qualifications and the functions they ought to perform: substantive support, analysis, background legal opinion for facilitators, etc. Staff have also noted that good work and achievement is rarely acknowledged and, conversely, underperformance is not addressed.²⁴
127. Lastly, some staff feel that they have no avenue for recourse. The *ReVision* team has been informed that formal and informal complaints about the Director to the Human Resources

²³ In a few cases, staff members who provide functions essential to the Secretariat’s work have been on GTA-funded positions for over three years despite the existence of vacant established posts for which they could have applied. This has had a highly demotivating effect on them.

²⁴ According to the staff survey results, virtually no SASP staff member thinks that their supervisor provides them with regular coaching and feedback on their performance, or that they are recognized for their accomplishments.

Section and the Health and Welfare Unit have been left without response. It appears that the President of the ASP and the Bureau have also been informed of concerns about the Director's managerial practices, but to the best of the *ReVision* team's knowledge, there has been no formal response to those either. As a result, current staff feel it is inconsequential or even unsafe to complain about the Director's practices.

128. The *ReVision* team has sought the Director's views on these allegations and generally on his managerial practices. While recognizing some of the shortcomings, the Director remains of the view that his managerial practices are generally fine. He advances that he has learned them during his time at the Office of Legal Affairs in New York as a junior professional.
129. The *ReVision* team recognizes the complex context in which the Director operates and the significant challenges his post present. The SASP supports an Assembly of States Parties that operates in two locations, The Hague and New York, with 123 States taking part and with the role of their capitals not to be underestimated. Diplomatic representatives change relatively frequently so the institutional memory of the Assembly is limited – a gap the SASP is meant to fill. An added complexity results from the fact that the President and Vice Presidents are not necessarily stationed in The Hague or New York.
130. The *ReVision* team observes that the Director was effectively 'thrust' into his current role when the previous Director passed away. While the Director was (and is) extremely knowledgeable of the process leading up to the Rome Statute and the establishment of the Court, maintains excellent relations with the diplomatic community and is dedicated to the job and the Secretariat, he appears to not have had the opportunity to gain experience as a manager. Moreover, the *ReVision* team recognizes that the Director is in a difficult position, often being caught between the political views of States Parties, some of which seem to believe that the Secretariat is there to meet each of their needs, often with deadlines which are tight or unrealistic. As mentioned earlier, the Director takes his duty towards States and the protection of confidentiality extremely seriously.
131. In the *ReVision* team believes that the situation in the SASP is a classic downward spiral in management: the reported negative managerial practices have contributed to or have caused staff to become less motivated, cooperative, and less supportive of the Director, which, in turn, has led the Director to become less trusting and more micro-managing. This cycle has been exacerbated by staff retention problems (and the ensuing loss of institutional memory and increase in workload) and the fact that certain staff have become hostile and to some extent belligerent towards the Director. This has not been an easy situation for the Director, who felt unsupported by the Registry in dealing with this problem, and was perhaps personally unequipped to tackle such issues as a manager.
132. It has been observed that with the recent departure or absence of certain staff members, the situation in SASP has improved somewhat. While this is a positive development, the *ReVision* team does not believe that it is sufficient to expect a sustainable improvement in the future. As highlighted throughout this report, the feedback received by the *ReVision* team has revealed major issues with the managerial practices at the SASP. In particular, the human resource management issues observed in the Secretariat compare most negatively to the rest of the

Registry and some of them fall well below standards in the view of the *ReVision* team. This not impacts negatively on the output of the SASP and reflects badly on the image and reputation of the SASP. The *ReVision* team considers that in order to enhance the functioning of the Secretariat, the deficient managerial practices described above need to be addressed as a matter of urgency. Given the small size of the Secretariat, its pivotal and visible role, and the crucial importance of the Director, the impact of this single post on the operations of the SASP is greater than usual. Indeed, virtually all SASP staff have commented that a change in the Secretariat can only be achieved if the managerial shortcomings are addressed.

133. In light of the above observations and analysis, the *ReVision* team recommends that
134. **It is recommended that the President of the ASP consider appropriate measures to address the negative managerial practices described in this report. Such measures could include setting specific performance objectives for the Directors, formulating a performance improvement plan, providing coaching and leadership/management training, etc. (Recommendation 22).**
135. **It is further recommended that the President of the ASP ensure appropriate oversight of the SASP's management and respond swiftly to any managerial issues that may arise (Recommendation 23).**
136. **It is recommended that the President of the ASP consider designating a member of the diplomatic community based in The Hague (possibly the Vice-President) to provide more regular direction and oversight to the Secretariat, and be delegated responsibility for the implementation of improvements to the management of human resources, including by regular meetings with SASP staff (Recommendation 24).**
137. **It is recommended that the Director reach out to the Registry's Human Resources Section to obtain guidance and support in dealing with human resource management issues, such as the timely recruitment of staff, dealing with underperforming staff, improving the sick leave record and staff retention (Recommendation 25).**
138. **It is recommended that the Director report to the Bureau at least twice a year on the implementation of recommendations and other improvements (Recommendation 26).**



Phase 4 - Scope of Review

Secretariat of the Assembly of States Parties

Purpose of the Scope of Review

This document describes the starting point for the review of the Secretariat of the Assembly of States Parties (SASP). The below list of topics provides a framework for the discussions with SASP staff and possibly stakeholders in related areas. It was created based on the results of the recent staff survey including open comments, initial meetings with staff, feedback from the Director, the Registrar and President of the ASP

A draft of this document was circulated for input from SASP staff and other stakeholders. The document was finalized following their input as well as acceptance by the President of the Assembly of States Parties.

The Scope of Review addresses observations on issues in relation to the following categories:

- internal structure
- resources and workload
- work processes and workflows
- systems and databases
- communication, cooperation and coordination
- regulatory framework
- human resources management
- staff morale

The issues listed below may fall within multiple categories or have overarching effects.

The purpose of the subsequent review with staff of the Section is to identify the root-cause of the issues identified, propose and evaluate potential solutions, and formulate recommendations. Further discussions will take place in group or individual meetings with staff, focusing on the issues listed.

SECRETARIAT OF THE ASP - AREAS OF REVIEW

Please provide your feedback and suggestions on :

Internal structure:

- Lack of clarity with regard to the governance structure and performance management: the SASP is administratively linked to the Registry, but the Director formally reports to the Bureau of the ASP. At the same time, the SASP also services representatives of member states, in New York, The Hague and capitals.

- This is linked to concerns about accountability and oversight.
- In view of the lack of clarity as to the role and scope of responsibilities of the SASP vis-à-vis the 122 States Parties, the Bureau of the ASP and the various bodies, there is a perception that the SASP does not effectively facilitate the governance and oversight of the activities of the Court.
- Issue of delineation of responsibilities, reporting lines - all SASP staff report directly to the Director and there are no sub-units within the SASP. Exceptionally, some of them are temporarily assigned to work for the Executive Secretary of the CBF in support of its sessions.
- The position of the P5 Executive Secretary to the CBF within the SASP is a particular role, with functional independence but still performing some functions for the SASP and under administrative oversight of the Court. Requires clarification of role and reporting lines. Considering the functional independence and the absence of functional responsibility vis-à-vis States on behalf of the SASP, the use of the Executive Secretary to the CBF as Officer in Charge in the Director's absence can be questioned.

Resources and workload:

- Workload is seems to be a serious issue within SASP, especially due to the demands of States, increased number of facilitators, increased number of meetings, etc. Limited efforts made to mitigate the increase in numbers or unreasonable deadlines placed on the Secretariat.
- Workload increases drastically around sessions of ASP and to a lesser extent the CBF, for which temporary staff are recruited. There are perceptions among service providers that unnecessary cost may be incurred in the recruitment of such staff internationally. Also, these temporary staff often receive little induction and information.
- Planning of activities depends on political constraints relating to States requests and expectations. Perception is that no discretion is possible and 'States requests have priority and must always be addressed positively'.
- Professional staff are expected to work on weekends during such periods, overtime is not always compensated for.
- Perceived uneven distribution of work.
- Perception is that various Working Group meetings are attended by too many staff members of the SASP, leading to possible duplication of work.
- Little to no planning of work. There are often last-minute requests for urgent work, with tasks overtaking each other. Significant backlog is created.

Workflows and work processes

- SASP created a number of mechanisms to provide its services in the areas of interpretation, translation, finance, etc. Appearance of duplication - if these services were provided by the Registry (STIC, PIDS and ICTS), SASP would focus on direct assistance to States Parties.
- Perception that staff's opinions on possible changes in workflows and processes are not listened to or appropriately considered.
- Decision-making is perceived to be lacking consistency and transparency; lack of clear processes, no clear distribution of work and responsibilities within the office and a lack of planning of work, too many people work on the same thing. Perception of micromanagement.
- Limited or lack of delegation of authority. Interactions between States representatives and the SASP are handled by the Director, because of issues of political nature. No full empowerment

of staff.

- Assignment of back-up officers does not take into account staff's category or grade. This appears to cause frustration. Staff in the Professional category who are tasked with technical or clerical work. At the same time, staff in the GS category are assigned operational responsibilities without the corresponding functional and organizational recognition.

Systems and databases:

- Although hard copy has been eliminated by allowing to electronically communicate documents in various languages to States by way of email and an extranet functions, there is no system in place to collect/store/edit/share/distribute information. All information is merely stored on the shared drive.
- Collaborative tools such as TRIM and Sharepoint are not being used.

Communication, coordination and cooperation

- Internal communication and information-sharing practices are considered inadequate.
- Uncertainty and lack of clarity in the coordination of activities is perceived to be linked to a perceived lack of clarity of States' plans and requests.
- No structured cooperation within the office, usually done on an *ad hoc* basis. No regular team meetings.
- SASP requests to outside parties, like Registry, are perceived as late and disorganized.
- SASP is also perceived to not distribute relevant information from the Court to States and vice versa efficiently. The need for the Director to review all communications was cited as a possible constraint.

Regulations, AI's, standard operating procedures, etc.:

- SASP does not always respect the informal operating procedures based on existing practice between the SASP and the Court. Suggestion that there is a need to move to more formal SOPs to document working relationship.

The management of human resources issues:

- Issues in relation to the SASP's leadership and managerial practices. The survey results also suggest concerns about integrity and ethics (Survey questions 102, 104 and 106, scores Agree are 29% for these questions)
- Staff perceive that performance appraisals do not assist them in improving their performance and are done only for purposes of contract extensions. Additionally there is no clarity as to which authority should be the second reviewer because of the governance constraints characterising the SASP and other independent bodies - CBF will be looking into this specific situation.
- Perception that coaching is not provided on performance.
- No training for newly recruited staff considering the existing constraints and the short-term contracts granted, though some of the staff have later secured other job within the organisation
- Work-life balance is a concern for all in the SASP. Significant number of emergency, sick or extended sick leave in SASP.
- Recruitment procedures are not always followed due to alleged complications and bureaucratic barriers from HR, States' political expectations, peak periods of activities and

specific needs which cannot be accommodated by the Court due to judicial activities or due to insufficient advanced planning. There are also perceptions on the part of service-providers that HR policies are circumvented to recruit favoured candidates.

- Gap in planning and recruitment needs: recruitment is accelerated, thus former and new staffs are recruited for short-term contracts without going through the normal procedure.

Staff morale:

- The staff survey suggests that staff morale is very low.
- Staff do not feel part of a cooperative team with a good atmosphere, where teamwork is encouraged and facilitated.
- No career development or similar opportunities considering the size of SASP. As part of the Court, SASP staff have, in some cases, taken functions in other Organs of the Court and other Organs' staff have gained experience within the Secretariat.
- There is a general perception that there is no opportunity for personal growth and development, and lack of job security.
- Staff do not feel they can voice concerns or criticism (Question 108 & 120, 0% agree)
- There is perceived favouritism within the SASP.



ANNEX II: PRINCIPLES OF ORGANIZATIONAL DESIGN

The ReVision project is guided by a number of design principles, laid out in the 'Principles on Organizational Design' document. While not all issues identified can be addressed through changes in the design and structure, many of them do require such a change in order to optimize the performance of functions. While these principles were developed for the Registry, they were also applied to the review of the ASP Secretariat as far as applicable.

Principle one: "one Registry" in "one Court"

The Registry's Divisions and Sections should work as one to achieve the Registry's mission and objectives. This requires continuous and organized cooperation, coordination and information-sharing at all levels of the organization.

Principle two: Management teams

The formation of strong management teams follows directly from the "One Registry" principle. This principle is about the creation of management teams at different levels of the Registry, with appropriate delegation of authority and decision-making capacity, to manage and coordinate all Registry activities at that level.

Principle three: Integrated field management

Field operations must become an integral part of the work of the Registry with a strengthened management of individual field offices through the designation of a senior professional who is responsible for staff and operations on the ground, including the provision of services.

Principle four: Client service

The Registry is the Court's key service provider. This requires not only attending to the needs of our clients and partners, but also understanding these needs, monitoring developments in our clients' environments, and being able to adapt swiftly to changes so as to protect and serve their interests.

Principle five: Empowerment with accountability

The Registry managers and staff in general need to be empowered to take actions and decisions. This increases efficiency and effectiveness and boosts staff morale.

Principle six: Consolidated functions

To the extent possible, the core functions of the Registry should be consolidated and not duplicated across organizational units.

Principle seven: Effectiveness and efficiency

The Registry shall provide the best possible services, in the fastest and most cost-effective way. Any function that is not required by the Court's regulatory framework or for the effective management of the Registry operations should not be performed and the corresponding resources freed up for other purposes or to create savings.

Principle eight: Manageable number of direct reports

The number of direct reports should be kept manageable to enhance ability to effectively manage performance and the manager's ability to carry out his or her other responsibilities.



ANNEX III: OVERVIEW OF PLANNED ACTIVITIES



ANNEX IV: STAFF SURVEY RESULTS



ANNEX IV: COMPARISON OF DUTIES P4 - FINANCIAL AND ADMINISTRATIVE OFFICER VS P5 EXECUTIVE SECRETARY

P4 Function	P5 Function	ReVision observation
<ul style="list-style-type: none"> • Service meetings of the Assembly and its subsidiary bodies on budgetary and administrative issues, in particular the Committee on Budget and Finance, the Oversight Committee on Permanent Premises and The Hague Working Group, and prepare draft reports setting forth the observations, conclusions and recommendations; 	<ul style="list-style-type: none"> • Attend meetings of the Working Group in relations to budgetary matters, as well as other issues that the Bureau has requested the Committee to consider; • On behalf of the Chair, liaise with the Court's organs on the requirements of the Committee in terms of documents; • 	<ul style="list-style-type: none"> •
<ul style="list-style-type: none"> • Prepare background papers on substantive budgetary and administrative questions for the consideration of the Assembly, the Bureau or subsidiary bodies, or the Director; 	<ul style="list-style-type: none"> • Analyze the proposed budget submitted by the Court and point-out the high risk issues for the attention of the Committee; 	
<ul style="list-style-type: none"> • Suggest course of actions/follow-up to resolutions of the Assembly, Bureau or subsidiary bodies; 	<ul style="list-style-type: none"> • Follow-up with Court's organs on the implementation of the Committee's recommendations; • Maintain a register for all the notifications received from the Court for accessing the Contingency Fund, and draft replies for the signature of the Chair; • Suggest course of actions/follow-up on budgetary matters to the Committee; • 	
<ul style="list-style-type: none"> • Lead, oversee and coordinate the preparation 		The Executive Secretary prepares the



and implementation of the budget of the Secretariat to ensure compatibility with work priorities and objectives, taking into account the most effective use of resources;		SASP budget
<ul style="list-style-type: none"> Responsible to advise the States Parties, Bureau, any subsidiary bodies of the Assembly, or the Director on financial and budgetary issues of the proposed permanent premises of the Court; 		This function – in relation to a 200 million euro budget – is actually performed by the Executive Secretary in relation to the normal programme budget
<ul style="list-style-type: none"> Prepare responses to internal/external audit observations, as necessary; 		
<ul style="list-style-type: none"> Conduct studies to improve budget reporting systems and cost-effective utilization of program resources of the Secretariat; 	<ul style="list-style-type: none"> Conduct studies on budgetary matters upon the request of the Committee through the Chair; 	
<ul style="list-style-type: none"> Draft routine and ad hoc outputs, provide effective monitoring reports and data as well as produce major/complex reports as requested by the Assembly, Bureau or subsidiary bodies; 	<ul style="list-style-type: none"> Draft routine and ad hoc outputs, provide effective monitoring reports and data, as well as produce major/complex financial/budgetary reports as requested by the Committee through the Chair; 	
<ul style="list-style-type: none"> Monitor and ensure that proposed obligations or disbursements for services, supplies and equipment, as well as those pertaining to personnel, are in accordance with the approved budget and the Financial Regulations and Rules; 		
<ul style="list-style-type: none"> Determine suitability of redeployment of funds of the Secretariat as necessary; 		



<ul style="list-style-type: none"> • Implement and monitor support services, including procurement of supplies and services; transport, travel and traffic, communications, engineering and information technology support; 		
<ul style="list-style-type: none"> • Advise the Director as necessary on human resource administration, financial administration and management information issues and practices; 		
<ul style="list-style-type: none"> • Provide expert guidance to junior staff; 		
<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • On behalf of the Chair, liaise with the members of the Bureau on matters related to the Court's budget; 	<p>This function is not performed exclusively by the Executive Secretary but also by other court senior officials</p>
<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • Prepare inspection programmes for the Chair or the members of the Committee to carry-out, or on behalf of the Committee conduct inspection tasks and report accordingly on the outcome of the inspection; 	<p>This function is not performed as such</p>
<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • Maintain a register for all the recommendations of the Committee; 	<p>This is a clerical task, which is also performed by Registry staff</p>
<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • Prepare correspondence for the Chair's signature addressed to the Court or to the Bureau; 	