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**Proposed Programme Budget for 2011
of the International Criminal Court**

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List of abbreviations and acronyms

AB	Appeals Board
AD	Appeals Division
AI	Administrative Issuance
AL	Arab League
ARC	Headquarter building at Maanweg, The Hague, The Netherlands
ASEAN	Association of Southeast Asian Nations
ASG	Assistant Secretary-General
ASP	Assembly of States Parties
AU	African Union
AULO	African Union Liaison Office
AV	Audio-visual
BI	Business intelligence
CAR	Central African Republic
CARICOM	Caribbean Community and Common Market
CARIN	Camden Asset Recovery Interagency Network
CASD	Common Administrative Services Division
CBF	Committee on Budget and Finance
CITS	Court Interpretation and Translation Section
CMS	Court Management Section
CoCo	Coordination Council
CSS	Counsel Support Section
D	Director
DAB	Disciplinary Advisory Board
DCS	Division of Court Services
DRC	Democratic Republic of the Congo
DS	Detention Section
DSA	Daily subsistence allowance
DSS	Defence Support Section (integrated in Counsel Support Section - 2010)
DVC	Division of Victims and Counsel (abolished 2010 - sections moved to Office of the Registrar)
ECOWAS	Economic Community of West African States
ECOS	e-Court operating system
ERP	Enterprise resource planning
EU	European Union
FMU	Facilities Management Unit
FO	Field office
FOM	Field office manager
FOS	Field Operations Section
FTE	Full-time equivalent
GCDN	Global Communications and Data Network
GS	General Service
GS-OL	General Service (other level)
GS-PL	General Service (principal level)

GSS	General Services Section
GTA	General temporary assistance
H-MOSS	Headquarters Minimum Operating Security Standards
HQ	Headquarters
HR	Human resources
HV-1	Haagse Veste 1
IBA	International Bar Association
ICC	International Criminal Court
ICCP	International Criminal Court Protection Programme
ICT	Information and communication technologies
ICTS	Information and Communication Technologies Section
ICTY	International Criminal Tribunal for the former Yugoslavia
ID	Investigations Division
IDLO	International Development Law Organization
IEU	Information and Evidence Unit
ILOAT	International Labour Organization Administrative Tribunal
INTERPOL	International Criminal Police Organization
IO	International organization
IOM	Independent Oversight Mechanism
IOP	Immediate Office of the Prosecutor
IOR	Immediate Office of the Registrar
IPSAS	International Public Sector Accounting Standards
IRS	Initial Response Services
ISAU	Investigative Strategies and Analysis Unit
ISO	International Organization for Standardization
IT	Information technologies
JCCD	Jurisdiction, Complementarity and Cooperation Division
KEN	Kenya
LAS	Legal Advisory Section (in OTP)
LASS	Legal Advisory Services Section (in Registry)
LRA	Lord's Resistance Army (Uganda)
LSU	Language Services Unit
LTU	Logistics and Transport Unit
MIS	Management information system
MONUC	United Nations Mission in the Democratic Republic of the Congo (Mission des Nations Unies en République démocratique du Congo)
MORS	Minimum Operating Residential Standards
MORSS	Minimum Operating Residential Security Standards
MOSS	Minimum Operating Security Standards
NGO	Non-governmental organization
NYLO	New York Liaison Office
OAS	Organization of American States
OIA	Office of Internal Audit
OIC	Organization of the Islamic Conference
OIF	International Organization of Francophonie

OPCD	Office of Public Counsel for the Defence
OPCV	Office of Public Counsel for Victims
OSU	Operations Support Unit
OTP	Office of the Prosecutor
P	Professional
PC	Personal computer
PD	Prosecution Division
PIDS	Public Information and Documentation Section
PIU	Public Information Unit
PDO	Project Director's Office (permanent premises)
PSC	Peace and Security Council
PTC	Pre-Trial Chamber
RPPO	Registry Permanent Premises Office
S/ASP	Secretariat of the Assembly of States Parties
S/TFV	Secretariat of the Trust Fund for Victims
SADC	Southern African Development Community
SAP	Systems, Applications and Products (Data processing)
SG	Strategic goal
SLA	Service-level agreement
SO	Strategic objective
SOP	Standard operating procedures
SSS	Security and Safety Section
SSU	Staff Strategy Unit
STIC	Court Interpretation and Translation Section (French acronym)
TFV	Trust Fund for Victims
TRIM	Total records information management
UGA	Uganda
UN	United Nations
UNDSS	United Nations Department of Safety and Security
UNDU	United Nations Detention Unit
UNON	United Nations Office at Nairobi
VPRS	Victims Participation and Reparations Section
VTC	Video conferencing
VWU	Victims and Witnesses Unit
WCF	Working Capital Fund

I. Introduction

1. This proposed programme budget for 2011 is submitted on 8 July 2010 by the Registrar in accordance with financial regulation 3.1 and financial rule 103.2 for approval by the Assembly of States Parties during the ninth session.

2. The budget proposal is for a total of €107.02 million. Of this total:

- (a) €103.93 million (97.1 per cent) is for the Court itself; and
- (b) €3.10 million (2.9 per cent) is for the Secretariat of the Assembly of States Parties.

Within the Court, the budget is apportioned as follows:

- (a) €11.46 million (10.7 per cent) for the Judiciary;
- (b) €26.78 million (25.0 per cent) for the Office of the Prosecutor;
- (c) €63.54 million (59.4 per cent) for the Registry;
- (d) €1.26 million (1.2 per cent) for the Secretariat of the Trust Fund for Victims;
- (e) €0.55 million (0.5 per cent) for the Project Officer for the Permanent Premises
- (f) €0.04 million (0.0 per cent) for the Permanent Premises Project - Interest; and
- (g) €0.31 million (0.3 per cent) for the Independent Oversight Mechanism.

3. This reflects an increase of €4.77 million or 4.7 per cent over 2010. This is mainly due to the cost of running simultaneous trials, the increased cost of detention, certain capital investments and reclassification of posts.

Table 1: Proposed budget 2011 by item.

<i>Item</i>	<i>Basic (thousands of euros)</i>	<i>Situation-related (thousands of euros)</i>	<i>Total (thousands of euros)</i>
Judges	5,852.2		5,852.2
Staff costs	34,300.8	39,099.1	73,399.9
Non-staff costs	12,070.8	15,699.8	27,770.6
Total	52,223.8	54,798.9	107,022.7

The Court today

4. On 31 March 2010 Pre-Trial Chamber II granted the Prosecutor's request to open an investigation into crimes against humanity with regard to the situation in the Republic of Kenya. Thus, at present the Court is faced with five situations.

5. With two cases in simultaneous trials and one case with a trial starting date set, the court room has become the centre of activities for most parts of the ICC. Important judicial events marked the beginning of 2010 and consequently impacted on the work of the different organs.

6. With regard to *The Prosecutor v. Thomas Lubanga*, the prosecution completed its case on 14 July 2009 and the Defence started to present its case on 7 January 2010. In the case of *The Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui*, Trial Chamber II opened the trial on 24 November 2009. In the third case, related to the situation in the Democratic Republic of the Congo, *The Prosecutor v. Bosco Ntaganda*, the accused has not been arrested and remains at large. The Prosecutor continues his activities in the Democratic Republic of the Congo in relation to this third case and other possible cases.

7. In the situation of Darfur, Sudan, the Court has issued so far three arrest warrants against: Ahmad Harun, Ali Kushayb and Omar Hassan Ahmad Al Bashir. Mr. Bahr Idriss Abu Garda, who was summoned to appear before the Court, appeared voluntarily in May 2009. A confirmation of charges hearing was conducted by Pre-trial Chamber I from 19 to 29 October 2009. The chamber denied the confirmation of charges with its decision rendered on 8 February 2010. On 17 June 2010 two persons suspected of having committed war crimes in Darfur, Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus, presented themselves voluntarily following summonses to appear first issued under seal in August 2009.

8. In the case against Jean-Pierre Bemba Gombo, the date of the starting of the trial had originally been set for 5 July 2010 and was postponed to 14 July 2010 on 25 June for administrative reasons.

Assumptions 2011

9. The Court foresees that simultaneous trials will continue for six months in 2011, for which resources are included in this budget proposal. Simultaneous trials for a longer period cannot be ruled out but, neither can they be confirmed at this point.

10. Appeals and reparations phases of trials are also anticipated.

11. The Prosecutor will conduct six active investigations in four of the situations currently before the court including Kenya and will maintain seven residual investigations. Eight other potential situations will be monitored. All of the Court's Major Programmes have made efforts to absorb the cost of the Kenya situation within the 2010 baseline. No increase in the budget due to the Kenya situation is proposed, besides €0.5 million in relation to witness protection.

Objectives 2011

12. As illustrated below, the Court's objectives for 2011 are linked directly to its strategic plan.

<u>GOAL 1: QUALITY OF JUSTICE</u>	<u>GOAL 2: A WELL-RECOGNIZED AND ADEQUATELY SUPPORTED INSTITUTION</u>	<u>GOAL 3: A MODEL OF PUBLIC ADMINISTRATION</u>
Conduct fair, effective and expeditious public proceedings in accordance with the Rome Statute and with high legal standards, ensuring full exercise of the rights of all participants.	Further enhance awareness of, effect a correct understanding of, and increase support for the Court.	Excel in achieving the desired results with minimal resources and through streamlined structures and processes, while maintaining flexibility, guaranteeing accountability and drawing upon sufficient qualified and motivated staff within a caring environment and a non-bureaucratic culture.
1. Conduct 4 to 5 new investigations into cases, within existing or new situations, and at least 4 trials, subject to external cooperation received.	4. Further cultivate a level of awareness and understanding of the Court appropriate to the stage of the Court's activities in affected communities.	8. Become a non-bureaucratic administration focused on results rather than processes, relying on rules where necessary to guarantee rights or minimize risks.
2. Maintain and further develop the system to address all security risks, striving for maximum security of all participants and staff consistent with the Rome Statute.	5. Develop mechanisms to provide for all necessary cooperation, in particular the arrest and surrender of persons, witness protection and the enforcement of sentences.	9. Submit sound, accurate and transparent budget proposals necessitating only minor adjustments to the proposed amount and distribution of resources by the Assembly of States Parties.
3. Develop policies for implementing the quality standards specified in the Statute and the Rules of Procedure and Evidence with respect to all participants in proceedings and persons otherwise affected by the Court's activities, in a manner that is respectful of diversity.	6. Constantly increase support for the Court through enhancing communication and mutual understanding with stakeholders, stressing the Court's role and its independence.	10. Attract, care for, and offer career development and advancement opportunities to a diverse staff of the highest quality.
	7. Ensure publicity of all proceedings for local and global audiences.	11. Continue the development of a common ICC culture.

Priorities 2011
1. Investigations
2. Trials
3. Outreach and public information
4. External support and cooperation
5. Human resources
6. Efficiency
7. Security
8. Corporate governance

13. The Court has identified eight priorities from its list of strategic objectives for 2011. The objectives for 2011 provide the basis for budget preparation in each major programme, programme, and sub-programme of the Court.

Activities 2011

Trials and Investigations

14. As in 2010, the Court will be operating at full capacity in 2011 with trial proceedings ongoing in at least two cases and in addition proceedings concerning reparations and appeals, both regular and interlocutory. This might be challenging in light of reduced budget increases which do not foresee a significant increase in resources. Furthermore, increased pre-trial activities can be anticipated as a result of new active investigations conducted by the Prosecutor.

Uganda

15. The fact that arrest warrants which were issued five years ago are still not being executed and the suspects remain at large continues to be of great concern for the Court. Efforts to secure cooperation relating to arrest and surrender remain therefore an important task. Investigations in the Uganda situation continue, including all crimes within the Court's jurisdiction, regardless of who is alleged to have perpetrated them.

16. For the cases against top LRA commanders, the level of pre-trial activity will depend on the execution of the arrest warrants which remain outstanding.

Democratic Republic of the Congo

17. In the case of *The Prosecutor v. Thomas Lubanga Dyilo*, the Court expects proceedings with regard to reparations and appeals proceedings related to the judgment of the Trial Chamber which is expected to be delivered in the course of 2010.

18. Ninety-three victims are currently participating in the trial proceedings. Depending on the decision of the Trial Chamber, the judgment could be accompanied by a reparations phase in 2011, during which an international criminal court or tribunal would for the first time ever consider, and possibly award, reparations to victims.

19. Further, there could be appeals against the judgment, which would introduce a new phase of proceedings before the Appeals Chamber in 2011.

20. In the event that the defendant is convicted and sentenced to a term of imprisonment, the sentence would be carried out in a third State, under review of the Presidency.

21. *The Prosecutor v. Germain Katanga and Mathieu Ngudjolo*: This trial commenced at the end of 2009 and it is expected to be finished by the first half of 2011. Reparations proceedings and an appeal can be anticipated also in this case in 2011. Investigations may continue as a consequence of the trial proceedings.

22. In the case of *The Prosecutor v. Bosco Ntaganda*, the level of pre-trial activity will depend on the execution of the arrest warrant, which was unsealed in April 2008. The Court will continue its efforts to secure cooperation for the arrest and surrender of the suspect.

23. Investigations in a third case in the region of the Kivus have been advanced in 2010 and will continue until early 2011.

Darfur

24. Execution of the arrest warrants issued against Ahmad Harun and Ali Kushayb and against Omar Hassan Ahmad Al Bashir remains outstanding. The Court will continue and increase its efforts to secure cooperation for the arrest and surrender of these suspects. The level of pre-trial activity will depend on the execution of the arrest warrants.

25. In the case of *The Prosecutor v. Bahr Idriss Abu Garda*, Pre-Trial Chamber I refused to confirm the charges against Bahr Idriss Abu Garda. In April 2010 the Chamber issued a decision rejecting the Prosecutor's application to appeal the decision declining to confirm the charges. No additional developments are expected in this case, until the Prosecutor presents additional evidence for a new confirmation of charges.

26. The Prosecution will continue its investigations into the cases of Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus, who are suspected of having committed war crimes in Darfur and who presented themselves voluntarily to the Court on 17 June 2010.

27. Pre-Trial proceedings, following the confirmation of charges hearing set for 22 November 2010, are expected to continue into 2011.

Central African Republic

28. In the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*, the trial before Trial Chamber III will commence in July 2010 and continue throughout 2011. Investigations may continue as a consequence of the trial proceedings.

Kenya

29. In March 2010, Pre Trial Chamber II granted the Prosecutor's request to launch an investigation into crimes against humanity with regard to the situation in the Republic of Kenya. It is for the first time that the Prosecutor has initiated *proprio motu* investigations. The Prosecutor's activities will continue in 2011.

30. In the event that arrest warrants or summons to appear are issued and suspects are apprehended or appear, pre-trial activities may significantly increase in 2011. Pre-Trial proceedings in at least two cases can be expected to take place in the coming year.

Other situations

31. The Prosecutor will analyse up to eight other potential situations.

Outreach and public information

32. During 2011, based on the Communications strategy that will be presented to the Assembly in 2010, the Court will focus on increasing global awareness by implementing innovative communication approaches to engage key groups such as legal communities, academia and journalists. Besides traditional media, to enhance impact various means will be used including new digital social networks, organization of seminars, launching of thematic campaigns, and gradual opening of ICC library services.

33. The Court will optimize its resources in situation-related countries with the aim to increase its impact in a cost effective manner through the Outreach Programme. New approaches will be implemented to ensure greater participation of communities engaged and improve responses to contextual factors in accordance with findings of internal evaluations and studies carried out by third parties.

External Support and Cooperation

34. Enhancing the cooperation between the Court, States and inter-governmental organizations remains a priority. Activities range from seeking support for investigations and prosecutions, to requesting and engaging with States to execute Court orders, such as arrest warrants and tracing and freezing of assets orders, as well as seeking voluntary cooperation in the area of witness protection and the enforcement of sentences. Other activities include seeking logistical and substantive support in order to facilitate Court operations.

35. The Court has set out its priorities in the area of cooperation in its report to the eighth session of the Assembly of States Parties (ICC-ASP/8/Res.2), as well as its updated report to the Assembly (RC/2). These are the execution of arrest warrants, diplomatic and public support including through mainstreaming Court issues at the national and international level, the adoption of implementing legislation by States, cooperation in support of preliminary examinations, investigations and prosecutions, agreements with the Court on interim release, enforcement of sentence and witness relocation and pursuing

cooperation with international and regional organizations. The Court will therefore be engaging with all relevant actors in order to further these priorities.

36. The Court intends to pursue novel methods and arrangements in order to further voluntary cooperation, such as tripartite arrangements in the area of witness protection and the enforcement of sentences whereby States that have the means to offer such cooperation support States that have the willingness to host these. The Court will also further its participation in knowledge-sharing networks, continue to interact with regional judicial cooperation networks, war crimes units and other actors and contribute to domestic investigations through the Legal Tools Project, funded through voluntary contributions. Within the Law Enforcement Network established by the Prosecutor, professionals from nine national jurisdictions work together on joint projects with the staff of the Prosecutor.

37. Additionally the Court will continue to seek the cooperation of States not party to the Rome Statute and to develop its relationships with international and regional organizations such as the UN, EU, Organization of American States (OAS), the Arab League (AL), the African Union (AU), the Organization of the Islamic Conference (OIC), ASEAN and CARICOM. The Court will also continue to engage with sub-regional and thematic organizations, such as SADC and ECOWAS, and the Commonwealth Secretariat and the OIF. This will be done through high level visits, regional seminars and briefings and, as appropriate, relationship agreements. Work will also be carried out with sectoral organizations such as IDLO and INTERPOL, to increase efficiency.

38. It should be emphasized that a lack of cooperation not only delays proceedings and undermines the exercise of the Court's mandate, but also creates additional costs for the Court and for States Parties.

Human Resources

39. Human resources management in the Court in 2011 will continue to be guided by objective 10 of the ICC Strategic Plan, which calls on the institution to "attract, care for and offer career development and advancement opportunities to a diverse staff of the highest quality". Towards this end, recruitment of new staff will be supported by efforts to raise awareness of the Court's employment opportunities, particularly in non-represented and under-represented countries. With regard to conditions of service, a special focus will be on the establishment of human resources related policies and guidelines, applicable to all staff across the organs. It is hoped to introduce a new framework for contractual arrangements in 2011, including for appointments of longer duration. The application of the Court's performance appraisal system will continue to be monitored and improved. The Leadership Development Programme, scheduled to be developed in 2010, will be implemented in 2011. Training and learning programmes will be provided in the context of the ICC Strategic Learning Plan, which will include linkages to the risk management project. There will be no increase in resources required for Human Resources Management in 2011.

Efficiencies

40. The goal for 2011 is to identify the cost savings associated with the efficiencies project. Such savings will encompass efficiencies that bring reductions in expenditure as well as those which achieve more work within the existing resources. The latter will be measured by identifying which increases are avoided through efficiency measures throughout the Court.

41. The process reengineering project will continue in 2011 with a further 10 processes to be studied and efficiencies planned. Changes will be implemented to those processes that will have been reengineered in 2010.

42. The Court will continue to examine its structure for the elimination of any duplicate functions and the identification of any further synergies that may be implemented.

Security

43. The Court recognizes its responsibility for the security and safety of staff, witnesses and other persons associated with the Court. The Court is committed to the management of security and safety risks to staff and witnesses, and to the other persons within its mandate and resources, and in cooperation with the host State(s) and other external partners.

44. For 2011, in addition to providing security and safety to witnesses, staff and others involved, the Court will continue to focus on security and safety in the field, especially on developing information collection and analytical capacity, and information security. Changes in the Court's operational environment in Chad and DRC and opening a new situation in Kenya, create further security challenges to which the Court needs to be able respond.

Corporate governance

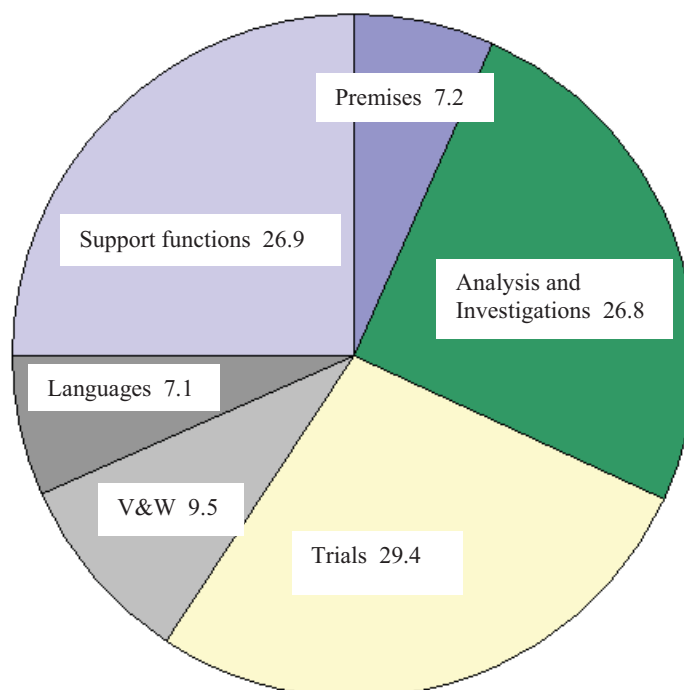
45. In 2010 the Court clarified and documented the responsibilities and inter-relationship of the organs of the Court. This governance framework, which was shared with the Committee on Budget and Finance at their 14th session in May 2010, was created in the context of the Court's goal of becoming a model public administration and the corollary commitment to achieve excellence with minimal resources through streamlined structures and processes.¹

46. The Court will continue to implement the governance report throughout 2011. A report on the progress of the Court's efforts will be shared with the CBF at their 16th session.

Macroanalysis

Activity analysis

Figure 1. 2011 budget breakdown by activity (in millions of euros)



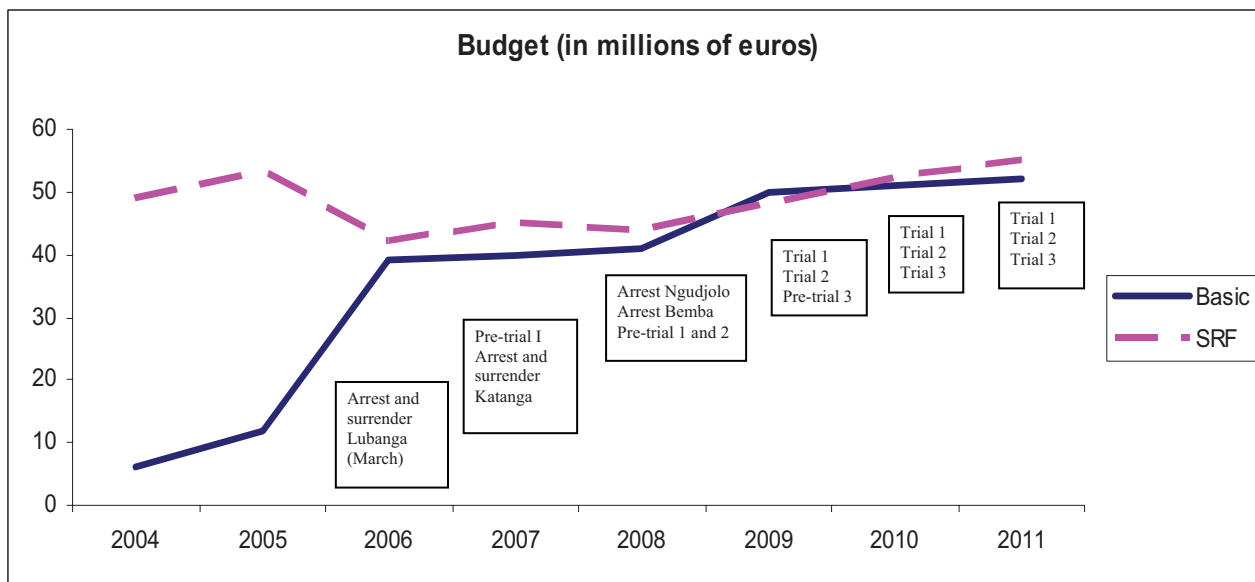
¹ Goal 3 of the ICC Strategic Plan 2009-2018.

47. Provision for analysis and investigation amounts to €26.8 million, to support analysis of situations for possible investigation and the conduct of investigations in accordance with the Rome Statute. In support of trials, costs of €29.4 million are envisioned. Victims and witnesses protection and participation activities amount to €9.5 million.

48. The total costs for resource utilization in the different phases of the judicial process will amount to approximately €29.4 million, or 27 per cent of the budget. Language support in the form of interpretation and translation services amounts to €7.1 million for 2011, the majority of which is related to support of the judicial process. In order to provide all non-judicial support functions to the Court, an amount of €26.9 million is budgeted throughout the different organs. At 25 per cent, the costs for administration represent a reasonable proportion of the total Court budget. Finally, the premises budget reflects the requirements for the interim premises as well as for the Project Director’s Office.

49. Figure 2 shows the development of basic costs in comparison to situation-related costs, taking into consideration the occurrence of judicial events. As can be clearly seen, basic costs are largely stabilized and costs for operations develop in line with the start of new investigations, arrests and surrenders or start of pre-trials and trials and the number of victims participating. In this context, the number of trials resulting from each case is decisive for the actual budget.

Figure 2. Basic and situation-related budget lines 2004-2011



50. The situation-related budget components are the field operations and court in session, as summarized in the table below

Table 2: Budget for court-in-session and field operations per situation

<i>Item</i>	<i>Proposed budget 2011 in € million</i>
Court-in-session	
Operational support	8.9
Trial 1 (Lubanga)	3.9
Trial 2 (Katanga/Ngudjolo)	3.9
Trial 3 (Bemba)	3.6
<i>Sub-total court-in-session</i>	<i>20.4</i>
Field operations	
Operational support	10.7
Situation 1 – Uganda	2.9
Situation 2 – DRC	8.1
Situation 3 – Darfur	5.3
Situation 4 – CAR	3.4
Situation 5 – Kenya	4.0
<i>Sub-total field operations</i>	<i>34.4</i>
Total	54.8

Growth analysis

51. In its 2011 budget proposal, the Court requests additional funds of €4.8 million, or 4.7 per cent. This increase has two major components: common system costs and the impact of simultaneous trials.

Table 3: Budget 2011 increase – main cost drivers

<i>Item</i>	<i>Increase in € million</i>
Common system costs	1.0
Kenya	0.5
Simultaneous trials	2.3
Capital investment	0.6
Miscellaneous	0.3
Total	4.7

Common system costs (salary calculation)

52. As for the 2010 budget proposal, the 2011 salary scale was prepared based on the Court's actual March 2010 average net salaries per grade. This calculation has resulted in a net increase of €1.0 million in salary costs, including a minor salary increase for General Services staff, implemented by the International Civil Service Commission in 2009.

Resources net growth*Vacancy rate*

53. In light of the current recruitment, the vacancy rate has been maintained at 8 per cent for the Office of the Prosecutor and 10 per cent for the remainder of the Court.

Restructuring measures

54. Within Registry, a restructuring has taken place whereby the Division of Victims and Counsel was dissolved and the various sections were moved to either the Office of the Registrar or the Division of Court Services, in line with their activities.

Witness protection

55. The main reason for the increase for witness protection is the opening of the new situation, Kenya.

Budget elements*Price adjustments*

56. Gas and electricity prices have been maintained at the same level. The current prices are guaranteed until the end of 2011. A minimum growth strategy has been used for actual price increases. The difference has been absorbed by savings in the 2010 budget. The existing contracts will not affect the Court until 2012.

57. According to industry information, and based on statistical data, travel costs will increase by 3 per cent in 2010 and by a further 4 per cent approximately in 2011. However, the Court has taken the decision not to implement the latter increase.

Efficiency efforts

58. Despite the Court's efficiency efforts described earlier, this budget submission does not reveal major recognizable cost reductions. This is mainly due to the Court's cost structure, which shows that about 86 per cent of its 2011 budget is based on longer-term commitments. Table 3 indicates that 74 per cent of the costs are for judges' salaries, staff salaries and other staff-related contractual expenditures. A further 15 per cent of the Court's budget is related to commitments such as annual or multi-annual contracts, or activities deeply anchored in the Court's judicial process.

Table 4: 2011 budget cost distribution (in %)

<i>Cost distribution 2011 budget</i>	<i>% of costs</i>
Staff costs	74%
Annual non-staff commitments	5%
Legal aid	3%
Witness protection	3%
Detention	2%
Total	86%

59. Because of this substantial percentage and consequent high level of cost remanence, any efficiency gains will be slow to materialize. However, it should be noted that the Court made all efforts to absorb additional activities, for instance in relation to the Kenya situation, with its existing resources. This in itself is possible due to various efficiency measures. Furthermore, the Court continues as a priority for re-engineering those work processes which currently produce high levels of backlog and would normally require more

resources, while the present budget proposal does not contain any additional resources for administrative processes.

Family visits

60. Following a decision of the Presidency of 10 March 2009, the Court has adjusted the budget allocated for visits of the families of detained persons. The present budget comprises provision for one visit per year of the full nuclear family of each detainee, amounting to €81,500.

Reclassification

61. With this budget proposal the Court submits 18 reclassification requests. Application of the principle of “substantive and significant change” implies a change in the role of the position in the Court and/or to the context of the work, i.e. due to restructuring or organizational change. This also includes any significant additions to the responsibilities of an incumbent of a post. Since its 2010 budget submission, the Court has also reclassified 7 GS-OL positions. Further information is provided in annexes V(b) and V(c).

General Temporary Assistance

62. As recommended by the Committee on Budget and Finance and the Assembly of States Parties, the Court continues to strictly review all GTAs, and in its 2011 budget submission it proposes the conversion of 7 GTAs into established posts. Details of its proposals are presented in annex V(d).

Contingency Fund

63. As in the 2010 budget, the Court has proposed expenditures only if they are justified by established facts. In the case of trials, for example, the determinant for requesting funds is the arrest and surrender to the seat of the Court of individuals at the date of submission of the proposal to the Assembly of State Parties. Any arrest and surrender after this date will trigger a request to approach the Contingency Fund.

64. In 2010, the Court has made three requests for the utilization of the Contingency Fund in the event the Court would not be able to reallocate resources within the approved budget. These requests concern simultaneous trials (first half year and second half year 2010) and the commencement of investigations by the Prosecutor in the Kenya situation.

65. Should the Contingency Fund be utilized in whole or in part through the course of 2010, replenishment of the Fund for the following year may need to be considered.

Working Capital Fund

66. Taking into consideration the decision by the Assembly on the Working Capital Fund² and the pending discussion on both the Contingency Fund and the Working Capital Fund, the Court has maintained the Working Capital Fund for 2011 frozen at the 2007 level until an appropriate policy concerning this Fund has been established.

Annexes

67. As vacancy rates have been maintained at the same level as for 2010, there is only a negligible impact on the 2011 salary costs. Further, with only seven posts requested to convert from GTA, there is no real impact on the 2011 budget. Therefore both the annex “breakdown of vacancy rate and salary adjustment costs from 2010 to 2011” and “estimated impact of new posts on 2012 budget (vacancy rate)” have not been included.

68. Activities of the Special Court for Sierra Leone will be finalized in the current year. There is no estimated income for 2011.

² *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Sixth session, New York, 30 November to 14 December 2007* (ICC-ASP/6/20), vol. I, part II.E.3(c).

Future commitments

Implications for 2012

69. In 2012, various contracts will come up for renegotiation, in particular for utilities and postal services.

Other investment projects

70. For the thirteenth session of the Committee on Budget and Finance and the eighth session of the Assembly of States Parties, the Court submitted reports on the projected implementation of International Public Sector Accounting Standards and on the budgetary implications of replacements of capital investments and interim rent. Although both reports contain specific information on significant costs that the Court will have to cover in the coming years, the decision has been taken to postpone several capital investment projects. In particular, projects related to information technology, amounting to approximately €2.5 million, have not been included in the 2011 proposed budget.