
Assembly of States Parties

Distr.: General
22 July 2004

Original: English
Languages: All

Third session

The Hague

6-10 September 2004

Report on the activities of the Court

Executive summary

1. The present report, submitted on 7 July 2004, provides a general overview of developments at the International Criminal Court (ICC) since the last meeting of the Assembly of States Parties in September 2003. It outlines the activities of each of the organs of the Court as well as the coordination between them.

2. Significant developments have included:

- The adoption by the judges of the Regulations of the Court;
- The creation of an operational Office of the Prosecutor, which has included recruitment of staff, development of structures, priorities, policies and procedures and commencement of operations;
- The receipt by the Office of the Prosecutor of two referrals from States Parties (Uganda and the Democratic Republic of the Congo) of situations within their territories;
- The opening of the first ICC investigation into grave crimes allegedly committed on the territory of the Democratic Republic of the Congo;
- The first meeting of the members of the Board of Directors of the Trust Fund for Victims;
- The recruitment of an appropriate level of staff for the institution as a whole;
- The development of policies and procedures pertaining to issues essential for the future functioning of the Court, including matters relating to the defence, detention, victims, witnesses, counsel, court management and information technology;
- The initialling of the Relationship Agreement between the Court and the United Nations.

3. The overall focus of the work of the Court has been on meeting the ICC's primary objective of being an independent and credible institution of international criminal justice. To this end, the Presidency, the Office of the Prosecutor and the Registry have continued to work together closely, with coordination between the organs of the Court occurring at all levels.

A. Presidency

4. The responsibilities of the Presidency cover three areas: administrative functions, judicial functions and external relations. These responsibilities have been allocated among the members of the Presidency as follows: the President, in addition to having overall responsibility for the Court, is the focal point for external relations; the First Vice-President is the focal point for administration; and the Second Vice-President is the focal point for judicial matters. Decisions of the Presidency are taken collectively, by all three of its members.

Administrative functions

5. Under article 38, paragraphs 3 and 4, of the Rome Statute (“the Statute”), the Presidency is responsible for the proper administration of the Court, with the exception of the Office of the Prosecutor. In discharging this responsibility, the Presidency has coordinated with and sought the concurrence of the Prosecutor on all matters of mutual concern. Pursuant to article 43 of the Statute, the Registrar, the principal administrative officer of the Court, exercises his functions under the authority of the President.

6. Cooperation between the organs of the Court has been a priority of the Presidency from the outset. The organs work together on issues of common interest while respecting their separate areas of responsibility. Coordination occurs through the Coordination Council, comprising the President, the Prosecutor and the Registrar, who hold regular meetings to discuss and coordinate the administrative activities of the organs of the Court. Inter-organ working groups, comprising representatives of the Presidency, the Office of the Prosecutor and the Registry, have been established to address specific significant issues for the Court as a whole, such as security policy, court management, information technology and staff rules.

7. In addition, the Presidency convenes regular meetings with the Registrar on administrative matters and oversees the administrative services provided by the Registry, which include ensuring that administrative services to the Presidency and Chambers are delivered effectively. In this regard, service agreements are being put in place to ensure the timely provision of general and information technology services.

8. The Presidency has provided input into a wide variety of administrative policies and issues. This has involved close cooperation with the Common Administrative Services Division of the Registry. It has included working closely with the Human Resources Section to devise policies and procedures to ensure that the staffing levels of the Court are suitable, both now and in the future, to enable it to meet its objectives. To this end, particular attention has been paid to ensuring that positions at the Court are appropriately classified, and a staff appraisal system will be developed.

9. The first Presidential Directive of the Court put in place a system whereby rules, policies or procedures intended for general application may only be established by duly promulgated presidential directives, which implement regulations, resolutions and decisions adopted by the Assembly of States Parties and other significant policy decisions. It further made provision for administrative instructions to be promulgated by the Registrar in order to prescribe procedures for the implementation of presidential directives and to regulate the administration of practical and organizational matters of general concern. Further presidential directives have been issued to promulgate the Staff Regulations adopted by the Assembly of States Parties during its second session held from 8-12 September 2003 and to set out policies and procedures to be followed in establishing trust funds of the International Criminal Court.

10. The above system requires the President to coordinate with and seek the concurrence of the Prosecutor before promulgating a presidential directive. If the Prosecutor determines that a presidential directive contravenes his or her right to exercise full authority over the management and administration of the Office of the Prosecutor, the Prosecutor may suspend the application of the presidential directive with regard to the Office of the Prosecutor and shall notify the Presidency of this determination. After this notification, the President and the Prosecutor shall hold consultations without delay with a view to finding a mutually acceptable solution.

Judicial functions

11. The Presidency facilitates the appropriate organization of the judicial work of Chambers and is responsible for the specific judicial functions assigned to it under the Statute, the Rules of Procedure and Evidence and the Regulations of the Court.

12. Over the past year, the Presidency has organized three plenary sessions, in November 2003 and in March and May 2004, which lasted for a total of eight weeks. They were primarily devoted to drafting and adopting the Regulations of the Court. In addition, meetings, workshops and discussion sessions were arranged on issues of importance for the judges. Further details of these plenary sessions are contained in the section headed “Chambers” below. Furthermore, the Presidency regularly updated all judges on any issues relevant to them both at and between plenary sessions.

13. In order to be appropriately prepared for the Court to receive its first cases, the Presidency, pursuant to article 35, paragraph 3, of the Statute, decided that all the judges of both the Pre-Trial and the Appeals Divisions should be present at the Court on a full-time basis. As a result, by March 2004 all the judges of those Divisions were in place.

14. The Presidency has constituted Pre-Trial Chambers within the Pre-Trial Division.¹ A duty roster of judges within that Division has also been set up. In the light of two referrals from States Parties to the Court (see further under the heading “Office of the Prosecutor” below), the Presidency has assigned the situation in the Democratic Republic of the Congo to Pre-Trial Chamber I and the situation in Uganda to Pre-Trial Chamber II. The Trial Division will be established on a full-time basis once proceedings have reached a more advanced stage. The Appeals Division is in place in order to be ready to receive the first appeals that may come before it from the Pre-Trial Division.

15. Pursuant to rule 8 of the Rules of Procedure and Evidence, the Presidency has drawn up a draft Code of Professional Conduct for counsel, on the basis of a proposal made by the Registrar and after having consulted the Prosecutor. The draft Code is before the Assembly of States Parties for adoption.

16. The Presidency has also overseen the work that has begun on devising official forms of the Court, which are necessary for its proper functioning (referred to further in the section headed “Chambers” below).

17. Furthermore, in preparing for the responsibilities of the Presidency in relation to the enforcement of sentences of imprisonment under article 103 of the Statute, the President has written to States to enquire whether they would be amenable to being placed on a list indicating their willingness to accept persons sentenced to a term of imprisonment by the Court.

External relations

18. A major objective of the Presidency in its role in relation to external relations is to enhance public awareness and understanding of the Court within the international arena. The President has played a leading role in this regard. He has held regular meetings with heads of State, heads of government, ministers, high-ranking officials, representatives of States, international and regional organizations, non-governmental organizations, and members of the academic community. He has also addressed a large variety of audiences at conferences and other meetings. In addition, he has given numerous media interviews.

19. The President has focused, in particular, on explaining the history, role, characteristics, mandate and current status of the Court as well as emphasizing the importance to the Court of the support and cooperation of States.

¹ The Pre-Trial Chambers have been constituted as follows:

Pre-Trial Chamber I: Judges A. Kuenyehia, C. Jorda and S. Steiner;

Pre-Trial Chamber II: Judges T.N. Slade, M. Politi and F. Diarra;

Pre-Trial Chamber III: Judges T.N. Slade, H-P. Kaul and S. Steiner.

20. The President has travelled to, and received government representatives and delegations at the seat of the Court from, both States Parties and non-States parties. The President has also participated, together with the Prosecutor, the Registrar and the Director of the Secretariat of the Assembly of States Parties, in two briefings of the diplomatic community (one in The Hague and one in Brussels), comprising representatives of many States Parties and non-States parties alike, for the purpose of updating them on the work of the Court.

21. The Presidency also coordinated the negotiations on behalf of the Court that took place with the United Nations in relation to the adoption of a Relationship Agreement between the two institutions, as required by article 2 of the Statute. The Relationship Agreement was initialled on 7 June 2004 and is to be submitted both to the Assembly of States Parties and to the United Nations General Assembly for adoption. Thereafter, in order to enter into force, the Relationship Agreement will need to be signed by the Secretary-General of the United Nations and the President of the Court.

B. Chambers

22. Chambers is composed of all of the judges of the Court, who have constituted themselves into Appeals, Trial and Pre-Trial Divisions pursuant to article 34 of the Statute.

23. The judges have been preparing themselves for the first cases that will come before them. They have been focusing throughout on ensuring that proceedings before the Court are fair, independent, impartial and efficient.

24. An essential part of that preparation has involved the drafting and adoption of the Regulations of the Court ("the Regulations"), pursuant to article 52 of the Statute. Both at and between the plenary sessions referred to above, the judges have worked towards formulating regulations that enable the Court to function appropriately. As required by the Statute, the Prosecutor and the Registrar were consulted throughout the process.

25. In devising the Regulations the judges established working groups to address particular issues that required specific attention and research. The outcome of the work of the judges in the working groups was discussed by the full plenary of judges. The judges drew lessons from the experience of other courts and tribunals, including the ad hoc international criminal tribunals.

26. In addition, an online public hearing was held on issues relating to victims and the defence to enable experts, professionals, students and interested persons actively to contribute to the process of drafting the Regulations. Numerous submissions were received from all over the world, which were taken into account by the judges.

27. The Regulations were adopted by the judges on 26 May 2004 during their most recent plenary session. They consist of 126 regulations and are divided into the following nine chapters: General Provisions; Composition and Administration of the Court; Proceedings before the Court; Counsel Issues and Legal Assistance; Victims Participation and Reparations; Detention Matters; Cooperation and Enforcement; Removal from Office and Disciplinary Measures; and Adoption of the Code of Judicial Ethics.

28. Pursuant to article 52, paragraph 3, of the Statute, the Regulations have been circulated to States Parties for comment. If there are no objections from a majority of States Parties within six months, the Regulations will remain in force. The Regulations have also been made available to the general public through publication on the web site of the Court.

29. During their plenary sessions, the judges also had meetings with the Prosecutor, the Registrar and representatives of the host State on matters of importance for the future functioning of the Court. The judges discussed issues of common concern and participated in working sessions on significant features of the Statute such as the principle of complementarity. Workshops, led by experts, were held on gender issues in

international criminal law and on the contact that the judges may have with the media. Further workshops on specific topics relevant to their future work will be held for the judges.

30. Outside the plenary sessions, as part of their overall preparation for the commencement of proceedings, the judges have begun to assist in the drafting of official Court forms that will be required for the proper functioning of the Court, such as those enabling the Court to issue warrants of arrest, orders and other decisions.

31. Individual judges have also acted as focal points for inter-organ working groups on issues of concern to the Court as a whole, such as the headquarters agreement with the host State, the establishment of a permanent premises for the Court, information technology matters and issues relating to victims and the defence.

32. Furthermore, in addition to the role played by the President in relation to external relations referred to above, the judges have participated in raising public awareness and understanding of the Court. In particular, they have addressed various conferences and meetings around the world and have welcomed visitors to the seat of the Court.

33. The judges have also established contact with both national and international judicial institutions in order both to learn from them and to share experience relating to their judicial work.

C. Office of the Prosecutor

Introduction

34. The Office of the Prosecutor is responsible for receiving referrals and information on crimes within the jurisdiction of the Court and for analysing such information in order to determine whether there is a reasonable basis to investigate; for conducting investigations into genocide, crimes against humanity and war crimes; and for conducting prosecutions before the Court of persons responsible for such crimes. In order to carry out its mandate in a cost-effective manner, the Office will seek to encourage genuine national proceedings, thereby promoting the aims of the Statute while reducing the burden on the Court, and to proactively develop networks of cooperation, thereby enabling a small Office to draw rapidly upon external assistance and information as needed to facilitate investigative activity.

35. The Office of the Prosecutor must carry out its activities without the benefit of its own State apparatus or even a Chapter VII mandate, in contexts of ongoing violence and instability, and is expected to do so in a manner that is both exemplary and cost-effective. These challenges distinguish the Office from other prosecution services and require innovative approaches.

36. In the twelve months since the swearing-in of the Prosecutor (June 2003), a functioning Office of the Prosecutor has been created. This has entailed a range of activities, including recruiting qualified staff, taking key strategic and policy decisions to guide the Office, formulating operating procedures, and improving the structure of the Office. In addition, the Office has carried out its duty to analyse information provided in communications and referrals, and has begun preparations for effective and focused investigations in two situations.

37. The Office welcomes the fact that during this period two States Parties, Uganda and the Democratic Republic of the Congo (DRC), have already submitted referrals to the Office.

Recruitment and building the OTP team

38. Recruitment is proceeding apace. The Office has grown from 7 members when the Prosecutor took office in June 2003 to 55 members in June 2004, and is projected to grow to 122 members by the end of 2004. Serge Brammertz was elected by the Assembly of States Parties as the Deputy Prosecutor (Investigations) and took office on 3 November 2003. As of June 2004, the Office includes the Prosecutor,

the Deputy Prosecutor, 37 staff in the Professional category and 18 staff in the General Service category from 41 countries across six continents, as well as 21 clerks and 1 visiting professional from 18 countries across five continents. In order to ensure the highest standards of efficiency, competence and integrity, the hiring process for key positions includes skill-based examinations and exercises (such as drafting memoranda, preparing analyses and witness interview simulations). Particular emphasis is currently placed on recruitment of investigation teams with the required diversity of skills and expertise.

39. The Office has called for applications for the position of Deputy Prosecutor (Prosecution), who will be responsible for directing the presentation of cases before the chambers of the Court. Applications were received from 198 candidates, of whom 10 were selected for interview. A list of three candidates will be submitted for consideration by the Assembly in accordance with article 42 of the Statute.

Consultations and key policy decisions

40. The Office has continued its practice of consultations in order to discuss its priorities and activities, to hear views and to build a firm intellectual and practical foundation for its policies and practices. All of the expert consultation processes organized by the start-up team of the Office of the Prosecutor were concluded by the end of 2003; they involved over 125 leading criminal justice experts who were consulted on key issues such as length of proceedings, investigation and State cooperation, and complementarity in practice. Several reports prepared during these expert consultations have been made available on the web sub-site of the Office for public comment and debate. The Office has also engaged in other consultations, such as a two-day meeting with NGOs on 8 and 9 April 2004.

41. In September 2003, the Office finalized its policy paper defining the general strategy of the Office and highlighting its priority tasks, and made the paper available on the web sub-site of the Office. The paper was developed following consultations in which a draft policy paper was discussed at the public hearing in June 2003 and at the ASP session in September 2003, and was also made available for public comment.

42. In addition, in April 2004 the Office prepared an annex to the policy paper explaining how it manages and analyses referrals and communications, including the standards applied, the procedures followed, the internal institutional responsibilities for analysis and the provisional regulations. The annex was posted on the web sub-site for public comment.

43. The Office has taken several key strategic decisions to guide its operations, including: a collaborative approach with the international community, including cooperative States, international organizations and civil society; a positive approach to complementarity, encouraging genuine national proceedings wherever possible; a policy of targeted prosecution, focusing on the persons who bear the greatest responsibility; and a small and flexible Office relying on external networks of support.

Organizational decisions

44. From September 2003 to June 2004, the Office critically examined its structure to find ways to increase integration and efficiency, based on experience in the actual operation of the Office. The process included extensive internal consultation and discussion with expert consultants on organizational structures.

45. The new structure includes three operational divisions. This structure highlights the fact that the Office faces challenges and obligations that are distinct from other prosecution services, and that these challenges and obligations (jurisdiction, complementarity and cooperation) must be addressed methodically, consistently and proactively. First, unlike previous tribunals, the Office has an open-ended jurisdiction, and is obliged to conduct careful factual and legal analysis of jurisdiction and admissibility in order to identify situations warranting investigation. Second, the principle of complementarity requires an established capacity to identify and assess national proceedings in accordance with article 17. Third, the Office does not have its own police and national system to rely upon, nor does it have a Chapter VII mandate, and so proactive building of networks of international cooperation is essential. The former External Relations and Complementarity Unit was converted into the Jurisdiction, Complementarity and Cooperation Division

(JCCD), highlighting the fact that these are core activities of the Office of the Prosecutor and the importance attached to them in the policy of the Office.

46. The Investigation Division was restructured to adapt to needs that came to light as it became operational over the past year. The former Analysis Section, Experts Unit and Unit for Victims have been combined to form the Investigation Planning and Support Section.

47. An Executive Committee has been established, composed of the Chief Prosecutor and the head of each division, to consider major strategic and operational decisions. This will ensure that the heads of each division are aware of and involved in major decisions, thereby improving coordination.

Analysis of information

48. The Office has put in place the personnel, technology, procedures and standards for analysis of information submitted to the Office. Analysis is conducted in three phases, all under the supervision of the Executive Committee. Phase I is an initial review to identify communications that manifestly do not provide a basis for further action by the Office. Phase II is a more thorough factual and legal analysis based on the criteria of article 53 of the Statute, and may include seeking additional information and monitoring situations of concern. The most serious situations proceed to Phase III, advanced analysis and planning, which may involve a joint team including JCCD and the Investigation Division, preparation of strategies for potential investigations, and final recommendations and decisions.

49. As of June 2004, the Office had received 858 communications from individuals and organizations in at least 85 countries. The Office has analysed and responded to the initial backlog of communications and has established a process whereby incoming communications will be put through Phase I analysis and receive appropriate responses or acknowledgements within one month.

50. For 29 of the 858 communications, no reply was possible because contact information was not provided (the information in such communications was analysed nonetheless). A total of 593 communications were identified as manifestly not providing a basis for further action by the Office and were sent responses with reasons for the decision not to proceed. Of these, 57 were manifestly outside the temporal jurisdiction of the Court, 132 were manifestly outside the personal and territorial jurisdiction of the Court, 192 were manifestly outside the subject-matter jurisdiction of the Court, and 212 were manifestly ill-founded (information lacking any air of reality or faltering on numerous jurisdictional grounds). Finally, 236 communications were identified as warranting further analysis and were therefore grouped by alleged situation for analysis under Phase II, and acknowledgements were issued to the senders.

51. Six situations of concern are currently being analysed under Phase II, which entails careful factual and legal analysis of information submitted to the Office and readily available information, the seeking of additional information pursuant to article 15(2) as needed, and preparation of reports for the Executive Committee on crimes, admissibility and the interests of justice, in accordance with the criteria laid down in rule 48 and article 53. In addition, two situations (DRC and northern Uganda) were advanced to analysis under Phase III, with all operational divisions contributing to analysis of the situations and preparation for possible investigations, under the coordination of the Executive Committee.

Referrals

52. Since the last meeting of the Assembly of States Parties in September 2003, the Office has received the first two referrals from States Parties, Uganda and the DRC, each referring situations within their territory.

53. In December 2003, the Office received the first referral from a State Party, the government of Uganda. As discussed with the Ugandan authorities, the scope of the referral is interpreted as covering all crimes within the jurisdiction of the Court committed in northern Uganda. In addition to the referral, the

Government of Uganda has made a declaration under article 12(3) of the Rome Statute, accepting the jurisdiction of the Court with effect from the entry into force of the Rome Statute on 1 July 2002.

54. In accordance with article 53 of the Statute and rule 104, the Office is currently conducting analysis and seeking additional information on crimes, admissibility and the interests of justice, in order to support a determination under article 53 on the northern Uganda situation. As of June 2004, the analysis is nearing completion and a decision is expected in the coming weeks.

55. In March 2004, the DRC referred the situation in the country to the Office. The Office had been closely analysing the situation in the Democratic Republic of the Congo since July 2003, initially with a focus on crimes committed in the Ituri region. In September 2003, the Prosecutor informed the Assembly of States Parties that he was ready to request authorization from the Pre-Trial Chamber to start an investigation, but that a referral and active support from the DRC would assist his work.

56. In accordance with article 53 of the Statute and rule 104, the Office conducted analysis and sought additional information in order to make a determination on whether to initiate an investigation on the DRC situation. Having considered all the criteria, the Prosecutor determined that there is a reasonable basis to initiate an investigation. On 21 June 2004, the Prosecutor notified the States Parties of his decision in accordance with article 18 of the Rome Statute. On 23 June 2004, the Prosecutor publicly announced the opening of the first investigation of the ICC.

D. Registry

57. Guided by the framework set out in the Rome Statute, the Rules of Procedure and Evidence, and other relevant instruments, the Registry has provided judicial and administrative support services to the Presidency and Chambers and to the Office of the Prosecutor, and has fulfilled the specific functions entrusted to the Registry in the area of defence and victims and witnesses. Around these functions, a final and slightly revised structure of the Registry has been developed to enable it effectively and efficiently to fulfil its mandate. A detailed description of the Registry's structure and the work done during the reporting period is provided below.

1. Legal Advisory Section

58. The Legal Advisory Section has continued to provide legal advice to the Registry as a whole on all aspects of its functions. This has included providing legal advice to the Registrar and to the other organs on the legislative and operational arrangements governing staffing and the supply of goods and services, as well as on the negotiation of agreements that concern the Court as a whole. A further area in which legal advice was provided concerned the application of the Agreement on Privileges and Immunities. Progress has been made in the negotiations regarding the headquarters agreement, a final text of which is expected to be completed during the first quarter of 2005, following which the agreement will be submitted to the Assembly of States Parties for approval. Lastly, the Section has been providing input into the inter-organ Working Group established to elaborate the Staff Rules, which will be submitted to the Assembly on completion.

2. Office of Internal Audit

59. The Office, to be staffed as from July 2004, will conduct planned audits and reviews. Ad hoc audits and reviews will also be carried out.

3. Security and Safety Section

60. The Security Section has continued to evolve and develop during the course of the year. In close cooperation with the host State, input was provided into the finalization of the secure area courtrooms and day-time custody areas. Further work on security issues surrounding the Court's premises continue. The development of an appropriate information assurance regime continues to be a priority. With much of the physical security work completed, efforts in this area will be stepped up. In this regard, an information

security risk assessment has been completed. Lastly, systems to ensure the security of ICC personnel and assets in the field remain a priority for the Section.

4. *Public Information and Documentation Section*

61. The Public Information and Documentation Section of the Registry has served as a common platform for the communication needs of all organs of the Court. In addition, the Section has been actively engaged in developing outreach tools with respect to victims, witnesses and the defence. Two diplomatic briefings (referred to under the heading "Presidency" above) were organized, one at the seat of the Court and another in Brussels for States that do not have an embassy in The Hague. In addition, two strategic meetings between the Registry and NGOs were organized. The ICC Visitors' Programme has organized 180 briefings attended by 5,000 people. During the period under review 17,600 public enquiries by electronic mail were replied to and responses were given to over 150 media enquiries, including approval of the use, upon request, of ICC photographs in various publications. Four press conferences were organized, 20 individual press interviews were coordinated and the ICC web site was accessed 15,268,654 times. Other cultural activities to inform the public about the importance of justice and the role of the ICC were organized, including a film festival on international justice (in cooperation with the French Embassy) and an open day for schoolchildren at the Court.

62. The setting up of the ICC library and documentation centre has started. The collection now comprises over 3,000 volumes, 21 electronic journals and access to major databases. As a result of a grant from the MacArthur Foundation, the ICC library is building a special collection on victims issues.

5. *Division of Common Administrative Services*

63. The main tasks of the Division were, inter alia, to establish administrative and operational procedures and policies, to do the necessary groundwork for providing administrative support to the Court's judicial and investigative activities, and to lay the foundation for the establishment of Service Level Agreements. An interim manager was contracted in December 2003 to act as director, to assist the Court in organizing the administrative support structures as efficiently as possible and to advise on the recruitment process for a Director. All sections of the Division have been actively engaged in implementing the enterprise resource planning (ERP) project that will allow them to operate efficiently under one roof. The ERP system will be fully operational in January 2005 for the following modules: finance, budget, procurement, human resources and payroll. In addition, the Division has set up administrative support structures and mechanisms as well as relevant policies to ensure the efficient delivery of administrative services to all organs of the Court.

(a) Budget and Control Section

64. The Section coordinated the programme budget for 2005, based on the input of all organs of the Court. In addition, as of November 2003, the Budget Section has established budgetary work processes and procedures in connection with the implementation of the ERP system. An allotment account code structure closely linked with the organizational structure was developed, and financial control systems were implemented.

(b) Finance Section

65. The Finance Section has continued its work of setting up the financial systems of the Court, including a payroll system, an accounting system and systems of internal control. As part of the ERP system, the Finance Section has been developing the financial module and relevant processes for payroll. In accordance with financial regulation 11.1, the Finance Section prepared the Court's first set of financial statements for the period 1 September 2002 to 31 December 2003, and submitted them to the External Auditor in March 2004. In connection with the admission of the Court to the United Nations Joint Staff Pension Fund (UNJSPF), the Finance Section implemented the changeover from the interim pension regime to this new regime.

(c) Human Resources Section

66. A large part of the work of the Human Resources Section has been to provide continued support to the Court in recruitment. From the establishment of the Court until July 2004, over 19,000 applications were received. In the recruitment process, particular attention continues to be paid to the need for representation of the principal legal systems of the world, equitable geographical representation and fair representation of men and women. As of 1 July 2004, the Court has 233 staff members representing 50 nationalities across six continents. Recruitment to another 52 posts is under way and a further 89 vacancies remain to be filled from the number of posts (both core and conditional) provided for in the budget. The Human Resources Section also administers the Internship and Visiting Professional programmes of the Court. In an effort to establish a sense of equity in the work environment and to affirm fiscal responsibility to the States Parties, the Court has embarked upon a comprehensive job evaluation exercise.

67. Training and staff development activities have begun, the first being a language training programme aimed at improving the linguistic competence of staff. A Health and Welfare Unit has been set up and will address specific staff welfare needs.

(d) Procurement Section

68. In addition to dealing with the ongoing workload of procurement activities, the Procurement Section has worked to finalize the putting in place of the main systems to allow efficient and transparent procurement.

(e) General Services Section

69. The General Services Section (GSS) has provided travel, logistics and transport, records management and facilities management services to the Court. To this end, early recruitment of staff was completed for the current period and policies and procedures relating to GSS services were drafted. In addition, training for the Registry's staff members in the Electronic Document Management System (EDMS) was conducted. The Section has initiated inventory controls and also completed the refurbishment and movement of staff to the part of the building formerly occupied by the Netherlands Ministry of Foreign Affairs and has obtained the use of additional premises, located close to the main Court building, for various non-core functions of the Court.

(f) Information and Communication Technologies (ICT) Section

70. The ICC has established a formal Information Systems Advisory Board to govern the delivery and development of all aspects of its ICT programme in order to ensure that information systems and service delivery is aligned with the stated policies, goals and objectives of the organization. The ICT Section has undergone a formal external strategic review to ensure that its work is aligned with that of the organization and to assist the organization in long-term strategic planning. Work has continued on building the technical infrastructure for the Court. A system was put in place allowing staff to access their e-mail securely from a remote location. By merging voice and data networks using voice-over Internet technologies, the Section has reduced costs for the Court. The development of integrated information systems is continuing as planned (EDMS and ERP).

6. Division of Victims and Counsel

71. The Division consists of the Victims Participation and Reparations Section and the Defence Support Section. Both Sections have been engaged in the process of developing mechanisms and support structures for two key functions of the Registry: victims and defence. In this regard work was done to provide relevant input into the drafting process of the Regulations of the Registry.

(a) Victims Participation and Reparations Section

72. By reference to the relevant statutory provisions, the Section is in the process of creating effective mechanisms to assist victims in participating in all stages of the proceedings and to enable them to claim reparations.

73. During the reporting period, significant headway was made in the preparation of information and outreach campaigns, in preparing systems for the processing of victims' applications and in building systems and proposing processes for providing legal assistance and facilitating victims' interaction with their legal representatives. In addition, the Section continues to provide assistance to the Board of Directors of the Trust Fund for Victims.

74. A secure application management and processing system to assist the Court in organizing victims' claims for participation and reparation is being developed. This system will enable the Section to prepare a report for the relevant chambers in accordance with the Regulations of the Court. In coordination with the Victims and Witnesses Unit, the Court Management Section and the Information Technology and Communications Section, secure databases to manage information relating to victims' claims are currently being developed, in particular with a view to preserving confidentiality and ensuring victims' protection.

75. Lastly, an Office of Public Counsel for victims has been set up with a view to providing potential victims with the necessary legal assistance.

(b) Defence Support Section

76. The Defence Support Section has conducted consultations with over 100 experts and legal professionals representing various continents in order to ensure in-depth understanding of the problems and needs of both the Court and counsel. These consultations have been particularly helpful in preparing the draft Code of Professional Conduct and setting up a legal aid system that will ensure due respect for the rights of the accused while guaranteeing objectivity and transparency in its administration and control over the resources available. A list of counsel has been completed, as well as a list of investigators and a list of assistants – all of which will assist the Office of Public Counsel for defence in recruiting qualified persons.

7. Division of Court Services

77. The Division has put in place the necessary support structures to ensure organizational support for courtroom hearings, the receipt, recording and distribution of information, and translation and interpretation services for the whole Court. Additionally, the Division has devised the parameters needed for operating an efficient system of detention. Through the Witnesses and Victims Unit, the Division will ensure that protection and support services are provided to victims and witnesses. Input has also been provided into the drafting process of the Regulations of the Registry.

(a) Court Management Section

78. The Section has completed the formulation of various policies regarding the filing process, the keeping of an official journal and audio-visual matters relating to the courtroom. The Section has also provided input for the preparation of field operations. The Section is further engaged in the implementation of the EDMS system and, related to that, the development of a case management system.

(b) Court Interpretation and Translation Section

79. In addition to providing translation and interpretation services to the Court, the Section has also been engaged in drafting Directives for Interpreters and Translators, and has provided input into the drafting of the Code of Conduct for Counsel, the Regulations of the Court and the Regulations of the Registry. In order further to develop the most efficient working practices, an expert seminar on "Language Matters in the

Multilingual Courtroom” was held. Further projects of the Section include providing input into the acquisition of software to enable an appropriate level of translation services to be provided.

(c) Detention Section

80. The Section has worked to ensure that proper detention facilities will be available to the Court when required. Discussions in this regard with the host State are ongoing. In addition, relevant policies relating to the operation of a detention centre have been prepared.

(d) Victims and Witnesses Unit

81. Work has started on the negotiation of relocation of witnesses agreements with States Parties. It will be critical to have a sufficient number of these agreements in place as the judicial activities of the Court commence. The Section has also established contacts with Europol and Dutch witness protection services in order to develop further cooperation. A health, travel and third-party liability insurance for victims and witnesses who are required at the Court has been put in place, as has a similar but more extensive insurance policy for relocation witnesses. The Section has also drafted a comprehensive training plan.

8. *Board of Directors of the Trust Fund for Victims*

82. The first meeting of the members of the Board of Directors of the Trust Fund for Victims was held at the seat of the Court from 20 to 22 April 2004. The members of the Board present at the meeting were Her Majesty Queen Rania Al-Abdullah, His Excellency Mr. Tadeusz Mazowiecki, Madame Minister Simone Veil and His Grace Archbishop Emeritus Desmond Tutu. During the meeting a number of important decisions were taken by the Board concerning the management and operation of the Trust Fund, and the establishment of a secretariat.