

**Thirteenth session**

New York, 8-17 December 2014

**Report on the review of
the organizational structure of the Registry****Executive summary*

This report addresses the recommendations of the Committee on Budget and Finance and provides an update on developments in the *ReVision* project since the last Committee session in April 2014. It includes a description of the project deliverables and of the results achieved to date in relation to each one, and outlines the activities planned for the remainder of the Project.

Request (ICC-ASP/13/5, para. 42); content:

- (a) The results of a detailed analysis of the Registry functions reveal fragmentation and inefficiency in several operational areas, leading to uneconomical use of resources, bureaucracy and sub-optimal operations. In particular, there is overlap or fragmentation of functions in field operations, victim participation; assistance and support to victims and victims' representatives; assistance and support to defence counsel; State co-operation and external relations; general legal function; and approval and certification of expenditure.
- (b) A number of gaps were also identified in areas such as internal communication; policy-making; organizational performance management, risk management practices; crisis management procedures; political analysis; staff-management relations; and internal conflict resolution.
- (c) Some of these issues will be resolved through changes to the Registry's structure. A new proposed high-level organizational chart reflects, *inter alia*, the consolidation of functions related to external affairs, State cooperation and field operations into a new third Division within the Registry; the proposed abolition of the Office of Public Counsel for Victims and the Office of Public Counsel for the Defence and the consolidation of all victim-related functions into a new Victims Office and all defence support functions into a new Defence Office. Furthermore, it is proposed that Budget and Finance will be split into two separate sections and the Field Offices will be redesigned so as to increase their impact and enable them to assume more substantive responsibilities.
- (d) At this stage of the *ReVision* project, the Registrar has purposely decided to limit actual changes, i.e. abolitions or modification of functions and the creation of new ones, to high-level positions directly affected by the new

* Previously issued as CBF/23/8.

structure. As a result, while the functions of 12 such high-level positions will be modified, no changes are made at this time to the staffing table or the budgetary envelope as presented in the 2015 budget proposal.

- (e) Further changes to the Registry's staffing structure can be expected in the course of 2015 as a result of the current phase of the *ReVision* project, which involves a detailed analysis of the Registry's operations, systems, policies and working methods in each operational area. The full impact of the *ReVision* project on the number of posts and the related total budget envelop will be reported on during the April 2015 Committee session. Similarly, other financial gains, synergies and efficiencies not related to staffing will be reported at the end of the project. To that end, the Registrar requests that authorization to restructure within the total number of posts and the overall budget envelope continue until completion of the project.
- (f) Legal and operational steps are required to implement the proposed new structure.

I. Introduction

1. At its twelfth session, the Assembly of States Parties ("the Assembly") authorized the Registrar to reorganize and streamline the Registry's organizational structure within the envelope of the approved programme budget for 2014 and the maximum number of established posts and approved positions. The Assembly welcomed the Registrar's commitment to eliminating duplication, increasing effectiveness and efficiency, as well as creating synergies, and requested the Registrar, as part of his reorganization plan, to achieve at least three per cent savings in the approved programme budget for the Registry, to be found during the course of 2014.¹ The Assembly also requested the Registrar to report to the Assembly through the Committee on Budget and Finance ("the Committee") at its twenty-second and twenty-third sessions, on the progress of implementation, including on savings, efficiencies and synergies gained.²

2. In line with the Assembly's request, the Registrar established a small project team to implement the reorganization project (the "*ReVision* project"). At the Committee's twenty-second session, the Registrar submitted an overview of the project's action plan, objectives, scope and deliverables, and provided an oral update on the activities undertaken to date and those planned for the following months. The Registrar explained that optimizing the Registry's performance in terms of efficiency, effectiveness, and sustainability required a complete review of the Registry's operations going well beyond mere structural changes. The Registrar noted that the *ReVision* project would be implemented in four phases,³ starting with a review of the Registry's main functions and the corresponding review of its high-level organizational design, followed by a detailed analysis of the Registry's performance in the main operational areas, and the formulation of recommendations. This would ensure identification and analysis of any structural, regulatory, managerial and other factors adversely affecting the Registry's performance, with a view to the appropriate remedial measures being taken.

3. As a result, the Registrar noted that the timeline for completion of the project is mid-2015 and that any savings resulting from changes to the Registry's organizational structure and other efficiency measures identified by the *ReVision* project cannot be fully implemented in 2014. In these circumstances, mindful of the Assembly's request for three per cent savings during the course of 2014, i.e. prior to the completion of the *ReVision* project, the Registrar adopted a different approach in order to achieve such savings as described in detail in a separate report to the Committee.⁴ The present report is therefore limited to the outcomes of the *ReVision* project to date, and the efficiencies, synergies and

¹ See *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Twelfth session, The Hague, 20-28 November 2013* (ICC-ASP/12/20), vol. I, part III, resolution ICC-ASP/12/Res.1, section H, para. 3.

² *Ibid.*

³ There are five phases, if the formal opening of the project is counted as a separate phase.

⁴ See *Report of the Registry on its achievement of savings in the approved programme budget for 2014*, CBF/23/2.

potential savings expected to be achieved.⁵ The report complements the 2015 Proposed Programme Budget, as indicated in the proposed budget's executive summary.

II. Project overview

4. The starting point of the *ReVision* project was the development, by the project team, of a detailed project plan which was presented to and approved by a Project Board consisting of internal and external stakeholders and experts. According to the plan, the *ReVision* project consists of the following main phases:

- (a) *Registry Foundation and Organizational Design*: This phase includes a redefinition of the Registry's vision, mission and common values, a review of Registry mandated and inherent functions in order to identify areas of overlap or gaps, an analysis of existing and newly collected data, and a recommendation for a new organizational structure of the Registry. This phase has been completed successfully;
- (b) *Immediate Change Measures*: This phase consists of identifying urgent measures considered necessary to tackle Registry-wide operational or managerial issues, which can be implemented by the Registrar without any structural changes. The measures may be operational or policy decisions within the purview of the Registrar, which respond to ongoing problems in real time. Because it is possible to identify such measures throughout the lifespan of the project, this phase is currently on-going;
- (c) *Functions Performance Review*: This phase consists of a detailed review of the Registry's performance in each functional area (i.e. broadly covering the Registry Sections and Units) against preset common criteria, and will provide a blueprint for the implementation of any structural changes proposed or adopted on completion of the activity described under (i) above. Overall, this phase will further define the implementation of the new Registry structure and all Registry functions. This phase is currently on-going and is expected to end in March 2015; and
- (d) *Project Closing*: This phase consists of formulating and presenting the project's findings and final recommendations. Notably, this will include recommendations on specific follow-up activities and a roadmap for the implementation of recommendations made, as well as findings on matters outside the scope of the project which require attention. This phase is currently expected to end in July 2015.

III. Main activities completed to date

5. All activities planned for the first phase described above have been completed successfully. In particular, following a Registry-wide consultation with staff members and with the active participation of the Staff Union, renewed Registry vision and mission statements have been formulated, along with a set of common values. The *ReVision* project deliberately started with this activity in order to ensure that the subsequent work on assessing the organizational structure, policies and working methods, among others, reflect the Registry's current mission, vision and values. The outcome of these activities was adopted as presented in Annex 1.

6. As part of the same phase, the project team analysed all relevant documentation describing the Registry's functions and processes, such as the Court's legal texts, information from previous reviews of the Registry's structure, past staff surveys, and budget and human resources documents describing functions and roles. The information was reviewed and entered into a purpose-built database for easy cross-referencing in future analysis.

7. On the basis of this review, the main Registry functions and sub-functions, including both statutory functions (i.e. explicitly required or mandated in the legal texts) and inherent functions (i.e. required by the nature of the Registry's responsibilities or operations, regardless of any formal requirement) were listed. The project team developed a detailed database and was able to cross-reference the implementation of functions throughout the

⁵ The "Committee asked to receive an interim report on savings, efficiencies and synergies gained, and the three per cent savings planned for 2014", *Report of the Committee on Budget and Finance on the work of its twenty-second session* (April 2014), ICC-ASP-/13/5, par. 42.

Registry. This review revealed that while all mandatory functions are being performed, several areas of overlap or fragmentation exist in the Registry's operations, with many administrative units performing aspects of the same function or closely related functions. These areas are, primarily:

- (a) Assistance and support to victims and victims' representatives – Functions and responsibilities in this area are spread across various Registry Sections and Units, such as the Victims Participation and Reparation Section (VPRS), Public Information and Documentation Section (PIDS) and in particular its Outreach Unit, the Office of Public Counsel for Victims (OPCV), and the Counsel Support Section (CSS). Moreover, in the area of victim representation, both OPCV and external counsel are appointed, usually in combination, as common legal representatives. Victims' reparation assistance is another area of certain overlap: for example, VPRS and OPCV both maintain databases containing similar information in relation to victims and there is potential for overlap with the Trust Fund for Victims' (TFV) responsibilities. This situation of fragmentation and overlaps leads to inefficiency, confusion and uneconomical expenditure of limited resources;
- (b) Field operations and field presence - A number of functions relating to or performed in the field are spread across different Registry Sections, including PIDS (outreach), Safety and Security Section (SSS) (field security), Field Operations Section (FOS) (logistics and support), Victims and Witnesses Unit (VWU) (operations), and General Services Section (GSS) (logistics). While the number of action owners may not be unusual for field operations, there is no strategic or holistic approach to field operations nor is there one manager, either at Headquarters or on the ground (other than the Registrar himself), with central authority over field operations and appropriate decision-making authority. This results in uncoordinated and therefore often ineffective operations, inefficiency and exposure of the Court to potential risks. Moreover, the field offices are currently not adequately equipped to carry out all relevant responsibilities, including those related to external relations and State cooperation;
- (c) State co-operation and external relations – Activities relating to external relations and State cooperation are currently performed in many different Sections, including the Immediate Office of the Registrar (IOR), the Office of the Director of Common Administrative Services Division (ODCASD), the Office of the Director of Division of Court Services (ODDCS), PIDS, SSS, FOS, VWU and GSS. As with field operations, this fragmentation frustrates the effective performance of the related functions, leads to confusion, a lack of strategy and consistency, and damages the public image of the Registry and the Court as a whole;
- (d) Legal function (including legal advice, monitoring of proceedings, legal submissions in Court proceedings) - Court proceedings are monitored in several Sections, including Legal Advisory Services Section (LASS), Court Management Section (CMS), ODDCS, CSS, PIDS, OPCV, VPRS and Office of Public Counsel for Defence (OPCD). While there is a clear operational need for this function, it can be performed centrally and the relevant information disseminated to the Registry Sections concerned. Moreover, Registry legal submissions and the representations made in such submissions are inconsistent and lacking in coordination due to there being no central approving authority. While LASS nominally plays the role of legal adviser, its place in the Registry's structure and its role in practice do not allow it to assume these responsibilities effectively;
- (e) Defence support and assistance are delivered by both CSS and OPCD. The overall provision of assistance to counsel is fragmented and responsibilities are unclear. OPCD is mandated to provide legal advice and CSS is mandated to provide practical and operational support and assistance. In practice, OPCD has taken over part of this role from CSS. For example, both CSS and OPCD provide IT training to and arrange office space for defence teams. Moreover, the duplication and lack of clarity between CSS and OPCD leads to conflict and creates confusion as to which office is responsible for the provision of which service. Overall, there is a need to strengthen the support and assistance to the defence, which will benefit the conduct of the proceedings; and

- (f) The current decentralization of the budget, in conjunction with a decentralized approval and certification authority resting with specific individuals, does not allow for Registry-wide prioritization and the most effective use of resources. In addition, the Court's budget process calls for a strategic approach and a greater focus on budgeting.
8. The overlaps and fragmentation in these and other operational areas do not necessarily imply that all underlying functions are performed inadequately. Rather, it illustrates that there is significant room for achieving greater efficiency and effectiveness Registry-wide.
9. In addition to areas of overlap or fragmentation, the functional analysis also revealed gaps in certain areas, either because functions are not performed at all, or because they are not performed consistently or coherently. The main gaps identified concern:
- (a) Wholly inadequate internal communication - there is a lack of policies, methods or systems for the Registry's leadership to communicate news, developments and decisions to staff and to engage in a two-way dialogue;
 - (b) Staff-management relations - effective and structured relations with the Staff Union and staff as a whole are lacking. One facet of this is the lack of informal conflict resolution mechanisms;
 - (c) Organizational performance management - there is a gap in methods and systems for measuring effectively and reporting on how the Registry as a whole performs, with reference to relevant and meaningful key performance indicators;
 - (d) Policy-making - there is no Registry-wide strategic or structured approach to policy making. A number of Sections have developed their own standard operating procedures and policies without any formal mechanisms in place for sharing such information or ensuring its consistency with other Registry (Sections) policies. In addition, there are unacceptable delays and a lack of consistency in the promulgation of Administrative Issuances Court-wide;
 - (e) Risk management practices – there is a need for a more structured approach to identifying possible risks to the organization, its staff, its assets, etc., and the adoption of strategies to manage the impact of such risks;
 - (f) Project and portfolio management – the initiation, prioritization and control of projects is decentralized and not uniform across the organization. Given the number and significance of projects run by the Registry, a centralized project support function and a more consistent approach to project initiation and management Registry-wide is required;
 - (g) Crisis management - no clear crisis management framework exists that can be activated easily in times of crisis, with clearly defined roles and responsibilities; and
 - (h) Information gathering and analysis in support of Registry operations - there is a lack of coherence, systematization and integration in the gathering and analysis of political, security, media and financial information by various Registry Sections. The information gathered is narrowly focused and often not even accessible to other potentially concerned Registry units. Consequently, the Registry does not derive the full potential benefit of such monitoring and analysis activities, particularly in the area of field operations, State cooperation and external relations.
10. These findings were verified through the collection of feedback and additional input from staff members, including field staff, and other stakeholders. To that end, two detailed surveys were conducted, one for Registry staff and one for key Registry clients and stakeholders. The staff survey, which took place in May 2014 with a high participation rate of 60 per cent, categorically showed the need for urgent change: only four per cent of staff disagreed that structural change was necessary. The survey results also highlighted wide-ranging problems with, amongst others, organizational structure and culture, internal communication, inter-Section cooperation, information sharing across the Registry, conflict resolution, staff development and the quality of management. Overall, the results underlined the need for change in many areas that are crucial for the Registry to perform well. The new proposed structure of the Registry addresses several of these issues, while the rest are being tackled in the current phase of the project. The client feedback survey was

launched at the end of June 2014 and closed in July 2014. Its results are currently being analysed and will provide further input for the conduct of this phase's activities.

11. While not all of the identified problems require structural changes, many of them can, and indeed will, be resolved through the implementation of a different organizational model and reporting lines. In order to facilitate an objective and dispassionate discussion on potential structures, the project team developed the following guiding principles for the organizational design of the Registry:

- (a) "One Registry" in "One Court". This principle relates to the idea that all sections of the Registry should work as one to achieve the Registry's mission and objectives. Accordingly, there is a need for solid strategic executive management⁶ to set the direction and objectives. The "One Registry" principle is – from the Registry's perspective – a basis for the effective application of the "One Court" principle;
- (b) Management teams. This principle concerns 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 the relevant level. This principle promotes a well-balanced and coordinated Registry. A Registry Management Team composed of the Registrar and the Division Directors decides on strategic and high-level operational issues in order to ensure that all functional perspectives are represented during decision-making on such issues;
- (c) Integrated field management. This principle concerns the need to create a single command and coordination centre for field operations at Headquarters with a clear line of authority over field operations, and a strengthened management structure of individual field offices, comprising a head of office and a multidisciplinary team in each Field Office having the capacity to perform all required Registry functions, including a representational role for the head of office vis-à-vis national authorities, the diplomatic community, NGOs, and the media;
- (d) Client service. A key element of the Registry's vision, mission and values is being a service provider, which can be reflected in the organizational design by grouping functions together (or bringing them closer together) in a manner that allows comprehensive delivery of end-to-end services to clients;
- (e) Empowerment with accountability. This principle relates to the need for Registry managers and staff in general to be empowered to take actions and decisions within a clear responsibility framework, with appropriate accountability and performance appraisal mechanisms, relying on transparent and effective monitoring systems;
- (f) Consolidated functions. This principle relates to the need to consolidate similar Registry functions, where possible, in order to achieve synergies, efficiency, and greater effectiveness;
- (g) Effectiveness and efficiency. This principle relates to the need for functions to be organized and structured so as to ensure cost-effectiveness, timeliness and quality of work. The Registry needs to be flexible and improve its ability to absorb fluctuations in workload; and
- (h) Manageable number of direct reports. The quality of management supervision and the ability of managers to effectively manage performance while carrying out their other responsibilities depend largely on the number of direct reports. This principle focuses on the need to keep this number as low as possible, especially for managers carrying out executive management tasks.

12. In line with these guiding principles, the project team developed the elements of a conceptual framework for the future design of the Registry:

- (a) Field offices play a central role in the performance of the Registry's responsibilities, many of which, such as witness protection, assistance to victims, outreach to

⁶ Executive management is the organization-wide, integrating and unifying function that binds the Registry together. It includes key strategic and control functions, such as setting of organizational objectives and strategic priorities, policy, strategic resource planning, inter-organ affairs, and crisis management. It may also include organizational performance management, audit compliance, the coordination of legal submissions, external relations and State cooperation, internal communication, and risk management.

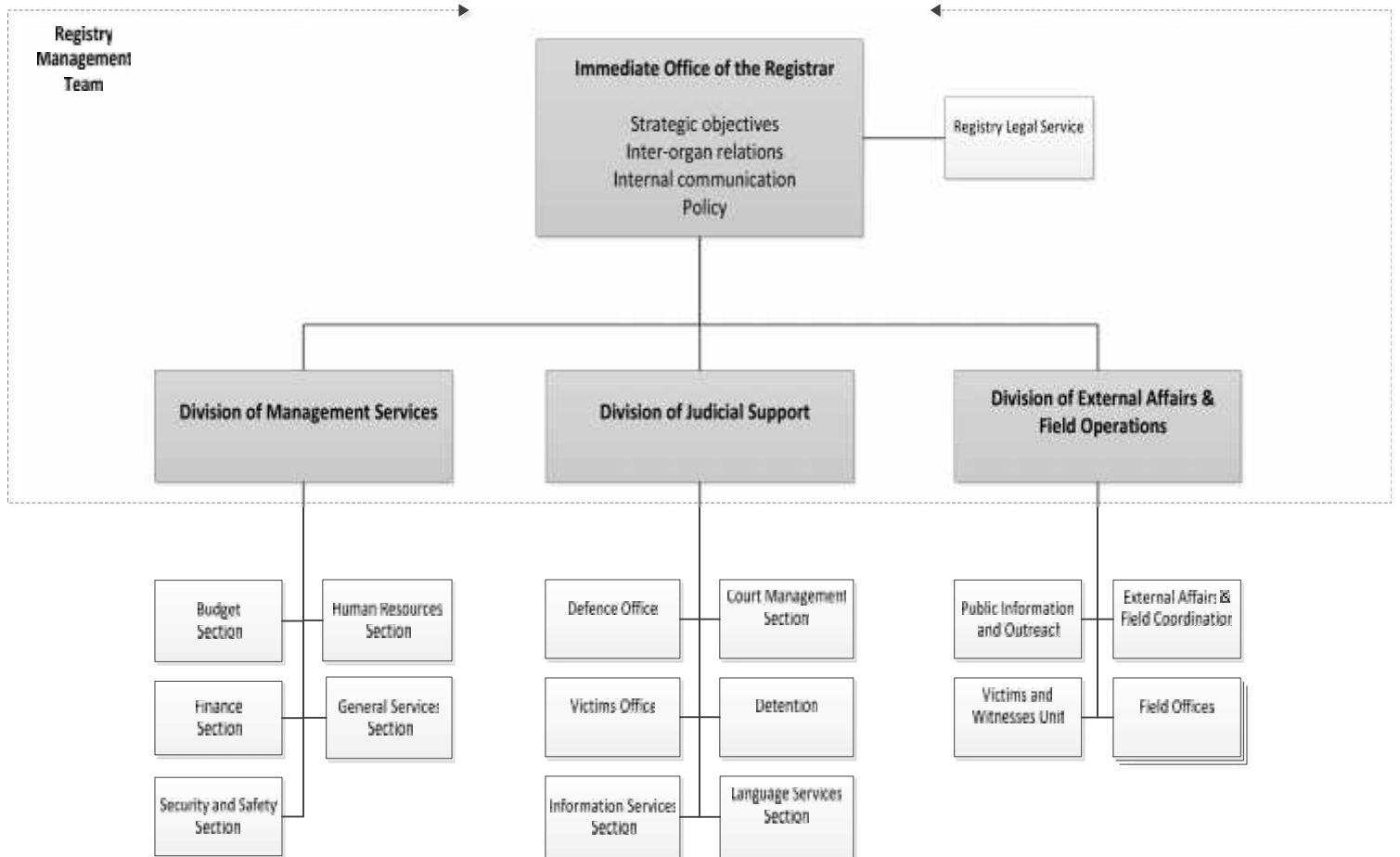
affected communities, etc. are carried out in the field. The offices must therefore become a solid staging ground for the efficient and effective conduct of operations of the Registry, but also those of the Prosecution, the Defence and Victims participating in the proceedings, as well as the Trust Fund for Victims. To that end, the field offices are to be headed by a staff member at a relatively senior level, responsible for all Registry operations on the ground with managerial, representational and (where needed) diplomatic functions. The staff of the field office should form a cohesive multi-disciplinary team with the capacity to perform the relevant Registry functions in the situation country and should report to the head of office. The staff should nonetheless maintain some form of reporting line to substantive Registry Sections at Headquarters for coordination and implementation of technical or substantive activities;

- (b) Headquarters management of field operations must be an integrated function in the Registry's organizational design, assigned to a senior manager with responsibility for overseeing all field operations, including their strategic planning. This central authority must also harmonize and coordinate the support for field operations by other functions at Headquarters while ensuring the proper performance of substantive functions carried out in the field. The function is logically and functionally connected to external relations, State cooperation and information gathering and analysis;
- (c) The Immediate Office of the Registrar, as an executive office, plays a central role in the Registry's design and management. It supports the Registrar in discharging his executive authority as the chief administrator of the Court and the highest authority within the Registry, and in the performance of some of the Registry's executive functions, in particular the setting of Registry strategic objectives, strategic resource planning, inter-organ relations, internal communication, and policy development and promulgation;
- (d) The concept of management teams is also a key element of the conceptual design framework: the management teams play a critical role in the discharge of the executive and substantive functions of the Registrar and the coordination of all Registry activities at different levels of the Registry;
- (e) The clustering of functions - in the structural design, functions that can be organized under the same umbrella, from an operational or managerial point of view, need to be grouped together. The following clusters were identified: judicial support, administrative services, legal affairs, external relations and public affairs, executive management, field management, and information services; and
- (f) The design of budget and spending approval must be in line with the overall organizational structure, i.e. with decentralized spending approval and decentralized appropriations, there must be strong centralized budget oversight and coordination of strategic priorities.

13. Based on the totality of the available information and using the above guiding principles and conceptual framework, three different structural scenarios were developed and discussed in depth with the Registry Directors and Section Chiefs during a two-day retreat in June 2014. Each of the scenarios proposed a different solution to the structural, managerial and operational issues identified during the functional review. The participants provided feedback on elements of the structures that helped fine-tune the proposals. About 75 per cent of the new organizational structure emerged at the retreat. Subsequent consultations with relevant Sections and other stakeholders helped develop the remaining structural elements.

14. The recommended structure, as approved by the Registrar, was endorsed by the Project Board in mid-July 2014. The Board also closed that phase of the project and authorized the commencement of the current phase. The Registrar presented the envisaged new structure to the Court's Judges and then, during a town-hall meeting, to staff, outlining both the guiding principles and the expected benefits.

15. The following organizational chart depicts the recommended new structure:



IV. First Major Outcome: New Structure

16. While it would be speculative to estimate the savings achieved through the new organizational structure, it is unquestionable that the new structure will yield significant efficiency and effectiveness gains in the years to come. In particular, the structure addresses directly the fragmentation of Registry operations and the lack of coordination between related Registry functions. It provides a structural platform for enhanced communication between different Registry Sections and ensures that conditions are in place to increase synergies in each operational area and within the Registry as a whole. Moreover, the structured approach to strategic management and the executive functions, which the new design promotes, should improve the overall performance of the Registry.

17. The main features of the new structure include:

- (a) A streamlined IOR, supporting the Registrar in strategic leadership and executive functions. One of the Committee's main observations when requesting a review of the organizational structure of the Registry was the high number of functions reporting directly to the Registrar. In the new structure, the Registrar will focus on strategic leadership and direction while day-to-day operations and decision-making authority will be delegated to the Directors of Division and, through them, to Section Chiefs. The Registrar's only direct reports, in addition to certain staff members of his Office, will be the Directors and the Chief of the Registry Legal Service;
- (b) The creation of a Registry Management Team (RMT) composed of the Registrar and the three Directors. This will allow not only for enhanced internal coordination on strategic and high-level operational issues, but also for the proper and coordinated exercise of executive functions, such as strategic resource planning, organizational performance or crisis management. While individual members of the RMT are directly responsible for the implementation of specific executive functions, achieving planned or agreed results is a shared responsibility of the RMT. The

implementation of some of the executive functions has been identified as a gap. Clarifying responsibilities and promoting accountability in this area will increase efficiencies and improve organizational performance. A strong RMT is a precondition for a structured approach to solid executive and corporate management;

- (c) The Registry Legal Service Section (RLS), centralizing the currently fragmented legal function of the Registry, including through centralized monitoring of proceedings, coordination of legal submissions, and legal advice on critical issues (human resources, commercial contracts, international cooperation etc.). It will play a strategic and central role in the new structure and functioning of the Registry. Staff of the Section will be embedded in different Sections to ensure a better service to clients, breaking through silos while maintaining a direct reporting line to the Chief of RLS for guidance, consistency and overall coordination. Because of the strategic importance of the function for the Registry operations as a whole, the Chief of RLS will report directly to the Registrar;
- (d) The creation of a third Division within the Registry. The work of the other two Divisions will be streamlined by clarifying roles and responsibilities in several areas of fragmented operations and grouping together related functions. Moreover, it will ensure a more even distribution of the workload among the Registry Divisions, with a manageable number of direct reports for each Division Director. The three Divisions will each have a clearer focus: Judicial Support; External Affairs and Field Operations; and Management Services;
- (e) The new Division of External Affairs and Field Operations, allowing for better performance and the creation of synergies between public information, outreach, diplomacy and State cooperation. While many of these functions may be seen (and have so far been performed) as stand-alone functions, they are in fact closely related in that they influence the public image of the Court and its ability to galvanize support for its operations. As such, the consolidation of these functions in the same Division under the same management and direction allows for the setting of strategic long-term objectives, synergies, and a better coordination of activities. Under the overall authority of the Division's Director, a new Section will be responsible for State cooperation and field planning and support. It will handle requests for assistance to and from the Court, external legal issues, such as the negotiation and signing of MOUs, and external relations, including with other international organizations. Another cell will strengthen ties in the areas of management of field offices, field operations and mission planning. Field security and country analysis functions will also be brought under this Division to ensure synergies and better coordination. A special unit will be responsible for political, media, security and financial analysis (the latter of relevance to indigence determinations and freezing of assets). This unit will support not only field operations, but also a number of other areas of the Registry's substantive responsibilities, including external relations and State cooperation. Finally, a planning and control cell will be responsible for the planning, coordination and support of field office activities, and the approval and planning of all missions away from Headquarters;
- (f) A more robust and effective field presence. The field offices are crucial to the effective conduct of the Court's business. They are the Court's permanent representation in situation countries and provide a platform for the Court's operations on the ground, as well as those of the TFV, the parties and participants in the proceedings. They are a unique source of information for Headquarters in terms of media, socio-political and security developments in the country, many of which influence the way the Court conducts operations. They must therefore maintain relationships with key partners on the ground, including State (security, law enforcement and judicial) bodies, international governmental organizations, the diplomatic community, NGOs and civil society groups. Moreover, depending on the situation and the stage of the proceedings, a visible field presence could send a positive message to the local community about the Court's commitment and intentions. It has long been observed, including in audit recommendations,⁷ that the

⁷ Audit of the Registry's Field Operations - Organizational Structure (OIA.08.A09 – ICC restricted).

current structure of the field offices is inadequate. Indeed, the field offices currently consist merely of a collection of staff of various Registry sections stationed in the field who maintain reporting lines to The Hague. There is little coordination or information sharing and indeed, there is no person in charge of the Registry's operations in the situation country. The new structure foresees that all field staff will form a single multi-disciplinary team under the authority of the head of office. That team will have the capacity to perform all necessary Registry functions in the situation country. Activities that are best conducted or coordinated in the field must be carried out there. This will reduce significantly the frequent, and often unnecessary, missions from The Hague, thereby saving resources. The head of mission will have representative and diplomatic functions;

- (g) The creation of a consolidated Information Services Section with an integrated and holistic approach to information management driven by the Court's core business (judicial activities). This will address another major factor disrupting the Registry's capacity to coordinate its activities. In particular, the new Section will place strong emphasis on facilitating knowledge and information sharing within the Court, thereby addressing information management in a structured and pro-active manner. Importantly, the approach to information services will no longer be purely technical or driven by technology. Information Services will bring together traditional components of information technology and information systems, but will also consolidate information management and potentially, information security elements, under a single manager. In addition to addressing the identified information management gap, the creation of this Section will allow for synergies between previously separate components, such as documentation and records management functions and the library. If implemented successfully, the new approach to information services will also create long-term synergies for the Court as a whole;
- (h) The creation of a focused Budget Section, separate from the Finance Section, reflecting the desire to elevate the budget function to a strategic long-term priority. While the function will remain under the overall authority of the Director of Management Services, a dedicated chief of Budget Section will play a central role in the preparation, negotiation and implementation of the Court's budget. The decentralized approach to budget management within Registry allows certifying officers to be sufficiently close to operations, thus ensuring maximum efficiency in the use of funds. This decentralized approach, however, needs to be complemented by a strong Budget Section with a complete overview of all funds and an oversight authority to ensure the best utilization of resources throughout the Registry. By splitting the roles of budget (strategic and oversight) and finance (technical and implementation) into two separate Sections, responsibilities and accountability will be clarified and the effectiveness of Registry-wide budget control and implementation will be enhanced;
- (i) The creation of a single Victims Office consolidating all victim-related functions currently performed by several Registry Sections⁸ - from initial contact with victims to inform them of their right to participate, to the neutral collection and administration of victim applications, storage and processing of information and maintenance of related databases, provision of assistance and support to victims and, where applicable, to victim representatives. The proposal also entails the creation of a pool of in-house counsel who will always be assigned as common legal representatives for victims. Such counsel will be independent in the performance of their duties. The consolidation of functions will allow for the merger of OPCV and VPRS, which will create considerable synergies and pooling of resources, thereby creating a sustainable model for the years to come. Notably, with this model there will no longer be a need to administer legal aid for victims. It will be possible to repurpose part of the corresponding legal aid resources, as well as the overhead costs pertaining to the administration of legal aid. External counsel may join each team on an ad hoc basis. Moreover, performance of the various functions will become more effective through the use of information systems, clarification of roles and responsibilities, and the use of pools of in-house legal assistants, case managers and

⁸ See para. 7 (i) above.

data processing assistants in support of multiple cases and functions. Some of the office's functions, such as outreach to victims and the collection of application forms, will take place in the field and will be carried out by the multi-disciplinary team mentioned above; and

- (j) The creation of a single Defence Office consolidating functions currently performed by OPCD and CSS. The new office will be responsible for all aspects of supporting and assisting the defence, while the actual representation of suspects and accused remains the responsibility of independent external counsel, either privately retained or assigned by the Court in case of indigence (from the List of Counsel). The new office will be responsible for administering legal aid (i.e. maintaining the list of counsel and rosters of persons assisting counsel, appointing and remunerating counsel and persons assisting counsel), acting as a defence focal point for other Registry services required, and providing assistance and support to counsel, including practical and operational support in the area of IT, the use of eCourt, field missions and investigations, and obtaining State cooperation in relation to defence matters. Such support is considered necessary in order to increase the efficiency and effectiveness of the defence, thereby contributing to the quality of the representation and the pace of the proceedings. As part of its assistance functions, the Defence Office will continue making available summarized and easy-to-use information about the Court's case law relevant to the defence, as well as advice on related matters, as appropriate. The creation of a single Defence Office will create synergies, remove duplications and overlaps, clarify roles and responsibilities and ensure a more effective utilization of resources. In doing so, it will improve the level of service delivery to defence counsel. It is also proposed that an Association of Counsel be established and formally recognized. Such an Association would complement the new Defence Office by reinforcing the independence of the legal profession, providing oversight of the quality and competence of the defence through self-governance and peer review mechanisms, and partnering with the Court to ensure the proper and legitimate representation of the collective interests of all counsel.⁹

V. Impact of the New Structure

18. The envisaged structure has been received positively by the majority of stakeholders. The even distribution of managerial and support functions across the three divisions, coupled with the strong strategic leadership and coordinating role of the IOR, as well as the consolidation of similar and closely related functions into fewer administrative units with clear mandates, enforces the principles for organizational design set out above.¹⁰ The proposed structure is a first, but major step in optimizing the performance of the Registry's functions. It will eliminate the current duplication and fragmentation of functions and will refocus the Registry's operations in some critical areas.

19. While most of the new structure is readily implementable, the establishment of the Victims Office and the Defence Office as envisaged requires an amendment to the Regulations of the Court and thus the approval of the Judges. Draft amendments to the Regulations are currently being prepared for submission to the Advisory Committee on Legal Texts in the course of September 2014. It is hoped that the proposed amendments will be considered by the Judges by the end of 2014 to enable implementation in early 2015.

20. In terms of the impact of the implementation of the new structure on Registry staffing levels, at this stage only the most senior managerial positions in Registry are affected. This was a deliberate decision, consistent with the fact that the changes introduced at this stage of the project concern the high-level design of the Registry. Furthermore, it was considered prudent for business continuity and service delivery reasons to implement such changes incrementally. As such, even though the functions of 12 out of 21 such high-level positions will be abolished and/or modified and others will be established, no changes are made to the staffing table or the budgetary envelope as presented in the 2015 budget

⁹ Currently OPCD purports to be fulfilling this role, but it is actually not mandated to do so. While the OPCD may be assigned to represent the general interests of the defence in the early stages of an investigation, this does not amount to a blanket mandate to represent the collective interests of defence counsel outside judicial proceedings.

¹⁰ See para. 11 above.

proposal. In particular, the following positions will no longer exist in the new structure: Deputy Registrar (D1), Senior Executive Officer (P5), Special Adviser on External Relations (P5), Chief, Counsel Support Section (P5), Principal Counsel, OPCD (P5), Principal Counsel, OPCV (P5), and Head of VPRS (P4).¹¹ Furthermore, the work surveys of all senior posts whose functions, responsibilities and/or reporting lines change as a result of the new structure are being reviewed for classification purposes. In particular, substantial changes have been found in the following posts: Chief, Field Operations Section (P5), Chief, Information and Communication Technologies Section (P5), and Chief, Budget and Finance Section (P5). These posts will be abolished and new posts will be established at the same level in accordance with the new structure and the classified work survey of the post.¹² In addition, the following new posts are being established, subject to classification: Director, Division of External Affairs and Field Operations (D1), Head of Field Office (P5) (three posts) and Chef de Cabinet (P5).

21. While the overall number of posts remains unchanged at this stage of the project, the contemplated structural changes actually mean efficiency gains and increased productivity as they allow the Registry to do more with the same level of resources. Through the consolidation of functions and the removal of overlaps, the new structure achieves synergies which enable the Registry to re-focus and re-prioritize its operations in accordance with the Court's current and future needs. Notably, field operations are reinforced so that substantive Registry functions can be performed directly in the situation countries. The reduction of the overall number of P5 posts in The Hague and the establishment of similar level functions in key field offices where their presence is vitally needed constitutes a major shift in how the Registry conducts its business. This will not only enhance the Registry's effectiveness, but will also lead to savings in years to come.

22. Further changes to the Registry's staffing structure can be expected in the course of 2015 as a result of the current phase of the *ReVision* project, involving a detailed analysis of the Registry's operations, systems, policies and working methods in each operational area. It is fully anticipated that this phase will also identify further financial gains, synergies and efficiencies not related to staffing. While the new structure is a precondition for achieving such synergies and efficiencies, a change in organizational structure alone will not address all issues identified. As in all major organizational change projects, elements of culture, systems, processes, and overall performance of functions also need to be reviewed and addressed. Additional medium and long-term changes will be implemented in the future, once the results of the *ReVision* project have been implemented, which should lead to savings in future Registry budgets. Such long-term savings are difficult to estimate at present, but they will represent one of the main outcomes of the project in the years to come. In addition to concrete savings, such as the discontinuation of legal aid for victims, the consolidation of functions will impact work processes, the coordination of activities and service delivery and render the Registry more efficient and less bureaucratic.

23. Such long-term improvements achieved through structural changes will likely run in parallel with areas in which investments are required in order to meet the Registry's statutory obligations or to reap the full benefits of the changes proposed. The detailed functional review of Registry operations currently underway will evaluate, for example, the efficiency and effectiveness of work processes and supporting systems within the Registry. Investment may be required in order to adequately address any significant gaps or inefficiencies identified. The *ReVision* project will endeavour to offset any such investments against savings made in other areas.

24. The full impact of the *ReVision* project on the number of posts and the related total budget envelope will therefore only be known at the end of the current phase of the project in March 2015. At least tentative impact will be reported on during the April 2015 Committee session. To allow the implementation according to the established project plan in a most effective way, the Registrar will seek the Assembly's authorization to continue

¹¹ The abolition of the last four positions listed herein is dependent upon the approval of the proposed amendments to the Regulations of the Court by the Court's Judges to enable the establishment of the Defence and Victims Offices as set out above.

¹² At the time of writing of this report, the classification of the Director, Division of Judicial Support (D1), Director, Division of Management Services (D1) and Chief, Public Information and Outreach Section (P5) has yet to be finalized.

his mandate to restructure the Registry within the total number of posts and the overall budget envelop until the completion of the project in 2015.

VI. Next Steps and Way Forward

25. Subject to the necessary amendments of the Regulations of the Court to reflect the establishment of a Defence Office and a Victims Office, it is the Registrar's intention to start implementing the new high-level structure, including recruitment for new positions, without delay and to have as much of it as possible ready for implementation as of January 2015. To ensure the transparency and fairness of the decision-making process and the equal treatment of staff, special guidelines have been developed in consultation with the Staff Union Council to govern the process.¹³

26. Furthermore, in accordance with the *ReVision* project plan, the current phase of the project involves a detailed review of the Registry operations in each functional area of the Registry based on the following common themes: workflows and processes; corporate management systems; policies; HR issues; staff morale, and internal communication and coordination. The objective of this review is to assess the Registry's performance in each functional area and to prepare the transition of functions, which are affected by changes to the organizational structure. As part of this process, consultations will take place with Registry Sections, Units and individual staff, as needed, as well as with other Organs and external stakeholders. Findings and recommendations for enhancing performance will be made to Section Chiefs and the Registrar. Observations may also be made on matters falling outside the scope of the project but which have an impact on the functioning of the Registry. Such observations will be included in the final project report as requiring further investigation.

¹³ Attached as Annex II.

Annex I

Registry Vision, Mission and Values

A. Vision

1. A trusted Registry
2. Enabling the pursuit and delivery of justice through fair and transparent proceedings
3. Making the vision of the Rome Statute a reality

B. Mission

4. The Registry is a neutral organ of the International Criminal Court. We support the other organs of the Court and its related bodies. We provide services to the judiciary, parties and participants to the proceedings, both at headquarters and in the field. We provide technical and operational assistance. We manage human and financial resources. We foster ties with the public and the international community. We empower our staff to provide high quality services, in the fastest and most cost-effective way.

C. Values

1. Respect

5. We exhibit a genuine human and professional respect for our colleagues, our clients. We treat all persons equally. We respect the judicial process. We earn the respect of those we interact with.

2. Commitment

6. We are hard-working, dedicated and “we go above and beyond” for the work that is required. We have a sense of purpose. People can count on us.

3. Constructive behaviour

7. We find solutions not problems. We are positive rather than negative in how we think, talk, and act.

4. Service-orientation

8. We are service and client-oriented. Our clients may be diverse, and our services may be complex, but our focus on service delivery is guaranteed. We will find a way within the boundaries of applicable rules.

5. Integrity

9. As civil servants working in a criminal court, integrity has special meaning. Rules are observed. Honesty and accountability prevail. In case of doubt, we are forthcoming and seek guidance. Everything we do is done for the right reasons. We are not driven by personal motives and personal agendas will not stand in the way of achieving results.

6. Collaboration

10. The Registry is One. We work together as a team at every level and we actively involve and inform each other. In providing services to our clients, we foster their active collaboration. The Registry promotes the One Court principle.

Annex II

Principles for implementation of decisions arising from the *ReVision* project

A. Introduction

1. These Principles and Procedures Applicable to Decisions Arising from the *ReVision* Project (“Principles”) are hereby adopted by the Registrar after extensive consultations with the Staff Union Council.
2. In the autumn of 2013, the newly elected Registrar identified the need for a restructuring process in order for the Registry to enhance its effectiveness and efficiency. Following the approval of the Assembly of States Parties (“ASP”), the Registrar established the *ReVision* Project (“the Project”) to facilitate this process and submit recommendations to the Registrar concerning the Registry’s organizational design and measures to enhance the efficiency and effectiveness of the Registry’s operations including a review of culture, policies, work methods and practices. The Project commenced its work in early January 2014.
3. As has been previously stated, there is a realistic possibility that some positions will be abolished due to changes in operational needs as determined by the Registrar. Decisions to abolish positions shall be taken independently of who is the incumbent of the position. As such, while a decision to abolish a position does not mean that all staff members whose positions are abolished will have to be separated as a result, it cannot be excluded that some staff members will have to be separated pursuant to regulation 9.1(b)(i) of the Staff Regulations.

B. Scope and Purpose

4. These Principles shall apply to positions, established posts and GTA, affected by the Project, and shall be limited to the period of operation of the Project.
5. The purpose of promulgating these Principles is to establish a framework for the implementation of decisions arising from the restructuring process, so that staff members can be confident that decisions affecting them are implemented according to a fair and transparent process and with full respect for their contractual rights. The Principles have been prepared to reflect best practices in restructuring exercises conducted in other international organisations. For any decisions that may be taken as a result of the Project, including any proposal to abolish a position, there will be an underlying objective basis. Staff members shall be provided with reason(s) for the decision which shall be based on this underlying rationale.
6. These Principles provide managers and staff with guidance, options, and where necessary, specific operational procedures designed to ensure that decisions are taken in a transparent and fair manner. They are intended to compliment the ICC Staff Regulations and Rules (“SRRs”) and Administrative Issuances (“AIs”).

C. Decision making process

7. As noted above, the Project shall submit recommendations to the Registrar. A dedicated Project Board with members representing the ASP, Presidency/Chambers, Office of the Prosecutor (OTP) and the Staff Union, as well as members with extensive leadership experience in an international judicial organization and change management experts, will advise and support the Registrar in the evaluation and decision-making process. Any decisions taken in the context of the Project will ultimately rest with the Registrar. As with any other administrative decision, decisions arising from the Project are appealable pursuant to Chapter XI of the Staff Rules.

D. Redeployment of positions

8. Where an existing position is required in the new structure of the Registry but in a different section/unit than its current location and where there is no substantial change in the functions associated with that position, all reasonable efforts shall be made to redeploy the position along with the current incumbent. This process shall not involve a competitive recruitment. The decision to redeploy is without prejudice to the possibility that the position may need to be abolished subsequently as a result of the detailed functional analysis conducted as part of phase 4 of the Project. Any decision to redeploy shall be subject to the discretionary authority of the Registrar.

E. Abolition of Positions

9. A decision to abolish a position shall be taken by the Registrar. The reasons for abolition in the context of the Project shall be limited to the following:

- (a) Where the functions performed in a particular position are no longer required;
- (b) Structural changes which result in substantial changes to the functions, duties and responsibilities of a position, or redeployment of functions to another position whereby the existing position is no longer required; and
- (c) Changing Programme or operational requirements.

10. The determination of whether a change is considered substantial or not shall be made by a classifications expert.¹

11. The termination of an appointment as a result of the decision to abolish a position shall take place only after reasonable efforts have been made to assist staff members in finding alternative employment within the Court, as well as providing them with support, in accordance with paragraphs 33-39 and 47 below, respectively.

F. Notification of Decisions

12. There shall be several dates of abolition provided for all positions potentially abolished as part of the Project. The first date of abolition is anticipated to be 31 December 2014 and will be confirmed in letters of notification to affected staff members. The additional dates of abolition will be confirmed in letters of notification to affected staff members. Each of the dates shall respect the notice period set out below.

13. The Registrar shall endeavour to notify staff members as soon as the decision to abolish their position has been taken. In any event, official notice shall be provided a minimum of 120 days prior to the position being abolished.² This shall be without prejudice to the staff member's right to apply for, and be appointed to, another position within the Court in accordance with the process of recruitment outlined from paragraphs 33 to 39 below. In the event that the staff member's appointment expires in the period between the date of notification of the abolition of a position and the effective date of abolition, the staff member's appointment shall be extended until the effective date of abolition.

14. Staff members who have been notified that their position shall be abolished may be placed on Special Leave with Full Pay in accordance with Staff Rule 105.4 during the notice period, subject to the approval of the Registrar, pending the effective date of abolition of their position. Such decisions shall be without prejudice to the priority consideration of the staff member for the purposes of recruitment exercises as detailed in paragraphs 33-39 below.

15. The letter of notification of the abolition of a post shall contain: (i) the reasons for the abolition of the position. Such reasons shall not be limited to a mere recitation of one of the grounds contained at paragraph 9 above; (ii) details of the enhanced agreed separation package and (iii) an indication as to whether the staff member affected will be placed on

¹ (Re) classification refers to the process of (re)assigning a level to a position based on the functions, duties and responsibilities attached to the position.

² With the exception of those separated pursuant to an enhanced agreed separation package as provided below.

Special Leave with Full Pay during the notice period, and, if so, the date that such leave will come into effect.

16. Appeals of decisions to abolish will be governed by the appeals procedure, provided in Chapter XI of the Staff Rules including the conciliation procedure with the staff member concerned as provided in Staff Rule 111.1.

G. Enhanced Agreed Separation Packages

17. For the purposes of the Project, an enhanced package of benefits and entitlements shall be available for a period of 45 days following the date of receipt of notice of abolition of position. Any separations following this period shall be effectuated on the basis of the termination indemnity provisions contained in Staff Rule 109.

18. Terms of enhanced agreed separation packages shall be as follows (please see table reproduced below):

- (a) Payment of standard termination indemnity, to which a staff member would ordinarily be entitled as provided in the table under Staff Rule 109.2 (g), plus an increase of 50 per cent pursuant to Staff Rule 109.2 (l) for agreed terminations.
- (b) Exceptional payment of an additional sum of 3 months' of salary, including allowances and post adjustment;
- (c) Payment of notice period as provided for in the staff member's terms of appointment; and
- (d) Use of a period of Special Leave Without Pay pursuant to Staff Rule 105.3 (b) (vii) ;

19. Where the staff member agrees to the enhanced agreed separation package, the cause of separation from service shall be separation by mutual agreement pursuant to rule 109.1 (b) (iii) of the Staff Rules.

20. A staff member who agrees to an enhanced agreed separation package shall be required to sign a waiver of their right to appeal any administrative decision related to any matter contained in the separation package. Where a staff member opts for the enhanced agreed separation package, the notice period of 120 days referenced above shall be waived and replaced with the notice period provided in the staff member's terms of appointment, taking effect from the date of the staff member's acceptance of the enhanced agreed separation package. In such cases, the staff member shall separate as soon as is practicable and notice shall be effectuated as payment in lieu of notice as provided at staff rule 109.2 (f).

21. A staff member who separates from the Court pursuant to an enhanced agreed separation package may apply for any position at the Court as an external candidate following the date on which they sign an agreement providing for an enhanced agreed separation package.

22. Where a staff member who has been separated pursuant to an enhanced agreed separation package, is employed by the Court within a period of 12 months of the date of their signing an agreement for the provision of an enhanced agreed separation package, they shall repay the enhanced portion of the package, namely: 50 per cent termination indemnity plus 3 months' salary including allowances and post adjustment, on a pro-rated basis, without prejudice to the provisions of Staff Rule 104.6 on reinstatement.

23. In calculating the enhanced separation package the figures for monthly net base salary and the 50 per cent for agreed separation listed below will be pro-rated accordingly (the additional 3 months of salary will remain unchanged). A table of the calculations is provided below:

<i>Completed Period of Service</i>	<i>Months of net base salary</i>	<i>50% for agreed separation</i>	<i>3 months net base salary plus allowances for enhanced agreed separations only</i>	<i>Notice period as provided in the staff member's terms of appointment</i>
Less than 6 years	One week for each month of uncompleted service subject to a minimum of six weeks and a maximum of three months' indemnity pay.	Additional 50% to be calculated	3	

<i>Completed Period of Service</i>	<i>Months of net base salary</i>	<i>50% for agreed separation</i>	<i>3 months net base salary plus allowances for enhanced agreed separations only</i>	<i>Notice period as provided in the staff member's terms of appointment</i>
6	3	1.5	3	
7	5	2.5	3	
8	7	3.5	3	
9	9	4.5	3	
10	9.5	4.75	3	
11	10	5	3	
12	10.5	5.25	3	
13	11	5.5	3	
14	11.5	5.75	3	
15 or more	12	6	3	

H. Classification

24. Any positions whose functions appear to have undergone substantial changes and any newly created positions, as a result of the Project, shall be submitted to a classification expert who shall determine (i) whether or not the functions have in fact undergone substantial changes and/or (ii) the appropriate classification. Classifications shall be conducted prior to the implementation of any decisions.

25. For the purposes of determining whether a substantial change will take place as a result of the Project, the classification expert shall take account of the functions that are actually being performed in the position at the time of his or her review as reflected in any official documents, such as work surveys, prior vacancy announcements, official performance appraisal documents, including documented mid-term reviews, and budget submissions.

26. For the purposes of the Project, the classification process shall be in expedited form as follows: The classification process for a position affected by the Project shall be initiated by HRS, who shall submit the following information to a classification expert:

- (a) The current work survey and the updated work survey for the position in question and the organisational chart submitted during the previous review; and
- (b) An up-to-date organisational chart showing the placement of the position in question and its relationship to other positions within the section or Division.

27. The classification expert shall normally conduct a review of the position in question within two weeks of receiving the request for review and submit its recommendation to the Registrar for his approval. The results of the classification and the reasoning thereof shall be documented by the classification expert.

Change in Grade but no substantial change in functions as a result of classification of position

28. Where a position is down-graded yet there is no substantial change in functions,³ a no-loss formula or maintenance-of-personal-grade formula shall be applied to the incumbent to attempt to ensure that the staff member's salary is not affected by the downgrading for the remainder of their appointment. In the event that a post is classified from the Professional level to the General level, professional level entitlements will not be maintained.

29. Where a staff member is successful in applying for a position at a grade lower than that which they currently hold, their appointment shall be effectuated by applying the guidelines relating to determination of level and step on appointment.

³ This would include, for example, situations where the position had not previously been classified correctly.

30. Where a change in functions, duties and responsibilities has occurred and the classification results in the position being upgraded, the position shall be abolished and a new position shall be created and advertised as provided below.

I. Advertisement of positions and Recruitment Process

31. All interview panels shall be composed in line with section 5 of the Recruitment Guidelines and shall consist of three members, in addition to a representative of HRS acting in an *ex-officio* capacity.⁴ Guidelines on how to conduct the interview process and on the composition of the panel will be prepared and provided to the interview panels.

32. In accordance with section 6.3 of the Recruitment Guidelines, gender and geographical representation shall also be taken into account. A Selection Review Committee shall be convened by the Registrar to review the selection process prior to any recommendation being made to the Registrar. A set of guidelines detailing the Selection Review Committee process shall also be produced.

1. Priority in Recruitment for candidates whose posts are abolished

33. Any newly created positions shall be advertised, following classification in accordance with the above procedure. Priority consideration shall be given to staff whose positions have been abolished (Priority Candidates) for any recruitments arising as a direct result of the Project until the conclusion of the Project. This priority consideration shall not apply to staff members who have opted to take the Enhanced Agreed Separation Package.

34. All candidates must apply for available positions within the deadline specified in the VA which shall normally be 30 days from the date of posting. Priority Candidates shall be notified by the Human Resources Section of the opening of a recruitment process for the vacant position and shall apply within 15 days (15 day mark) of such notification in order to benefit from the preferential recruitment provisions set out below. In the event that Priority Candidates apply after the 15 day mark their applications shall be considered, but their preferential treatment cannot be guaranteed.

35. At the conclusion of the 15 day mark, HRS shall transmit only the applications of Priority Candidates who meet the minimum educational requirements and relevant work experience to the interview panel for their consideration in creating a short list. The remaining candidates' applications shall be retained by HRS on a confidential basis and shall only be released to the interview panel in the event that no suitable candidate from amongst the pool of Priority Candidates is identified.

36. In the event that the interview panel determines that a written test, or other assessment method not including an interview, is necessary, all short listed Priority Candidates who meet the minimum educational and relevant work experience requirements shall be subjected to that assessment method. In the event that a short-listed Priority Candidate does not succeed in passing the assessment method, they shall nonetheless be included in the group of candidates who shall be interviewed for the position. The results of the examination shall be taken into account, in addition to the interview process, in determining whether the Priority Candidate is suitable for the position.

37. Short-listed Priority Candidates shall be interviewed and in the event that suitable candidate(s) is/are identified, a selection and appointment shall be made.⁵ Only where no suitable candidate is identified from among the Priority Candidates, shall the procedure set out in paragraphs 40-41 below apply.

38. In the event that a suitable candidate whose position has been abolished is identified pursuant to the procedure above, the interview process for the remaining candidates may nonetheless proceed for roster purposes.

39. In the event that a staff member is notified that their position is to be abolished while a recruitment exercise for a position arising from the Project is ongoing, the staff member may be included in the recruitment process at any time prior to a selection decision being signed.

⁴ A HRS staff member may be appointed from the OTP if there are insufficient staff members in the Registry HRS.

⁵ See section 10 Recruitment Guidelines.

2. Recruitment in the event that a suitable Priority Candidate is not identified

40. Only where a suitable candidate is not identified from amongst the group of Priority Candidates, shall the remaining candidates' applications be transmitted to the interview panel. The interview panel shall create a short-list and shall administer the written test, or other assessment method not including interview, in the event that such assessment method was required in relation to candidates whose posts have been abolished.

41. Those remaining candidates who are successful in the written test or other assessment method shall then be interviewed. Following the interview of the short-listed remaining candidates, in the event that suitable candidate(s) is/are identified, a selection and appointment shall be made which shall include giving due regard to those candidates who are already staff members of the Court.⁶

J. Reduction of positions with Generic Job Profiles

42. Where the number of positions with the same generic job profile within a section, or as a result of the merger of two or more sections, will be reduced, the existing set of incumbents shall participate in a selection process which will include only those incumbents, following the same procedures applicable to recruitment set out above, in order to determine whose positions shall be abolished. There shall not be any recruitment exercise for other staff members or external candidates in situations of reduction of posts with generic job profiles.

43. For the purposes of this section, generic job profile means a group of related jobs within the same section for which the major characteristics of the job are the same in duties and responsibilities, education, work experience, technical skills and essential core competencies.

44. Staff made redundant through this process, will be offered the same options as those whose positions are abolished as described in paragraphs 17 to 23 and 33 to 39 of the Principles.

K. Following the Re-Advertisement exercise

45. Any staff member whose position has been abolished and who has not secured a position following a competitive recruitment exercise shall receive termination indemnity as provided for under Staff Rule 109.2 (g) as follows:

<i>Completed Period of Service</i>	<i>Months of base salary</i>
Less than 6 years	One week for each month of uncompleted service subject to a minimum of six weeks and a maximum of three months' indemnity pay.
6	3
7	5
8	7
9	9
10	9.5
11	10
12	10.5
13	11
14	11.5
15 or more	12

46. Staff members whose appointments are terminated in the context of the restructuring process and whose service has been fully satisfactory, other than those who have separated due to an enhanced agreed separation, shall be included on a roster for a period of a total of 12 months after their separation during which time they shall be considered as internal candidates within the meaning of Section 2.3 of the Recruitment Guidelines and Staff Rule

⁶ See section 10 Recruitment Guidelines.

104.18, for positions for which they meet the minimum educational and relevant work experience and for which they submit an application through the e-recruitment system.

L. Support Mechanisms

47. The Administration will provide support to staff members affected by decisions made as part of the Project. The support provided will depend on the needs of the individual staff member and may include the following areas:

- (a) Confidential counselling services may be provided by HRS;
- (b) Advice will be provided to help staff consider their options and make informed decisions (for example, in relation to pension, health insurance, visa and tax issues etc.). It is the staff member's responsibility to confirm the status of their particular pension, medical insurance and, if applicable, income tax requirements and visa/permanent resident status;
- (c) Relevant career transition workshops will be offered so that affected staff members have access to support in searching for jobs. Such workshops could include how to source jobs, CV writing, preparing for interviews, etc.;
- (d) Training may be offered to staff to enable them to better meet qualifications for suitable positions within the Court, including, for example, language training and training in IT tools; and
- (e) Information with useful links and contact persons may be provided to staff members.

M. Closing provision

48. These Principles shall take effect immediately and shall remain in force until further notice. They may be amended subject to prior consultation with the Staff Union.
