

United Nations  Nations Unies

INTEROFFICE MEMORANDUM

MEMORANDUM INTERIEUR

OFFICE OF INTERNAL OVERSIGHT SERVICES · BUREAU DES SERVICES DE CONTRÔLE INTERNE

INTERNAL AUDIT DIVISION · DIVISION DE L'AUDIT INTERNE

CONFIDENTIAL

DATE: 29 December 2011

TO: Mr. John Hocking, Registrar
A: International Criminal Tribunal for the former Yugoslavia

REFERENCE: IAD: 11- 00776

FROM: Fatoumata Ndiaye, Director
DE: Internal Audit Division, OIOS

SUBJECT: **Assignment no. AA2011/270/06 – Audit of archiving and records management at ICTY**

OBJET:

Overall results relating to the efficient and effective management of ICTY archives and records and preparatory arrangements for their transfer to the International Residual Mechanism for Criminal Tribunals were partially satisfactory

1. Attached please find the final report on the above-mentioned audit.
2. Annex I shows the status of recommendations.
3. Please note that OIOS will report on the progress made to implement its recommendations in its annual report to the General Assembly. OIOS will also report to the Secretary-General quarterly for critical recommendations and annually for important recommendations.

cc: Mr. David Falces, Chief Administrative Officer, ICTY
Mr. Martin Petrov, Chief, Immediate Office of the Registrar, ICTY
Ms. Elizabeth Emmerson, Chief, ARMU, ICTY
Ms. Christine Craig, Focal Point for Audit, ICTY
Mr. Swatantra Goolsarran, Executive Secretary, UN Board of Auditors
Mr. Rohan Wijeratne, Board of Auditors
Ms. Susanne Frueh, Executive Secretary, Joint Inspection Unit
Mr. Moses Bamuwanye, Executive Secretary, IAAC
Mr. Zachary Ikiara, Chief, Oversight Support Unit, DM
Mr. Byung-Kun Min, Special Assistant to the USG-OIOS
Ms. Amy Wong, Programme Officer, Internal Audit Division, OIOS



INTERNAL AUDIT DIVISION

AUDIT REPORT

Audit of archiving and records management at ICTY

Overall results relating to the efficient and effective management of ICTY archives and records and preparatory arrangements for their transfer to the International Residual Mechanism for Criminal Tribunals were partially satisfactory

29 December 2011

Assignment No. AA2011/270/06

CONTENTS

	<i>Page</i>
I. BACKGROUND	1
II. OBJECTIVE AND SCOPE	1-2
III. AUDIT RESULTS	2-4
IV. ACKNOWLEDGEMENT	4
ANNEX I Status of recommendations	5

AUDIT REPORT

Audit of archiving and records management at ICTY

BACKGROUND

1. The Office of Internal Oversight Services (OIOS) conducted an audit of archiving and records management at the International Criminal Tribunal for the former Yugoslavia (ICTY), in The Hague.
2. ICTY is mandated to bring to justice individuals who are responsible for serious violations of international humanitarian law committed in the former Yugoslavia since 1991. It is composed of three organs, namely, the Chambers, the Office of the Prosecutor (OTP) and the Registry.
3. A wide and complex range of records in different formats (electronic, paper, audio, visual and artifacts) have been generated by ICTY. The records are maintained independently of each other by the different units under each of the main organs of ICTY as follows:
 - (a) Judicial records, which are records of each case before ICTY and are managed by the Court Management Support Section, under the Registry;
 - (b) Substantive records, which produced and managed by the Office of the President, the OTP and the Registry; and
 - (c) Administrative records, which are generated and managed by the Registry relating to human resources, procurement, finance and other administrative support functions.
4. The Registry, through the Archives and Records Management Unit (ARMU), is responsible for overseeing the implementation of the archives strategy and management in ICTY. The approved budget for ICTY archives and records management was \$4.5 million and \$3.8 million for the 2008-2009 and 2010-2011 biennia respectively.
5. On 22 December 2010, the Security Council established the International Residual Mechanism for Criminal Tribunals (IRMCT) which was tasked to manage the archives of ICTY and International Criminal Tribunal for Rwanda (ICTR), including preservation and access, and ensure the continued protection of confidential information, including information concerning protected witnesses and information provided on a confidential basis. It will have two branches: (a) ICTR will commence on 1 July 2012, and (b) ICTY will start on 1 July 2013.
6. Comments provided by ICTY are incorporated in *italics*.

OBJECTIVE AND SCOPE

7. In accordance with its mandate, OIOS provides assurance and advice on the adequacy and effectiveness of the United Nations internal control system, the primary objectives of which are to ensure (a) efficient and effective operations; (b) accurate financial and operational reporting; (c) safeguarding of assets; and (d) compliance with mandates, regulations, and rules.
8. The audit of archiving and records management at ICTY was conducted to assess the adequacy and effectiveness of ICTY governance, risk management and control processes in providing reasonable assurance regarding the efficient and effective management of ICTY archives and records, and preparatory arrangements for their transfer to IRMCT, concerning the internal control objective(s): efficient and effective operations and compliance with mandates, regulations, and rules.

9. This audit was selected because the ICTY archives and records management, and preparatory arrangements for their transfer to IRMCT is a recent creation and an essential function of the Tribunal.

10. The key controls tested for the audit were: (a) regulatory framework; (b) risk management and strategic planning mechanisms; (c) coordinated management mechanisms; (d) documentation retention policy; and (e) electronic content management systems. For the purpose of this audit, OIOS defined these key controls as follows:

(a) Regulatory framework - controls that provide reasonable assurance that policies and procedures exist to ensure efficient and effective management of ICTY archives and records, including the preparatory arrangements for the transfer of these records to IRMCT.

(b) Risk management and strategic planning mechanisms - controls that provide reasonable assurance that risks relating to the ICTY archives and records management are identified and assessed and effective strategies have been put in place to ensure efficient and effective transfer of ICTY archives and records to IRMCT.

(c) Coordinated management mechanisms - controls that provide reasonable assurance that potential overlaps in performing archiving and records management at ICTY are mitigated, and that issues affecting or involving other UN partners and parties are identified, discussed and resolved timely.

(d) Documentation retention policy - controls that provide reasonable assurance that documentation retention policy exists to ensure that critical documentation is kept and transferred to IRMCT for future reference.

(e) Electronic content management systems - controls that provide reasonable assurance that a system exists, including strategies, methods and tools, to organize and store ICTY documents and other contents that relate to its activities.

11. The key controls were assessed for the control objectives shown in Table 1. Certain control objectives (shown in Table 1 as “Not applicable”) were not relevant to the scope defined for this audit.

12. OIOS conducted this audit from 8 June to 30 August 2011. The audit covered the period from January 2008 to August 2011.

13. OIOS conducted an activity-level risk assessment to identify and assess specific risk exposures, and to confirm the relevance of the selected key controls in mitigating associated risks. Through interviews, analytical reviews and tests of controls, OIOS assessed the existence and adequacy of internal controls and conducted necessary tests to assess their effectiveness.

AUDIT RESULTS

14. In OIOS opinion, ICTY governance, risk management and control processes examined were **partially satisfactory** in providing reasonable assurance regarding the efficient and effective management of ICTY archives and records, and preparatory arrangements to transfer these records timely to IRMCT.

15. The overall rating is based on the assessment of key controls presented in Table 1 below. Strategic plans exist to prepare and transfer ICTY records to IRMCT and to manage the risks that may

impact their timely transfer in July 2012. Coordinated management mechanisms exist through the establishment of a cross-Tribunal working group within ICTY and an informal joint archives strategy working group amongst ICTY, ICTR, the Archive and Records Management Section (ARMS) and the Office of Legal Affairs (OLA). Proactive actions were taken to upgrade digital and electronic records to a new application and the electronic management system is supported by a strong communication and information technology support system. ICTY is in the process of completing its business analysis and retention schedule and the draft classification and access policy has been submitted to OLA for review. However, ICTY needs to improve its emergency response and disaster recovery plan to limit any damage to records and archives in case of natural disasters or power failures.

Table 1: Assessment of key controls

	Key controls	Control objectives			
		Efficient and effective operations	Accurate financial and operational reporting	Safeguarding of assets	Compliance with mandates, regulations and rules
Efficient and effective management of ICTY archives and records, and preparatory arrangements for their transfer to IRMCT	(a) Regulatory framework	Partially satisfactory	Not applicable	Partially satisfactory	Satisfactory
	(b) Risk management and strategic planning mechanisms	Satisfactory	Not applicable	Satisfactory	Satisfactory
	(c) Coordinated management mechanisms	Satisfactory	Not applicable	Satisfactory	Satisfactory
	(d) Documentation retention policy	Satisfactory	Not applicable	Satisfactory	Satisfactory
	(e) Electronic content management systems	Satisfactory	Not applicable	Satisfactory	Satisfactory

Regulatory framework

16. ICTY has put in place back-up and disaster recovery plans for its electronic records that include a strong communication and information technology support system. However, for its physical records and archives, ICTY has not established an emergency response and disaster recovery plan to provide appropriate measures and procedures that will minimize damage and initiate proper salvage techniques in case of water damage, mould, fire, environmental system or power failures. The plan needs to be tested and disseminated to all records and archives managers across ICTY for proper guidance.

(1) ICTY should establish an emergency response and disaster recovery plan that will provide appropriate procedures to limit damage to physical records and archives by applying the proper salvage techniques.

ICTY accepted recommendation 1 and stated that a working group would be established to develop a practicable emergency response and disaster recovery plan, with a view to putting the plan in place by June 2012. Recommendation 1 remains open pending the receipt of the emergency response and disaster recovery plan prepared by ICTY.

ACKNOWLEDGEMENT

17. OIOS wishes to express its appreciation to the Management and staff of ICTY for the assistance and cooperation extended to the auditors during this assignment.



Ms. Fatoumata Ndiaye, Director
Internal Audit Division, OIOS

STATUS OF RECOMMENDATIONS

Audit of archiving and records management at ICTY

Recom. no.	Recommendation	Risk category	Risk rating	C/O ¹	Actions needed to close recommendation	Implementation date ²
1	ICTY should establish an emergency response and disaster recovery plan that will provide appropriate procedures to limit damage by applying the proper salvaging techniques to its affected records. (Classification: Important ³)	Operational	Important	O	Receipt of a copy of the emergency response and disaster recovery plan prepared by ICTY.	June 2012 (see detailed Action Plan provided by ICTY in Appendix I)

¹ C = closed, O = open

² Date provided by ICTY in response to the recommendation.

³ Critical recommendations address significant and/or pervasive deficiency or weakness in governance, risk management or internal control processes, such that reasonable assurance cannot be provided regarding the achievement of control and/or business objectives under review. Important recommendations address important deficiencies or weaknesses in governance, risk management or internal control processes, such that reasonable assurance may be at risk regarding the achievement of control and/or business objectives under review.

