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## **Thirtieth Meeting**

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# Draft budget proposals of the International Tribunal for the Law of the Sea for the budget period 2021–2022

## Presented by the Tribunal

## I. Overview

### Introduction

- 1. During its forty-ninth session (9–20 March 2020), the International Tribunal for the Law of the Sea considered and approved its budget proposals for 2021–2022. In accordance with the Financial Regulations and Rules of the Tribunal, the budget proposals have been prepared in euros and cover a biennial budget period.
- 2. In line with established practice, the budgetary requirements of the Tribunal for 2021–2022 are based on: (a) the expected volume of judicial work; (b) the Tribunal's administrative work; and (c) the operation of the Tribunal's premises.
- 3. Any consideration of the budget resources necessary for the work programme of the Tribunal must take account of the fact that the Tribunal, as a judicial body established under the United Nations Convention on the Law of the Sea, is responsible for its own administrative and financial management.
- 4. In accordance with the approach adopted by the second Meeting of States Parties, the budgetary arrangements established for the Tribunal are based on an evolutionary approach, taking into account the needs of the Tribunal and optimizing efficiency. In this respect, due regard should be given to the judicial workload of the Tribunal.
- 5. On the basis of the Tribunal's list of cases, appropriations for part of one case on the merits, namely, case No. 28, Dispute concerning delimitation of the maritime boundary between Mauritius and Maldives in the Indian Ocean (Mauritius/Maldives), submitted to a Special Chamber of the Tribunal, are included in the budget for 2021–2022. Appropriations are also included for an entire case on the merits submitted to the Tribunal, namely, case No. 29, The M/T "San Padre Pio" (No. 2) Case

<sup>\*</sup> SPLOS/30/L.1/Rev.1.





- (Switzerland/Nigeria). In addition, as required by the Convention, the Tribunal must be prepared to deal with any urgent cases submitted to it during the budget period concerned, such as provisional measures proceedings under article 290 of the Convention and prompt release proceedings under article 292 of the Convention.
- 6. With the exception of case-related expenditures, the amount of which may vary depending on the judicial workload of the Tribunal, the budget for 2021–2022 follows an overall zero-growth approach.

## Parameters used in preparing the budget proposals

- 7. In accordance with the Financial Regulations and Rules of the Tribunal, the proposed budget for the budget period 2021–2022 is presented in euros. However, the United States dollar remains the reference currency for some budget lines, such as the judges' pension scheme and the representation allowance. The dollar is also used as the reference currency for the budget estimates of common staff costs, as well as those of translators, interpreters and verbatim reporters. These budget lines are subject to exchange rate fluctuations.
- 8. In this respect, it should be noted that the value of the dollar against the euro has increased since March 2018, when the 2019–2020 budget was prepared. In March 2018, the exchange rate of the dollar to the euro fixed by the United Nations stood at 0.815. In March 2020, the exchange rate of the dollar to the euro fixed by the United Nations rose to 0.884, representing an 8.5 per cent increase with respect to the former rate. This has resulted in an increase in the above-mentioned budget lines.
- 9. For the budget period 2021-2022, an amount of 4,500,700 is proposed under Part C (Case-related costs), which is 4,810,600 more than the appropriations approved for 2019-2020. As indicated in paragraph 5, this increase is due to the increase in the judicial workload of the Tribunal for the budget period 2021-2022.
- 10. Pursuant to the decision of the thirteenth Meeting of States Parties (SPLOS/98, para. (a)), budgetary appropriations in respect of established posts have been calculated on the basis of gross salary. Assessments of States parties' contributions include a credit in respect of the amount of staff assessment relating thereto. Consequently, in the budget proposals, separate budget lines show the gross salary and the staff assessment credit.
- 11. In the light of the above, the following parameters have been applied in preparing the budget proposals:
  - (a) The judicial workload of the Tribunal;
  - (b) The decisions of the Meeting of States Parties;
- (c) An exchange rate of the United States dollar to the euro of 0.884, as adopted by the United Nations for March 2020;
- (d) The daily subsistence allowance for Hamburg in March 2020, amounting to €309, as adopted by the International Civil Service Commission;
- (e) Estimates relating to staff costs, based on standard costs issued by the Office of Programme Planning, Finance and Budget of the United Nations Secretariat (applicable to the International Court of Justice in The Hague for 2021);
- (f) Estimates relating to judges' remuneration, on the basis of the post adjustment multiplier of 39.2 and the exchange rate of the United States dollar to the euro for March 2020 (0.884), as indicated above;

- (g) An average inflation rate of 1.6 per cent, as determined by the Federal Statistical Office of Germany for the period from February 2018 to January 2020, which has been applied to the following items:
  - Training;
  - (ii) External printing and binding.
- 12. A table showing the proposed budget of the Tribunal for 2021–2022 is contained in annex I to the present document. The table also includes the approved budgets for the budget periods 2015–2016, 2017–2018 and 2019–2020 and the performance records for the budget periods 2015–2016 and 2017–2018.

#### Judicial work

- 13. The Tribunal has dealt with a number of cases in the course of the past three budget periods:
- (a) In the budget period 2015–2016, the Tribunal held part of its deliberations on case No. 21, Request for an Advisory Opinion submitted by the Sub-Regional Fisheries Commission (SRFC), and delivered its advisory opinion in 2015. The Special Chamber constituted to deal with case No. 23, Dispute concerning delimitation of the maritime boundary between Ghana and Côte d'Ivoire in the Atlantic Ocean (Ghana/Côte d'Ivoire), delivered an order in 2015 on a request for the prescription of provisional measures submitted by Côte d'Ivoire. In 2015, the Tribunal also adopted an order in provisional measures proceedings in case No. 24, The "Enrica Lexie" Incident (Italy v. India), Provisional Measures. In addition, during the same period, the Tribunal considered the preliminary objections raised by Italy in case No. 25, The M/V "Norstar" Case (Panama v. Italy), and delivered its judgment on the preliminary objections in 2016;
- (b) In the budget period 2017–2018, the Special Chamber of the Tribunal constituted to deal with case No. 23, Dispute concerning delimitation of the maritime boundary between Ghana and Côte d'Ivoire in the Atlantic Ocean (Ghana/Côte d'Ivoire), delivered its judgment in 2017. The oral proceedings and part of the deliberations in case No. 25, The M/V "Norstar" Case (Panama v. Italy), took place in 2018;
- (c) In the budget period 2019–2020, the Tribunal continued its deliberations on case No. 25, The M/V "Norstar" Case (Panama v. Italy), and delivered its judgment in 2019. In the same year, the Tribunal delivered an order in provisional measures proceedings in case No. 26, Case concerning the detention of three Ukrainian naval vessels (Ukraine v. Russian Federation), Provisional Measures. In addition, during the same period, the Tribunal delivered an order in provisional measures proceedings in case No. 27, The M/T "San Padre Pio" Case (Switzerland v. Nigeria), Provisional Measures. In September 2019, a Special Chamber was constituted to deal with case No. 28, Dispute concerning delimitation of the maritime boundary between Mauritius and Maldives in the Indian Ocean (Mauritius/Maldives). In respect of this case, in December 2019, Maldives raised preliminary objections. The oral proceedings and deliberations on the preliminary objections will take place in 2020.
- 14. Subject to the decision of the Special Chamber constituted to deal with case No. 28, Dispute concerning delimitation of the maritime boundary between Mauritius and Maldives in the Indian Ocean (Mauritius/Maldives), on the issue of its jurisdiction over the merits of the case, the oral proceedings and part of the deliberations on the merits, including the initial meetings of the Drafting Committee, will take place in 2022. The costs relating thereto in the amount of  $\epsilon$ 694,800 are included in the budget proposals for 2021–2022. The second part of the deliberations

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- of the Special Chamber will take place in 2023, for which provisions will be included in the budget proposals for 2023–2024.
- 15. On 17 December 2019, Switzerland and Nigeria submitted their dispute concerning the arrest and detention of the vessel M/T "San Padre Pio" to the Tribunal. The Tribunal will deal with case No. 29, The M/T "San Padre Pio" (No. 2) Case (Switzerland/Nigeria), in 2021 and 2022. Provisions for this case on the merits in the amount of  $\{2,197,300\}$  are included in the budget proposals for 2021-2022.
- 16. In addition, in order to ensure the discharge of the judicial functions of the Tribunal under articles 290 and 292 of the Convention, the budget proposals for 2021-2022 include provisions enabling the Tribunal to handle two urgent cases, for an amount of  $\{0.608,600\}$ . As has been the Tribunal's practice, and in order to optimize efficiency and reduce costs, administrative sessions of the Tribunal will be planned to take place as far as possible in conjunction with judicial proceedings before the Tribunal.
- 17. In the budget proposals for 2021–2022, the estimates for part of the meetings to deal with case No. 28 (see paras. 14 and 91–93), for the meetings to deal with case No. 29 (see paras. 15 and 94–96) and for two urgent cases are included in Part C (Case-related costs), as follows:
- (a) Case No. 28, Dispute concerning delimitation of the maritime boundary between Mauritius and Maldives in the Indian Ocean (Mauritius/Maldives):
  - (i) 24 days of meetings of the Special Chamber;
  - (ii) 14 days of meetings of the Drafting Committee;
- (b) Case No. 29, The M/T "San Padre Pio" (No. 2) Case (Switzerland/Nigeria):
  - (i) 52 days of meetings of the Tribunal;
  - (ii) 28 days of meetings of the Drafting Committee;
  - (c) Two urgent proceedings (see para. 98):

Three weeks of meetings in 2021 and three weeks of meetings in 2022, including oral proceedings, deliberations and the rendering of orders and judgments.

### **Judges**

- 18. In determining the level of remuneration of the members of the Tribunal, in 1996, the fourth Meeting of States Parties adopted the principle of maintaining equivalence with the remuneration levels of judges of the International Court of Justice.
- 19. The fourth Meeting of States Parties also decided that the annual remuneration of judges other than the President would consist of three elements (see SPLOS/8 and SPLOS/WP.3/Rev.1):
- (a) An annual allowance, payable monthly, which is one third of the maximum annual net base salary (based on the current level of remuneration);
- (b) A special allowance payable for each day that a judge is engaged in the business of the Tribunal. The maximum special allowance is one third of the annual net base salary divided into 220 working days;
- (c) A subsistence allowance for each day that a judge is required to be present at the seat of the Tribunal. The level of subsistence allowance is determined by the

International Civil Service Commission and is paid up to a maximum of one third of the annual net base salary.

- 20. In June 2009, the nineteenth Meeting of States Parties decided "to set, effective 1 July 2009, the annual net base salary of the members of the Tribunal at \$161,681, with a corresponding post adjustment multiplier equal to 1 per cent of the net base salary, to which would be applied the post adjustment multiplier for Hamburg, as appropriate, taking into account the post adjustment mechanism as proposed by the Secretary-General in paragraph 77 of his report A/62/538" (see SPLOS/200).
- 21. In June 2011, the twenty-first Meeting of States Parties decided that "on the occasion of future revisions to the base scale applicable to staff of the United Nations in the Professional and higher categories that are effected through the consolidation of post adjustment multiplier points into the base scale with a corresponding readjustment in the post adjustment multipliers, the annual base salary of the members of the Tribunal also be adjusted by the same percentage and at the same time as in the case of judges of the International Court of Justice" (see SPLOS/230).
- 22. Pursuant to successive revisions of the salary of the staff in the Professional and higher categories (see General Assembly resolutions 72/255, 73/273 and 74/255 B), the annual net base salary of the members of the International Court of Justice was increased to \$176,437, effective 1 January 2018, \$179,666, effective 1 January 2019, and \$181,840, effective 1 January 2020, respectively. In accordance with the decision of the Meeting of States Parties adopted in June 2011, the maximum remuneration of judges of the Tribunal was adjusted to the same level as the remuneration of the members of the International Court of Justice and effective the same date.
- 23. In the light of the above decisions, the estimates for annual and special allowances of judges of the Tribunal for 2021–2022 contained in annexes V, VII, VIII and IX have been calculated by applying to the adjusted annual base salary the post adjustment multiplier applicable to Hamburg for March 2020 and the exchange rate between the dollar and the euro for March 2020 fixed by the United Nations.

### Registry

- 24. The Tribunal is an autonomous judicial institution and therefore the staff of the Registry must discharge a wide range of tasks relating to judicial and legal matters, budget and finance, and administration.
- 25. The Registry provides all the support and assistance required by the Tribunal for dealing with cases submitted to it, including the provision of legal research, documentation, translation, interpretation, verbatim records and communications to judges, the parties in the cases and other interested States and organizations.
- 26. The Registry is also responsible for the discharge of administrative tasks relating to the functioning of the Tribunal. These tasks include: staff and personnel matters; the management of the Tribunal's finances and the collection of contributions from States parties; the operation and maintenance of the premises of the Tribunal, including security matters; the provision of library services and the maintenance of archives; protocol; the operation and maintenance of the electronic systems, including equipment, databases and the Tribunal's website; and administrative and logistical support for the travel of judges engaged in the business of the Tribunal. It also manages the internship, training and capacity-building programmes on dispute settlement under the Convention. Furthermore, the Registry assists in maintaining relations with the United Nations and other international organizations, as well as with relevant departments and agencies of the Government of the host country and the Governments of States parties.

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27. Since the budget period 2015–2016, the number of staff members has remained at 38. Given the limited number of staff, several staff members are required to fulfil a variety of duties, particularly during the consideration of cases, in order to complete all the tasks to be discharged by the Registry. Whenever a case has to be dealt with, additional temporary support is procured (interpreters, translators, verbatim reporters and secretarial assistance).

#### Increases and decreases

- 28. As indicated in paragraph 6, the Tribunal, in preparing the budget proposals for 2021–2022, continued to be guided by an overall zero-growth approach. Nevertheless, some parameters beyond the control of the Tribunal, such as the judicial workload, salaries and allowances, and the rate of exchange between the United States dollar and the euro, have led to certain increases and decreases compared with the appropriations for 2019–2020. The major items are listed below.
- 29. The budget proposals for 2021–2022 show increases in the following sections:

Recurrent and non-recurrent expenditure

Section 1 (Judges)

- (a) The annual net base salary of members of the Tribunal, as referred to in paragraph 22, was revised to \$181,840, effective 1 January 2020. In addition, the daily subsistence allowance for Hamburg was increased to  $\epsilon$ 309 per day (from  $\epsilon$ 266 in March 2018) and the post adjustment multiplier for Hamburg was revised in 2019. Accordingly, the budget lines "Annual allowances" and "Special allowances" show an increase of  $\epsilon$ 464,600 compared with the appropriations approved for the period 2019–2020;
- (b) Taking into account the decrease of  $\in 102,300$  in the budget line "Common costs" (see para. 30 (a)), section 1 (Judges) shows an overall increase of  $\in 362,300$  ( $\in 464,600$  minus  $\in 102,300$ ) compared with the amount approved for 2019-2020;

Section 2 (Judges' pension scheme)

- (c) The budget line "Pension for retiring judges" provides for pension payments to seven judges whose term of office expires in September 2020 for a period of 24 months, while the budget for 2019-2020 provided for pension payments to seven judges for a period of only three months. The proposed appropriation amounts to 6802,000, which represents an increase of 6716,400 compared with the amount approved for 2019-2020. The final number of retiring judges will depend on the result of the elections in June 2020;
- (d) Taking into account the decrease of  $\in$ 115,700 in the budget line "Pension in payment" (see para. 30 (b)), section 2 (Judges' pension scheme) shows an overall increase of  $\in$ 600,700 ( $\in$ 716,400 minus  $\in$ 115,700) compared with the amount approved for 2019–2020;

Section 3 (Staff costs)

(e) The Tribunal's budgetary estimates relating to established posts are based on standard costs issued by the Office of Programme Planning, Finance and Budget of the United Nations Secretariat applicable to the International Court of Justice. Despite the fact that the number of staff remains the same as in the previous budget period, the amount proposed for established posts for the budget of the Tribunal for 2021–2022 is €963,400 higher than the amount approved for 2019–2020. This increase in the staff costs has been caused by a revision of the standard costs for the International Court of Justice for 2021. On this basis, an amount of €6,000,200 is

proposed for the budget lines "Established posts" and "Staff assessment" in 2021–2022. This represents an increase of €963,400, after the deduction of the amount of staff assessment, compared with the amount appropriated for 2019–2020;

- (f) In the past, the Tribunal was able to rely on the services of up to three out of four locally recruited interpreters for its administrative sessions. No daily subsistence allowance was payable to the interpreters hired locally. Since two of these interpreters have retired and no other local interpreters are available, the Tribunal will in future have to hire mainly non-local interpreters, to whom daily subsistence allowance will be payable. As a result, the provision for the budget line "Temporary assistance for meetings" shows an increase of €56,100 compared with the amount approved for 2019-2020;
- (g) The Tribunal will apply the International Public Sector Accounting Standards (IPSAS) from 2021. As the first financial period of the implementation of IPSAS, 2021 is a crucial year. In order to meet all new IPSAS requirements, an additional provision of €10,000 has been added to the budget line "General temporary assistance". This provision will be used to continue to obtain guidance from external consultants and advice from external auditors during the first year of the implementation of IPSAS. An increase of €10,000 compared with the appropriation approved for 2019–2020 is therefore proposed;
- (h) In the budget line "Training", a provision of &10,000 has been included to provide further training for the staff of the Tribunal during the first IPSAS-compliant financial period. A total provision of &86,600 is proposed for this budget line for 2021–2022, which includes the amount of &10,000 for IPSAS training and an adjustment of 1.6 per cent for inflation. The proposed amount represents an increase of &11,800 compared with the amount approved for 2019–2020;
- (i) Section 3 (Staff costs) shows an overall increase of €1,041,300 compared with the appropriations approved for 2019–2020;

### Section 7 (Operating expenditures)

- (j) The budget line "Maintenance of premises, including security" includes provisions for the facility management and security services contracts. Both contracts will expire in 2020 and new contracts will have to be concluded. The tender process for the new facility management contract resulted in the selection of a new contractor. The best offer at the lowest price involved an increase of €145,100 for this contract for the budget period 2021–2022. The increase is due to the increased labour costs in the host country, the higher demand for maintenance and technical support for the ageing building, which has been the Tribunal's headquarters since 2000. The cost of the new contract for a 24-hour security service for the budget period 2021–2022 is €33,100 higher than the provision approved in the budget for 2019–2020, owing to the increasing labour costs in the host country. Taking into account increases of €12,400 for the Tribunal's maintenance contracts and utility costs (see para. 74), the total increase in the budget line "Maintenance of premises, including security" amounts to €190,600 compared with the amount approved for the 2019–2020 budget;
- (k) The budget line "Rental and maintenance of equipment" includes provisions for the rental and leasing costs of computer equipment, photocopiers and the official cars of the Tribunal. It also includes provisions for the maintenance costs of the Tribunal's digital and information technology equipment, such as the computer operating system, library software, archiving software and the email system. The volume of digital equipment and the maintenance fees for some software applications have increased over the years. As a result, an increase of  $\pounds 5,000$  compared with the amount approved for 2019-2020 is proposed. In addition, the Tribunal's accounting system has to be upgraded to meet the requirements of the implementation of IPSAS.

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In this regard, during the first year of the implementation of IPSAS, the upgraded accounting system of the Tribunal will need some improvements and adjustments to meet the new standards. An amount of &10,000 is requested to meet this requirement. It is proposed that the provision for "Rental and maintenance of equipment" be increased by &15,000 compared with the provision approved for 2019–2020;

- (1) The external auditor of the Tribunal's financial statements for the financial periods 2021 to 2024 will be appointed by the Meeting of States Parties in June 2020. Up to the year 2020, the Tribunal had biennial financial periods and the corresponding financial statements were audited after the end of the respective financial periods every other year. IPSAS require annual financial statements; consequently, the financial statements will have to be audited every year. The Tribunal received quotations from five audit companies for the audits of the financial statements for the financial periods 2021 to 2024. The quotations range from  $\[mathbb{e}$ 7,200 per year to  $\[mathbb{e}$ 54,000 per year. On the basis of the lowest of the quotations received, the amount of  $\[mathbb{e}$ 14,700 has been included in the budget proposal in the budget line "Special services (external audit)". This amount represents an increase of  $\[mathbb{e}$ 3,100 compared with the amount approved for 2019–2020. The amount will be adjusted on the basis of the decision taken by the Meeting of States Parties;
- (m) The overall amount proposed for section 7 (Operating expenditures) is  $\[ \in 203,700 \]$  higher than the amount approved for 2019-2020;

Section 8 (Library and related costs)

(n) The budget line "Library – procurement of books and publications" envisages a provision of £266,000, which represents an increase of £9,700 over the appropriation approved for 2019–2020. The increase is due to the continued sharp rise in the costs of subscription to journals and periodicals and takes account of inflation. The amount proposed for section 8 (Library and related costs) is £11,600 higher than the amount approved for 2019–2020;

## Case-related costs

Sections 12 (Judges) and 13 (Staff costs)

- (o) All budget lines under Part C (Case-related costs) show increases owing to the increased judicial workload of the Tribunal. The budget for 2019-2020 provided for half a case on the merits; the budget for 2021-2022 provides for an entire case on the merits to be dealt with by the Tribunal (case No. 29) and half a case on the merits (hearings, initial deliberations and initial meetings of the Drafting Committee, which will take place during the budget period 2021-2022) that has been submitted to a Special Chamber (case No. 28). Case No. 28 is subject to a judgment on preliminary objections, which is expected to be pronounced towards the end of 2020. In line with budget proposals for previous budget periods, the budget proposal for 2021-2022 includes provisions for two urgent cases. On that basis, the provision for section 12 (Judges) amounts to €3,273,400, an increase of €1,268,500 compared with the amount approved for 2019-2020. The amount proposed for section 13 (Staff costs) amounts to €1,227,300, which represents an increase of €542,100.
- 30. The budget proposals for 2021–2022 show decreases in the following budget lines:
- (a) As there will be no presidential election during the budget period 2021–2022, no provision for the installation and repatriation of the President of the Tribunal has been included in the budget proposals for 2021–2022. The provision for 2021–2022 in the budget line "Common costs" under section 1 (Judges) is therefore €102,300 lower than the amount approved for 2019–2020;

- (b) The budget for 2019–2020 provided for pension payments in the amount of \$78,745 per month to 14 former judges and 7 surviving spouses. The Tribunal currently pays pensions to 11 former judges and 8 surviving spouses, the provision for which in the budget line "Pension in payment" amounts to \$67,148 per month. With regard to the budget proposals for 2021–2022, the budget line "Pension in payment" envisages a provision of €1,424,600, which is £115,700 lower than the appropriation approved for 2019–2020;
- (c) In the light of previous performance, an amount of &37,100 is proposed for the budget line "Miscellaneous services and charges (including bank charges)", which represents a decrease of &5,000 compared with the appropriation approved for 2019–2020.
- 31. Taking into account the proposed increases stated in paragraph 29 ( $\epsilon$ 4,254,200), the decreases stated in paragraph 30 ( $\epsilon$ 223,000) and the decrease of  $\epsilon$ 140,000 due to the fact that, contrary to 2019–2020, no provision has been included for the budget line "Implementation of IPSAS" (see para. 88), an overall increase of  $\epsilon$ 3,891,200 is envisaged for the budget period 2021–2022.

## II. Draft budget proposals

## Part A (sections 1 to 8) Recurrent expenditure

- 32. As in previous years, the Tribunal will hold four weeks of meetings during each calendar year to deal with legal matters related to the discharge of its judicial functions, as well as administrative and organizational issues. One two-week session will be held in February/March and another in September/October of each year.
- 33. During these sessions, matters relating to the work of the Tribunal are considered by the plenary, the committees of the Tribunal and the chambers of the Tribunal: the Seabed Disputes Chamber, the Chamber for Maritime Delimitation Disputes, the Chamber for Marine Environment Disputes and the Chamber for Fisheries Disputes. The legal issues addressed in 2019 pertained to the Tribunal's jurisdiction, rules and procedures.
- 34. At its meetings, the Tribunal also addresses administrative and organizational matters. In order to ensure that these are dealt with efficiently, the Tribunal has established special committees composed of judges, to which the Tribunal refers various matters for detailed consideration and for recommendations for approval by the plenary (Committee on Rules and Judicial Practice; Committee on Budget and Finance; Committee on Staff and Administration; Committee on Public Relations; Committee on Buildings and Electronic Systems; and Committee on Library, Archives and Publications). The administrative issues addressed include decisions to be taken regarding staff appointments, the supervision of the work and organization of the Registry, the maintenance of the premises and related facilities of the Tribunal, public relations and publications of the Tribunal, such as judgments and orders, and the preparation of the draft budget, the annual report and proposals for submission to the Meeting of States Parties.

# Section 1 Judges

35. Pursuant to the decisions of the fourth and twenty-first Meetings of States Parties (see paras. 18 and 21), the level of remuneration of the judges at the

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International Court of Justice is used as the comparator. Taking account of the remuneration of the judges of the International Court of Justice, effective 1 January 2020, the annual base salary of judges at the Tribunal is set at the level indicated in paragraph 22.

- 36. The budgetary estimates for the remuneration of judges for 2021–2022 under Part A (Recurrent expenditure) are set out in annex V.
- 37. As in previous years, appropriations relating to cases are placed under Part C (Case-related costs) and will be utilized for such purposes only (see Part C and annexes VII–IX).

#### 1.1 Annual allowances

- 38. This budget line consists of the following: the annual allowances of the President and the other members of the Tribunal and the allowances of the President and the Vice-President (see annex V).
- 39. The President is required to reside at the seat of the Tribunal and receives an annual remuneration of \$181,840. The annual allowance of the other members of the Tribunal amounts to one third of the maximum annual remuneration (\$60,613).
- 40. In addition, the President is paid an allowance of \$25,000 per annum in line with the practice at the International Court of Justice, whose President has been entitled to this amount since 1 January 2011, in keeping with the decision adopted by the General Assembly on 24 December 2010 (see resolution 65/258, para. 6). The President is not entitled to a special allowance or subsistence allowance for attending meetings of the Tribunal.
- 41. An allowance is provided for each day on which the Vice-President acts as President. The rate for this allowance is fixed at \$156 per day in line with the practice at the International Court of Justice, whose Vice-President has been entitled to this amount since 1 January 2011 (see General Assembly resolution 65/258, para. 6). As in previous years, budgetary appropriations have been calculated on the basis of the assumption that the Vice-President is present at the seat of the Tribunal to act as President for two weeks per annum (this includes daily subsistence allowance, special allowance when the Vice-President is engaged in the business of the Tribunal and special allowance when the Vice-President acts as President). Accordingly, a provision of €21,800 is made to meet the requirement. This represents an increase of €2,800 compared with the appropriation approved for 2019–2020, resulting from the increase in the daily subsistence allowance rate applicable to Hamburg and the exchange rate between the United States dollar and the euro.
- 42. A provision of  $\[ \in \]$  3,497,000 is envisaged under this budget line, which represents an increase of  $\[ \in \]$  363,600 over the appropriation approved for 2019–2020, as explained in paragraph 29 (a).

#### 1.2 Special allowances

- 43. Judges are paid a special allowance for each day that they are engaged in the business of the Tribunal during its sessions. A subsistence allowance is also paid for each day that a judge is required to be present at the seat of the Tribunal (see annex V).
- 44. Judges may be paid a special allowance for preparatory work that they undertake before meetings of the Tribunal. A subsistence allowance is also payable to judges when they carry out preparatory work related to the activities of the Tribunal away from their normal place of residence.
- 45. In respect of sessions for a total of four weeks each year, it is proposed, as in the past, that provision be made for a special allowance for preparatory work for a

total of 10 days for each of the 20 judges. Payment of this allowance is subject to authorization by the President.

- 46. In previous budgetary periods, provisions were approved regarding subsistence allowance for preparatory work for a total of seven days for up to 10 judges per annum (70 days of daily subsistence allowance). However, on the basis of past performance, an amount of  $\in$ 43,200 for a total of five days for up to 10 judges per annum (50 days of daily subsistence allowance) is proposed for 2021–2022, a decrease of  $\in$ 9,000 compared with the amount approved for 2019–2020. Subject to authorization by the President, this provision may be utilized to pay daily subsistence allowance to judges when they carry out preparatory work away from their normal place of residence, or to pay special and daily subsistence allowances when they are engaged in the business of the Tribunal (e.g. for attending special meetings of the Committee on Budget and Finance to prepare the biennial budget proposals or the Meeting of States Parties).
- 47. A provision of €934,600 is made under this budget line on the basis of the exchange rate, the post adjustment multiplier and the daily subsistence allowance rate for March 2020. This represents an increase of €101,000 compared with the appropriation approved for 2019–2020, as explained in paragraph 29 (a).

### 1.3 Travel to sessions

48. This budget line covers the costs incurred for judges' travel to Hamburg to attend sessions during the budget period 2021–2022. A provision of €298,800 has been envisaged to meet the requirements. The sum of €149,400, representing the amount per annum, is intended to cover 20 judges travelling each year to two sessions. The amount is the same as in the budget for 2019–2020.

### 1.4 Common costs

- 49. This budget line includes the common costs in respect of the President, the insurance scheme for work-related accidents and the removal costs for the personal effects of judges whose mandate ends during the budget period concerned (see annex VI).
- 50. There will be no change in the Presidency during the budget period 2021-2022; no provision for the installation and repatriation of the President is therefore required. Under this budget line, a total amount of 681,800 is proposed for 2021-2022, which represents a decrease of 6102,300 compared with the provision made for 2019-2020.

## Section 2 Judges' pension scheme

- 51. The ninth Meeting of States Parties approved the Pension Scheme Regulations for Members of the International Tribunal for the Law of the Sea (SPLOS/47).
- 52. In order to cover the costs of pension payments, a total amount of  $\in 2,226,600$  is proposed for 2021-2022 (see annex X). This represents an increase of  $\in 600,700$  over the provision made for 2019-2020, as explained in paragraph 29 (c) and (d).

### 2.1 Pension in payment

53. At present, pensions are payable to 11 former judges and 8 surviving spouses. These pension payments will continue during 2021-2022, which will require a provision of €1,424,600. As explained in paragraph 30 (b), this amount is €115,700 lower than the provision for 2019-2020.

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### 2.2 Pension for retiring judges

54. A triennial election of seven judges will take place in June 2020. A provision for pension payments to the seven judges whose terms of office will expire has been envisaged in the budget for 2021-2022 for a period of 24 months beginning in January 2021. This amounts to 6802,000, which is 6716,400 higher than the appropriation approved for 2019-2020 for the reasons explained in paragraph 29 (c). The actual amount that will be proposed to meet the needs of the Tribunal will depend on the result of the election in June 2020.

# Section 3 Staff costs

#### 3.1 Established posts

- 55. As explained in paragraphs 24 to 27, the functioning of the Tribunal presupposes the discharge by the Registry of a number of different responsibilities, which include, in particular, legal and administrative tasks.
- 56. The 2021–2022 post requirements for staff in the Professional and higher categories are set out in annex II and those for staff in the General Service and related categories in annex III. The number of posts remains at 38, which is the same as the number of posts approved in the budget for 2019–2020.
- 57. Budgetary estimates relating to staff costs of the Tribunal are based on standard costs issued by the Office of Programme Planning, Finance and Budget of the United Nations Secretariat. Since standard costs have not been calculated for Hamburg, the standard costs applicable to the International Court of Justice for 2021 have been applied. On this basis, it is proposed to appropriate a net amount of 66,000,200 for the established posts in 2021-2022. After the deduction of the amount of staff assessment, this represents an increase of 6963,400 compared with the amount appropriated for 2019-2020.

#### 3.2 Staff assessment/credit

58. As explained in paragraph 10, in accordance with the decision of the thirteenth Meeting of States Parties (SPLOS/98, paragraph (a)), the budget proposals for 2021–2022 contain a separate budget line for a credit in respect of the amount of staff assessment, which is included in the costs for established posts. Accordingly, the contributions of States parties will be assessed on the basis of net salaries.

#### 3.4 Common staff costs

- 59. Common staff costs comprise the various entitlements of staff, including pension contributions, medical insurance and after-service health insurance contributions, education grants and language and dependency allowances, as required under the Staff Regulations and Rules of the Tribunal.
- 60. On the basis of actual requirements for the budget period 2021-2022, common staff costs amount to €2,270,200, the same as the amount approved for 2019-2020 (see annex XI).

#### 3.5 Overtime

61. Owing to the nature of the work of the Tribunal, it is unavoidable that some staff members have to work beyond normal working hours, in particular during sessions. In the case of staff members in the Professional and higher categories, compensatory time off may be granted for that purpose. For staff members in the General Service

and related categories, overtime payments cannot always be replaced by compensatory time off, particularly given the small size of the staff of the Registry. On the basis of past performance, a provision of  $\[ \in \] 25,000$  is requested for 2021-2022, which is the same as the appropriation approved for 2019-2020.

## 3.6 Temporary assistance for meetings

- 62. In line with the practice of other international judicial institutions, not all personnel needed to service meetings are employed by the Tribunal on a permanent basis. This provision covers emoluments and the cost of travel for interpreters, revisers, translators, audio equipment operators and additional secretarial staff recruited specifically for sessions not directly related to cases. The provision also covers the costs of other conference-related staff and personnel needed to service meetings. The amount proposed takes into account the fact that most required personnel, in particular translators and interpreters, are not readily available at the seat of the Tribunal.
- 63. As explained in paragraph 29 (f), daily subsistence allowance will be payable to all interpreters, whereas in the past it was payable only to some. On that basis, a provision of £248,700 is proposed for 2021-2022, which represents an increase of £56,100 compared with the appropriation approved for 2019-2022.

### 3.7 General temporary assistance

64. The Tribunal employs temporary assistance personnel to deal with peak workloads and to accommodate other specific requirements. General temporary assistance is predominantly used for translating, editing, photocopying and disseminating documents and for providing assistance to conference staff. The provision is also used to hire individual contractors to assist with administrative matters and to provide technical assistance, for example, for the maintenance and upgrade of the Tribunal's website and software. As indicated in paragraph 29 (g), the first financial period of the implementation of IPSAS (2021) is crucial and the Tribunal will produce its first IPSAS-compliant financial statements at the end of that period. In order to meet all new requirements, a provision of €10,000 is included to continue to obtain guidance from external consultants and advice from external auditors. Given the new IPSAS requirements, the total provision proposed for general temporary assistance for 2021–2022 is €117,900, which represents an increase of €10,000 compared with the appropriation approved for 2019–2020.

### 3.8 Training

65. Staff training is required for the use of the computer network and specialized software, which is continually being updated for word-processing and database functions, including bibliographic and other information systems. Training in specialized areas, such as desktop publishing or referencing for linguistic services, is also necessary to ensure the efficient functioning of the Registry. Language training is also required to promote proficiency in both official languages of the Tribunal and efficiency in relations between the Tribunal and the host country. It may be added that, as the Tribunal follows the United Nations common system, it is important to regularly train staff members in matters where the expertise of United Nations institutions may be useful for the functioning of the Registry (such as staff matters, finance, procurement and pensions). In view of the implementation of IPSAS, a provision of €10,000 has been included to provide further training for the staff of the Tribunal during the first IPSAS-compliant financial period. A total provision of €86,600 is proposed for 2021–2022. This includes the amount of €10,000 for IPSAS training and an adjustment of 1.6 per cent for inflation. Compared with the amount approved for 2019–2020, the proposed amount represents an increase of €11,800.

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# Section 4 Representation allowance

66. A representation allowance is payable to the President, the Registrar and the Deputy Registrar in accordance with United Nations practice. The total amount proposed for 2021–2022 is \$15,200, which is the equivalent in dollars of the amount approved for 2019–2020. This represents an increase of €1,000, which is attributable to the depreciation of the euro against the United States dollar.

# Section 5 Official travel

67. This provision is to cover the travel costs of the President and other judges, as necessary, and the Registrar and staff when on official business of the Tribunal. The appropriation proposed for official travel in 2021–2022 is €185,000, which is the same as the amount approved for 2019–2020.

## Section 6 Hospitality

68. This provision is to cover the Tribunal's hospitality requirements. The amount proposed for 2021–2022 is €14,700, which is the same as the appropriation approved for 2019–2020.

# Section 7 Operating expenditure

### 7.1 Maintenance of premises, including security

- 69. The Tribunal must run a large modern building containing complex equipment and systems. Under the Premises Agreement, the technical equipment provided along with the building (including the security system, the heating and cooling system, courtroom technology, electrical installations, the lifts, the sprinkler system, ventilation, the fire alarm system and electrically operated doors) must be maintained in accordance with the highest standards applicable in the host country. For this purpose, the Registry currently has 32 maintenance contracts in force. These contracts are continually reviewed and regularly renegotiated with a view to monitoring costs and avoiding increases.
- 70. The Tribunal is required under the Premises Agreement to contract a facility management service provider for the provision of services related to the operation, management and maintenance of the premises, including cleaning, snow and ice removal, waste disposal, work related to the water and power supplies, and gardening. Since the current facility management contract is valid until May 2020, in accordance with the procurement rules, a request for proposal process for contracting a new facility management provider was conducted in 2019–2020. As a result of this process, a facility management contract has been awarded to the company Caverion, which made the best offer at the lowest price. This contract will run through the budget period 2021–2022. As indicated in paragraph 29 (j), it represents a sharp price increase compared with the cost of the former facility management contract, owing to the increased labour costs in the host country, the higher demand for maintenance and technical support for the ageing building, which has been the Tribunal's headquarters since 2000. The total amount proposed for the facility management

contract for the budget period 2021-2022 is  $\in 1,066,800$ , which is an increase of  $\in 145,100$  compared with the amount approved for 2019-2020.

- 71. The Tribunal's security contract with the company Hauschildt & Blunck expires in August 2020. In the light of the increasing labour costs in the host country, a price increase of 5 per cent per annum has been included in the budget proposals. The total cost for the security contract is €430,000 for the biennium, which is €33,100 higher than the provision approved in the budget for 2019–2020.
- 72. As provided for in the Premises Agreement with the host country, the Tribunal must carry out minor repairs on the building, for which  $\in$ 50,000 is allocated in the budget proposal, in line with previous budget proposals. As the building is ageing, additional repair measures must be implemented and equipment must be replaced. The replacement of the air conditioning system that was installed in the east wing of the building in 2010 was approved as part of the budget for 2019–2020. The spreading of the cost of the replacement of the air conditioning system ( $\in$ 60,000) over two budget periods, namely, 2019–2020 and 2021–2022, was approved. Accordingly, an amount of  $\in$ 30,000 has been included in the budget proposal for 2021–2022.
- 73. The Tribunal's facilities and building equipment, such as the electrical installations, the lifts and the sprinkler and alarm systems, have to be inspected in accordance with German building regulations. An amount of  $\epsilon$ 35,000 per annum has been allocated for the inspections, which is the same as the amount approved for 2019–2020.
- 74. The appropriations for electricity, water, gas, maintenance supplies, maintenance contracts and insurance contracts have been adjusted on the basis of performance figures for 2017-2018. Accordingly, an amount of 6987,900 is proposed for the budget period 2021-2022, which is an increase of 612,400 compared with the amount approved for 2019-2020.
- 75. In the light of the above, the amount of €2,644,700 is proposed for 2021–2022, which represents an increase of €190,600 over the appropriation approved for 2019–2020. The details of the expenditure relating to the maintenance of the premises are shown in annex XII.

### 7.2 Rental and maintenance of equipment

76. Renting or leasing items of equipment, including photocopiers and official cars, has proved more economical than purchasing them. The maintenance costs resulting from the outright purchase of such equipment are thus avoided. In addition, owing to advances in technology, the administration of the Tribunal had to acquire a number of items of digital and information technology equipment, such as the accounting system, the library software, the archiving software, the electronic data-management system, the telephone system and the email system. For these items, the Tribunal had to conclude maintenance contracts in order to obtain urgent technical support and to acquire software updates. As explained in paragraph 29 (k), in order to cover the increasing costs of these requirements, including improving the accounting system in the light of the implementation of IPSAS, a provision of €389,500 is proposed for 2021–2022, an increase of €15,000 compared with the amount approved for 2019–2020.

#### 7.3 Communications

77. Expenses for the communications of the Tribunal include: postage and courier services; telephone calls; faxing and email; teleconferencing and videoconferencing; Internet connections; and access to databases.

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78. The provision for communications by means of telephone, fax, Internet and courier services includes the cost of communication between the Registry and judges working away from the seat of the Tribunal. It also includes the cost of leasing the necessary telephone lines to optimize efficiency in maintaining a website and email and Internet connections for the premises. In the light of previous experience, the amount of  $\in 194,100$  is proposed for 2021-2022. This amount is the same as the appropriation approved for 2019-2020.

## 7.4 Miscellaneous services and charges (including bank charges)

79. This provision is to cover the costs of miscellaneous services needed by the Tribunal where it is not appropriate to charge these costs to any specific budget line. It mainly includes bank charges. In the light of previous experience, an amount of  $\epsilon$ 37,100 is proposed for 2021–2022, which represents a decrease of  $\epsilon$ 5,000 compared with the appropriation approved for 2019–2020.

### 7.5 Supplies and materials

80. This provision is to cover the costs of office and other supplies, materials and services at the premises. On the basis of past performance, the amount of &125,600 is proposed for 2021–2022, which is the same as the appropriation approved for 2019–2020.

## 7.6 Special services (external audit)

81. Pursuant to the Financial Regulations and Rules of the Tribunal, in June 2016 the Meeting of States Parties appointed the firm BDO as the auditor for the budget periods 2017–2018 and 2019–2020 (see SPLOS/303, para. 37). A new auditor will have to be appointed for the financial periods 2021 to 2024. To gather quotations for submission to the Meeting of States Parties, the Tribunal contacted eight internationally renowned audit firms and two German firms, five of which submitted quotations. The quotations received range from €7,500 per year to €54,000 per year. On the basis of the lowest of the quotations received, the amount of €14,700 is proposed for covering expenditure in this respect for 2021–2022. This represents an increase of €3,100 over the appropriation approved for 2019–2020 (see SPLOS/30/4). It should be noted that, until the end of 2020, the Tribunal will issue biennial financial statements requiring biennial audits. In line with IPSAS, annual financial statements requiring annual audits must be issued as from 2021. The actual amount proposed for this expenditure will be adjusted in accordance with the decision of the Meeting of States Parties on the appointment of the auditor for the financial periods 2021 to 2024.

## Section 8 Library and related costs

#### 8.1 Procurement of books and publications

82. The availability of high-quality library facilities at the Tribunal is indispensable for its effective operation. The Library needs to acquire publications that form the basis of a core collection in international law. Given the scope of the Tribunal's jurisdiction, the Library must also have on hand material on various scientific subjects closely connected with the work of the Tribunal. The Library subscribes to various databases providing important and timely access to certain types of scientific and legal information. At present, the Library collections comprise 10,788 volumes, 14,653 serial volumes and 2,883 treaty series volumes.

83. It may be noted that the price of books, publications and subscriptions to periodicals has increased substantially over the years. The estimated increase of the Library's subscriptions to major periodicals is about 5.5 per cent. In order to partially absorb such costs, it is proposed that the overall budget line for the Library be increased by  $\[ \in \] 9,700$ . On that basis, an amount of  $\[ \in \] 266,000$  is proposed for the budget for 2021-2022.

## 8.3 External printing and binding

84. This provision covers the costs of producing and publishing documents and other material, such as judgments and pleadings in cases, and of disseminating other documentation such as the *Yearbook*, *Basic texts*, *Guide to proceedings before the Tribunal* and information brochures of the Tribunal, as well as compact discs. In addition, the Library must bind monographs and journals. On the basis of the performance in previous years, the amount proposed for 2021–2022 is €82,000, which is the same as the appropriation approved for 2019–2020, with an adjustment of 1.6 per cent for inflation.

## Part B (sections 9 to 11) Non-recurrent expenditure

## Section 9 Furniture and equipment

85. This provision is to cover the purchase of office equipment and furniture. The estimates for non-recurrent expenditure for 2021–2022 are based on the Tribunal's requirements in terms of office equipment, archive equipment (including data-processing, storage and retrieval systems for archives and legal matters), software, and hardware and website maintenance and development. Account is also taken of the need to replace obsolete equipment, in particular electronic equipment.

## 9.1 Purchase of equipment

86. The twenty-eighth Meeting of States Parties approved the amount of €157,500 for the purchase of equipment for 2019–2020. In the light of the performance figures for previous years, the same amount is proposed for 2021–2022.

## Section 10 Alterations to premises

87. No provision is requested under this budget line.

## Section 11 Implementation of IPSAS

- 88. An amount of €140,000 was included in the approved budget for 2019–2020 for the implementation of IPSAS. The Tribunal aims to prepare the first IPSAS-compliant financial statements by the end of the budget period 2021–2022.
- 89. The first financial period of the implementation of IPSAS (2021) is crucial and requires continued efforts to implement the new procedures and meet the new requirements. Provisions totalling  $\epsilon$ 30,000, which will be used to continue to obtain guidance from external consultants and advice from external auditors in order to

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prepare the first IPSAS-compliant financial statements at the end of 2021, to further adjust the accounting system in the light of the new requirements and to continue training staff, have been included in the budget lines "General temporary assistance", "Training" and "Rental and maintenance of equipment". No provision has been included under the budget line "Implementation of IPSAS" in the budget proposals for 2021–2022.

## Part C (sections 12 and 13) Case-related costs

# Case No. 28, Dispute concerning delimitation of the maritime boundary between Mauritius and Maldives in the Indian Ocean (Mauritius/Maldives)

- 90. On 18 December 2019, Maldives filed preliminary objections to the jurisdiction of the Special Chamber of the Tribunal and to the admissibility of the claims submitted by Mauritius in case No. 28, Dispute concerning delimitation of the maritime boundary between Mauritius and Maldives in the Indian Ocean (Mauritius/Maldives). Proceedings in the case were instituted on 24 September 2019 and submitted to a Special Chamber of the Tribunal composed of seven members of the Tribunal and two judges ad hoc.
- 91. Subject to the judgment on the preliminary objections in case No. 28, the hearings, initial deliberations and initial meetings of the Drafting Committee will be scheduled for 2022. The second part of the deliberations and other meetings of the Drafting Committee up to the delivery of the judgment in the case would then be held in 2023, and the budget proposal for 2023–2024 will provide for those meetings.
- 92. The costs relating to the meetings in 2022 will be covered by the budget proposals for 2021–2022, as follows:
  - (a) Initial deliberations: two days;
  - (b) Oral proceedings: seven days;
  - (c) Deliberations after oral proceedings: 15 days;
  - (d) Meeting of the Drafting Committee: 14 days (first draft judgment).
- 93. These meetings will be held as far as possible in conjunction with the administrative sessions of the Tribunal to reduce travel costs. The estimated costs amount to  $\epsilon$ 694,800 and are detailed in annex VIII.

## Case No. 29, The M/T "San Padre Pio" (No. 2) Case (Switzerland/Nigeria)

- 94. On 17 December 2019, Switzerland and Nigeria submitted their dispute concerning the arrest and detention of the vessel *M/T* "San Padre Pio" to the Tribunal. Two judges ad hoc have been chosen by the parties. The Tribunal will deal with case No. 29 in 2021 and 2022.
- 95. The costs relating to case No. 29 will be covered by the budget proposals for 2021–2022, as follows:
  - (a) Initial deliberations: two days;
  - (b) Oral proceedings: seven days;
  - (c) Deliberations: 43 days;
  - (d) Meeting of the Drafting Committee: 28 days.

- 96. The meetings in case No. 29 will also be held as far as possible in conjunction with the administrative sessions of the Tribunal to reduce travel costs. The estimated costs amount to  $\{2,197,300\}$  and are detailed in annex IX.
- 97. Appropriations for case Nos. 28 and 29 result in an increase of €1,661,000 under Part C "Case-related costs".

### **Urgent proceedings**

98. In line with the judicial requirements of the Tribunal, the budget proposals envisage six weeks of meetings in 2021-2022 to deal with two urgent cases. The budget proposals also include associated costs for hearings, deliberations and the reading of orders and judgments. The associated costs also include costs for judges' travel to Hamburg, temporary assistance for meetings and overtime. The provision is detailed in annex VII and amounts to €1,608,600. This represents an increase of €149,600 with respect to the appropriation approved for 2019-2020 owing to the increase in the daily subsistence allowance rate for Hamburg from €266 to €309, the increase in the value of the dollar against the euro and the revised post adjustment for Hamburg (see para. 11 (f)). This appropriation will be used only if the Tribunal meets to deal with cases.

#### **Total estimates**

99. The total estimated costs for case Nos. 28 and 29 and two urgent proceedings amount to  $\[Ellowed]$ 4,500,700, which represents an increase of  $\[Ellowed]$ 1,810,600 with respect to the appropriations under Part C (Case-related costs) approved for 2019–2020.

# Section 12 Judges

#### 12.1 Special allowances

100. For case No. 28, an amount of £254,200 is envisaged to cover special and subsistence allowances of judges of the Special Chamber. For case No. 29, an amount of £1,342,400 is envisaged to cover special and subsistence allowances of judges of the Tribunal. Both amounts include a special allowance for preparatory work, which is based upon two thirds of the number of days planned for judicial meetings. In addition, a provision of £926,800 is proposed for 2021-2022 to cover the special and subsistence allowances of judges in relation to two urgent cases. This includes a special allowance for preparatory work, which is based upon six sevenths of the number of days planned for judicial meetings. On this basis, the total provision for special allowances for case Nos. 28 and 29 and two urgent proceedings amounts to £2,523,400.

### 12.2 Compensation to judges ad hoc

101. For case No. 28, an amount of  $\epsilon$ 66,100 is proposed to cover compensation for two judges ad hoc. For case No. 29, an amount of  $\epsilon$ 144,500 is proposed to cover compensation for two judges ad hoc. Compensation to judges ad hoc consists of annual allowance, special allowance (including special allowance for preparatory work) and daily subsistence allowance. In addition, a provision of  $\epsilon$ 121,000 has been included to cover the compensation paid to two judges ad hoc for six weeks of meetings and 36 days of preparatory work for two urgent proceedings. The total provision of this budget line to cover case Nos. 28 and 29 and two urgent proceedings amounts to  $\epsilon$ 331,600.

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## 12.3 Travel to meetings, including judges ad hoc

- 102. The sum of  $\in$ 418,400 is proposed to cover the travel of judges for case Nos. 28 and 29 and for two urgent proceedings in the budget period 2021–2022.
- 103. This amount includes a provision amounting to €164,400 to cover the travel costs of judges, including judges ad hoc, for two urgent proceedings in 2021–2022.
- 104. It also includes an amount of €190,500 to finance the travel costs of judges for case No. 29. The trips envisaged in 2021–2022 in respect of case No. 29 are as follows:
  - (a) Two round trips for the members of the Tribunal;
  - (b) One round trip for the members of the Drafting Committee;
  - (c) Four round trips for judges ad hoc.
- 105. The amount of  $\[ \epsilon 418,400$  also includes an amount of  $\[ \epsilon 63,500$  to finance the travel costs of nine judges for case No. 28. The trips envisaged in 2021-2022 in respect of case No. 28 are as follows:
  - (a) One round trip for the members of the Special Chamber;
  - (b) One round trip for the members of the Drafting Committee;
  - (c) Two round trips for judges ad hoc.

106. The Tribunal intends to organize its sessions in 2021 and 2022 as far as possible in conjunction with the judicial deliberations on case Nos. 28 and 29.

## Section 13 Staff costs

## 13.1 Temporary assistance for meetings

- 107. A separate provision is made for temporary assistance for meetings to cover case-related expenses. This provision covers emoluments and costs for the travel of interpreters, verbatim reporters, revisers, translators, audio equipment operators and additional secretarial staff recruited specifically for meetings, including hearings and judicial deliberations. The provision also covers the costs of other conference-related staff and personnel to service meetings. The amount proposed takes into account the fact that not all personnel, in particular translators, interpreters and verbatim reporters, are readily available at the seat of the Tribunal.
- 108. Estimates for interpretation costs are based on the terms and conditions followed in the United Nations system, taking into account the need for interpretation services at short notice, in particular during urgent proceedings. This requires work to be performed on weekends and official holidays and at night-time meetings. Estimates regarding translation expenses take into account the volume of work relating to urgent proceedings and case Nos. 28 and 29 that can be absorbed internally and an average number of pages that have to be sent out for translation, to which the Tribunal applies the contractual translation rates determined by the United Nations Office at Geneva.
- 109. Taking into account the current salary rates applied to translators, interpreters and verbatim reporters, a total amount of €1,177,300 is proposed for 2021–2022. In the light of the number of judicial meetings to be held in 2021 and 2022 for case Nos. 28 and 29 and urgent proceedings (see para. 17), compared with 2019–2020, this represents an increase of €526,000 with respect to the appropriation approved for 2019–2020.

#### 13.2 Overtime

110. As the Tribunal has to deliver its judgments within short periods of time, it is unavoidable that many staff members are required to work beyond normal working hours, particularly during urgent proceedings. Overtime payments cannot always be replaced by compensatory time off, particularly given the small size of the staff of the Registry. The amount of  $\[ \in \] 20,000$  is proposed to cover overtime during urgent proceedings in the 2021-2022 biennium. On the basis of past practice, overtime will be unavoidable during the deliberations on case Nos. 28 and 29. The amount of  $\[ \in \] 30,000$  is envisaged to cover overtime for case Nos. 28 and 29. A total provision of  $\[ \in \] 50,000$  is proposed for this budget line, which represents an increase of  $\[ \in \] 100$  compared with the appropriation approved for  $\[ 2019-2020$ , in the light of the increase in the amount of judicial work.

## Part D Working Capital Fund

- 111. Pursuant to regulation 6.2 of the Financial Regulations and Rules of the Tribunal, the Working Capital Fund was established "to ensure financial resources for the Tribunal to meet short-term liquidity problems pending receipt of contributions ... and to provide the Tribunal with the financial means to deal with cases". As at 2001, contributions to the Working Capital Fund totalled €542,118. The Working Capital Fund is maintained mainly to meet short-term liquidity problems and extraordinary expenses. The current level of the Working Capital Fund would be sufficient to cover approximately three weeks of expenditure. The Tribunal is not seeking additional funding for the Working Capital Fund for the budget period 2021–2022.
- 112. In addition to the amount referred to above, in 2002, the twelfth Meeting of States Parties approved a contribution to the Working Capital Fund (case-related) of the Tribunal, specifically to be used to cover case-related expenses. Pursuant to the decision of the Meeting of States Parties, this amount may be used to provide the Tribunal with the necessary financial means to consider cases to the extent that the expenditure cannot be met from the case-related costs, or from the transfer of funds between appropriation sections (see SPLOS/89). This part of the Working Capital Fund (case-related) stood at €417,014 until June 2014.
- 113. In June 2014, the twenty-fourth Meeting of States Parties decided that an amount of €350,000 part of the cash surplus for the financial period 2011–2012 would be transferred, on an exceptional basis, to the Working Capital Fund, to cover the cost of considering cases that cannot be met from the funds allocated for case-related costs (see SPLOS/275, para. 3). As a result, the Working Capital Fund (case-related) currently stands at €767,014, which would meet the requirements for one urgent case.

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## Budgets of the Tribunal for the periods 2015-2016 to 2021-2022 (in euros)

Part/ section	Object of expenditure	Approved budget 2015–2016	Performance 2015–2016	Approved budget 2017–2018	Performance 2017–2018	Approved budget 2019–2020	Proposed budget 2021–2022	Biennial decrease/ increase	Part/ section
A	Recurrent expenditure								A
1	Judges	4 246 100	4 161 553	4 393 000	4 240 620	4 449 900	4 812 200	362 300	1
1.1	Annual allowances	3 008 300	3 076 472	3 124 400	3 087 391	3 133 400	3 497 000	363 600	1.1
1.2	Special allowances	917 900	801 567	851 400	779 873	833 600	934 600	101 000	1.2
1.3	Travel to sessions	274 600	267 274	276 700	236 536	298 800	298 800	_	1.3
1.4	Common costs	45 300	16 240	140 500	136 820	184 100	81 800	-102 300	1.4
2	Judges' pension scheme	967 800	1 263 065	1 857 300	1 443 024	1 625 900	2 226 600	600 700	2
2.1	Pension in payment	782 800	1 263 065	1 337 800	1 443 024	1 540 300	$1\ 424\ 600^a$	-115 700	2.1
2.2	Pension for retiring judges	185 000	_	519 500	_	85 600	$802\ 000^b$	716 400	2.2
3	Staff costs	7 533 900	7 336 822	7 749 600	7 249 931	7 707 300	8 748 600	1 041 300	3
3.1	Established posts	6 257 000	4 898 866	6 302 400	4 872 158	6 290 200	$7\ 529\ 400^c$	1 239 200	3.1
3.2	Staff assessment/credit	-1 171 800	_	-1 214 400	_	-1 253 400	-1 529 200	-275 800	3.2
3.3	Reimbursement of national taxes	_	_	_	_	_	_	_	3.3
3.4	Common staff costs	2 045 000	2 043 427	2 249 800	2 029 104	2 270 200	2 270 200	_	3.4
3.5	Overtime	25 000	24 750	25 000	19 948	25 000	25 000	_	3.5
3.6	Temporary assistance for meetings	197 900	196 470	205 500	165 526	192 600	248 700	56 100	3.6
3.7	General temporary assistance	107 900	104 785	107 900	93 064	107 900	117 900	10 000	3.7
3.8	Training	72 900	68 524	73 400	70 131	74 800	86 600	11 800	3.8
4	Representation allowance	11 100	13 717	13 600	13 202	12 400	13 400	1 000	4
5	Official travel	180 300	167 982	181 600	171 337	185 000	185 000	_	5
6	Hospitality	14 300	14 034	14 400	12 945	14 700	14 700	_	6
7	Operating expenditure	2 888 000	2 799 701	3 022 400	2 963 829	3 202 000	3 405 700	203 700	7
7.1	Maintenance of premises including security	2 159 000	2 156 582	2 289 900	2 289 405	2 454 100	2 644 700	190 600	7.1
7.2	Rental and maintenance of equipment	355 600	326 520	358 200	334 249	374 500	389 500	15 000	7.2
7.3	Communications	189 200	142 112	190 600	175 951	194 100	194 100	_	7.3
7.4	Miscellaneous services and charges (including bank charges)	41 000	31 339	41 300	30 631	42 100	37 100	-5 000	7.4
7.5	Supplies and materials	122 400	122 348	123 300	121 993	125 600	125 600	_	7.5
7.6	Special services (external audit)	20 800	20 800	19 100	11 600	11 600	14 700	3 100	7.6

Part/ section	Object of expenditure	Approved budget 2015–2016	Performance 2015–2016	Approved budget 2017–2018	Performance 2017–2018	Approved budget 2019–2020	Proposed budget 2021–2022	Biennial decrease/ increase	Part/ section
8	Library and related costs	320 000	318 918	325 600	325 388	336 400	348 000	11 600	8
8.1	Procurement of books and publications	242 000	241 607	247 000	246 811	256 300	266 000	9 700	8.1
8.2	Start-up costs of library	-	-	-	-	-	-	-	8.2
8.3	External printing and binding	78 000	77 311	78 600	78 577	80 100	$82~000^d$	1 900	8.3
В	Non-recurrent expenditure								В
9	Furniture and equipment	154 800	151 135	155 600	153 701	157 500	157 500	_	9
9.1	Purchase of equipment	154 800	151 135	155 600	153 701	157 500	157 500	_	9.1
9.2	Purchase of special equipment								9.2
10	Alterations to premises	_	_	_	_	_	_	_	10
11	Implementation of IPSAS	-	-	-	-	140 000	_	-140 000	11
C	Case-related costs								$\mathbf{C}$
12	Judges	1 889 700	1 611 544	2 221 000	856 942	2 004 900	3 273 400	1 268 500	12
12.1	Special allowances	1 468 500	1 276 503	1 666 200	664 881	1 509 600	2 523 400	1 013 800	12.1
12.2	Compensation to judges ad hoc	110 800	123 772	306 100	154 992	177 700	331 600	153 900	12.2
12.3	Travel to meetings including judges ad hoc	310 400	211 269	248 700	37 069	317 600	418 400	100 800	12.3
13	Staff costs	611 600	824 248	1 185 800	674 190	685 200	1 227 300	542 100	13
13.1	Temporary assistance for meetings	577 800	791 526	1 140 800	662 866	651 300	1 177 300	526 000	13.1
13.2	Overtime	33 800	32 722	45 000	11 324	33 900	50 000	16 100	13.2
D	Working Capital Fund	-	_	_	_	_	_	_	D
	Total	18 817 600	18 662 719	21 119 900	18 105 109	20 521 200	24 412 400	3 891 200	

*Note*: United Nations exchange rate for March 2020: US\$1 = €0.884.

<sup>&</sup>lt;sup>a</sup> Pension currently in payment.
<sup>b</sup> Pension for seven judges whose term of office expires on 30 September 2020. The actual amount to be paid will depend on the result of the election in 2020.
<sup>c</sup> Standard salary costs applicable to The Hague for the year 2021.

d Adjusted by 1.6 per cent for inflation, average rate for February 2018 to January 2020 determined by the Federal Statistical Office of Germany.

Annex II

Staff of the Registry in the Professional and higher categories in 2021–2022

Level	Function	Number of posts	Standard costs in euros	Net standard costs in euros	Staff assessment in euros
ASG	Registrar	1	209 100	167 400	41 700
D-2	Deputy Registrar	1	182 400	148 000	34 400
P-5	Head of Linguistic Services	1	145 600	120 400	25 200
P-5	Legal Officer/Head of Legal Office	1	145 600	120 400	25 200
P-4	Head of Budget and Finance	1	126 100	105 500	20 600
P-4	Head of Library and Archives	1	126 100	105 500	20 600
P-4	Head of Personnel, Building and Security	1	126 100	105 500	20 600
P-4	Information Systems Officer	1	126 100	105 500	20 600
P-4	Legal Officer	2	252 200	210 900	41 300
P-4	Translator/Reviser	1	126 100	105 500	20 600
P-3	Legal Officer	1	108 300	91 300	17 000
P-3	Translator (French)	1	108 300	91 300	17 000
P-2	Administrative Officer (personnel)	1	84 800	72 300	12 500
P-2	Archivist	1	84 800	72 300	12 500
P-2	Associate Administrative Officer (contributions/budget)	1	84 800	72 300	12 500
P-2	Associate Legal Officer	1	84 800	72 300	12 500
P-2	Press Officer	1	84 800	72 300	12 500
	Total	18	2 206 000	1 838 700	367 300
	Total for the biennium (rounded)			3 677 400	

Abbreviation: ASG, Assistant Secretary-General.

Annex III

Staff of the Registry in the General Service and related categories in 2021–2022

Level	Function	Number of posts	Standard costs in euros	Net standard costs in euros	Staff assessment in euros
Principal leve	el				
	Administrative Assistant (procurement)	1	80 800	72 127	26 112
	Building Coordinator	1	80 800	72 127	26 112
	Information Systems Assistant	1	80 800	72 127	26 112
	Linguistic Assistant/Judiciary Support	1	80 800	72 127	26 112
	Personal Assistant (President)	1	80 800	72 127	26 112
	Publications/Personal Assistant (Registrar)	1	80 800	72 127	26 112
Other level					
	Administrative Assistant	1	76 700	53 045	17 895
	Administrative Assistant	1	76 700	53 045	17 895
	Administrative Assistant (contributions)	1	76 700	53 045	17 895
	Finance Assistant	1	76 700	53 045	17 895
	Finance Assistant (accounts payable)	1	76 700	53 045	17 895
	Legal Assistant	1	76 700	53 045	17 895
	Library Assistant	1	76 700	53 045	17 895
	Linguistic Assistant/Judiciary Support	1	76 700	53 045	17 895
	Personal Assistant (Deputy Registrar)	1	76 700	53 045	17 895
	Personnel Assistant	1	76 700	53 045	17 895
	Receptionist	1	76 700	53 045	17 895
	Security Officer/Driver	2	153 500	106 091	35 789
	Senior Security Officer/Building Superintendent	1	76 700	53 045	17 895
	Total	20	1 558 700	1 161 400	397 300
	Total for the biennium (rounded)			2 322 800	

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## Annex IV

## **Comparison of post requirements**

## Posts approved for 2015-2016

1	1	0	2	7	2	5	18	6	14	20	38
ASG	D-2	D-I	P-5	P-4	P-3	P-2/1	Total Professional and higher categories	General Service (Principal level)	General Service (Other level)	Total General Service and related categories	Grana total
osts pro	posed	for 201	9–2020								
1	1	0	2	6	3	5	18	6	14	20	38
ASG	D-2	D-1	P-5	P-4	P-3	P-2/1	Total Professional and higher categories	General Service (Principal level)	General Service (Other level)	Total General Service and related categories	Grana total
osts ap	proved	for 201	7–2018	;							
1	1	0	2	6	3	5	18	4	16	20	38
ASG	D-2	D-1	P-5	P-4	P-3	P-2/1	Total Professional and higher categories	General Service (Principal level)	General Service (Other level)	Total General Service and related categories	Grana total

Abbreviation: ASG, Assistant Secretary-General.

Annex V

Remuneration of judges for judicial work not related to cases in 2021–2022

		Calculation	United States dollars	2021 Euros, including post adjustment	2022 Euros, including post adjustment	2021–2022 Euros, including post adjustment
1.	Annual allowance	181 840 / 3 x 20	1 212 267	1 491 700	1 491 700	2 983 400
2.	Special allowance (20 days/based on 220 working days per annum)	181 840 / 3 / 220 x 20 x 20	110 206	135 600	135 600	271 200
3.	Subsistence allowance (28 days)	350 x 1.4 x 28 x 20	274 400	242 300	242 300	484 600
4.	Special allowance for preparatory work, to be authorized by the President (10 days/based on 220 working days per annum)	181 840 / 3 / 220 x 10 x 20	55 103	67 800	67 800	135 600
5.	Preparatory work					
	Subsistence allowance, to be authorized by the President (5 days for 10 Judges)	350 x 1.4 x 5 x 10	24 500	21 600	21 600	43 200
6.	President's annual allowance	181 840	181 840	223 800	223 800	447 600
7.	President's special allowance	25 000	25 000	22 100	22 100	44 200
8.	Vice-President's special allowances					
	14 days of subsistence allowance	14 x 350 x 1.4	6 860	6 100	6 100	12 200
	10 days of special allowances	10 x ((181 840 / 3 / 220) + 156)	4 315	4 800	4 800	9 600
	Total			2 215 800	2 215 800	4 431 600
	Total annual allowances (President and other judges) [items 1, 6-8]			1 748 500	1 748 500	3 497 000
	Total special allowances (including daily subsistence allowance) [items 2–5]			467 300	467 300	934 600

Notes: The daily subsistence allowance is determined by the International Civil Service Commission.

Daily subsistence allowance rate in United States dollars: 350 (plus 40 per cent for judges).

Daily subsistence allowance rate in euros: 309 (plus 40 per cent for judges).

United Nations exchange rate for March 2020: US\$1 = 0.884.

Post adjustment multiplier applicable to Hamburg for March 2020: 39.2 per cent.

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## **Annex VI**

## Judges' common costs in 2021–2022

2021	United States dollars	Euros
1. President's common costs		
Home leave travel	9 502	8 400
Education grant	28 281	25 000
2. Insurance for work-related accidents	13 235	11 700
Total	51 018	45 100
2022		
President's common costs		
Home leave travel	_	_
Education grant	28 281	25 000
2. Insurance for work-related accidents	13 235	11 700
Total	41 516	36 700
Total for the biennial budget		81 800

Notes: United Nations exchange rate for March 2020: US\$1 = €0.884.

Daily subsistence allowance rate in United States dollars: 350 (plus 40 per cent for judges).

Daily subsistence allowance rate in euros: 309 (plus 40 per cent for judges).

## Case-related costs for judicial work related to urgent proceedings in 2021–2022

	Calculation (per case)	United States dollars	2021 (one case) Euros, including post adjustment	2022 (one case) Euros, including post adjustment	2021–2022 Euros, including post adjustment
Judges					
1. Special allowance (21 days/based on 220 working days per annum) <sup>a</sup>	181 840 / 3 / 220 x 21 x 20	115 716	142 400	142 400	284 800
2. Subsistence allowance $(22 \text{ days})^b$	350 x 1.4 x 22 x 20	215 600	190 300	190 300	380 600
3. Special allowance for preparatory work, to be authorized by the President (18 days/based on 220 working days per annum) <sup>c</sup>	181 840 / 3 / 220 x 18 x 20	99 185	122 000	122 000	244 000
4. Subsistence allowance for preparatory work, to be authorized by the President (4 days for 5 judges)	350 x 1.4 x 4 x 5	9 800	8 700	8 700	17 400
Subtotal			463 400	463 400	926 800
5. Compensation for two judges ad hoc					
Annual allowance	181 840 / 3 / 365 x 39 x 2	12 953	15 900	15 900	31 800
Special allowance	181 840 / 3 / 220 x 39 x 2	21 490	26 400	26 400	52 800
Subsistence allowance	350 x 1.4 x 21 x 2	20 580	18 200	18 200	36 400
Subtotal			60 500	60 500	121 000
6. Travel of judges (including two judges ad hoc)			82 200	82 200	164 400
Staff costs					
7. Temporary assistance for meetings			188 200	188 200	376 400
8. Overtime			10 000	10 000	20 000
Total			804 300	804 300	1 608 600

Notes: The daily subsistence allowance is determined by the International Civil Service Commission.

Daily subsistence allowance rate in United States dollars: 350 (plus 40 per cent for judges).

Daily subsistence allowance rate in euros: 309 (plus 40 per cent for judges).

United Nations exchange rate for March 2020: US\$1 = €0.884.

Post adjustment multiplier applicable to Hamburg for March 2020: 39.2 per cent.

<sup>&</sup>lt;sup>a</sup> Three weeks based on seven days.

<sup>&</sup>lt;sup>b</sup> Three weeks based on seven days plus travel days.

<sup>&</sup>lt;sup>c</sup> Two and a half weeks based on seven days (based on the ratio determined by the Meeting of States Parties).

## **Annex VIII**

## Case-related costs for judicial work related to case No. 28 in 2021–2022

		Calculation	United States dollars	Euros, including post adjustment
Judges				
1.	Special allowance (24 days of deliberations/based on 220 working days per annum) <sup>a</sup>	181 840 / 3 / 220 x 24 x 7	46 287	57 000
2.	Subsistence allowance (34 days) <sup>b</sup>	350 x 1.4 x 34 x 7	116 620	103 000
3.	Special allowance (14 days, Drafting Committee/3 judges based on 220 working days per annum) $^a$	181 840 / 3 / 220 x 14 x 3	11 572	14 200
4.	Subsistence allowance (20 days, Drafting Committee/3 judges) <sup>b</sup>	350 x 1.4 x 20 x 3	29 400	26 000
5.	Special allowance for preparatory work, to be authorized by the President (16 days/based on 220 working days per annum)	181 840 / 3 / 220 x 16 x 7	30 858	38 000
6.	Special allowance for preparatory work of the Drafting Committee to be authorized by the President (9.33 days/based on 220 working days per annum)	181 840 / 3 / 220 x 9.33 x 3	7 712	9 500
7.	Subsistence allowance for preparatory work to be authorized by the President (5 days for 3 judges)	350 x 1.4 x 5 x 3	7 350	6 500
	Subtotal			254 200
8.	Compensation for two judges ad hoc			
	Annual allowance	181 840 / 3 / 365 x (34+16) x 2	16 606	20 400
	Special allowance	181 840 / 3 / 220 x 24 x 2	13 225	16 300
	Subsistence allowance <sup>b</sup>	350 x 1.4 x 34 x 2	33 320	29 400
	Subtotal			66 100
9.	Travel of judges		71 833	63 500
Staff c	osts			
10.	Temporary assistance for meetings			301 000
11.	Overtime			10 000
	Total			694 800

Notes: The daily subsistence allowance is determined by the International Civil Service Commission.

Daily subsistence allowance rate in United States dollars: 350 (plus 40 per cent for judges).

Daily subsistence allowance rate in euros: 309 (plus 40 per cent for judges).

United Nations exchange rate for March 2020: US\$1 = €0.884.

Post adjustment multiplier applicable to Hamburg for March 2020: 39.2 per cent.

<sup>&</sup>lt;sup>a</sup> Based on five days per week.

<sup>&</sup>lt;sup>b</sup> Based on seven days per week.

## Case-related costs for judicial work related to case No. 29 in 2021–2022

		Calculation	United States dollars	Euros including post adjustment
Judges				
1.	Special allowance (52 days of deliberations/based on 220 working days per annum) <sup>a</sup>	181 840 / 3 / 220 x 52 x 20	286 536	352 600
2.	Subsistence allowance $(74 \text{ days})^b$	350 x 1.4 x 74 x 20	725 200	640 200
3.	Special allowance (28 days, Drafting Committee/3 judges based on 220 working days per annum) <sup>a</sup>	181 840 / 3 / 220 x 28 x 3	23 143	28 500
4.	Subsistence allowance (40 days, Drafting Committee/3 judges) <sup>b</sup>	350 x 1.4 x 40 x 3	58 800	51 900
5.	Special allowance for preparatory work, to be authorized by the President (34.67 days/based on 220 working days per annum)	181 840 / 3 / 220 x 34.67 x 20	191 042	235 100
6.	Special allowance for preparatory work of the Drafting Committee, to be authorized by the President (18.68 days/based on 220 working days per annum)	181 840 / 3 / 220 x 18.68 x 3	15 440	19 000
7.	Subsistence allowance for preparatory work, to be authorized by the President (5 days for 7 judges)	350 x 1.4 x 5 x 7	17 150	15 100
	Subtotal			1 342 400
8.	Compensation for two judges ad hoc			
	Annual allowance	181 840 / 3 / 365 x (74 + 34.67) x 2	36 757	45 200
	Special allowance	181 840 / 3 / 220 x 52 x 2	28 654	35 300
	Subsistence allowance <sup>b</sup>	350 x 1.4 x 74 x 2	72 520	64 000
	Subtotal			144 500
9.	Travel of judges		215 498	190 500
Staff c	osts			
10.	Temporary assistance for meetings			499 900
11.	Overtime			20 000
	Total			2 197 300

Notes: The daily subsistence allowance is determined by the International Civil Service Commission.

Daily subsistence allowance rate in United States dollars: 350 (plus 40 per cent for judges).

Daily subsistence allowance rate in euros: 309 (plus 40 per cent for judges).

United Nations exchange rate for March 2020: US\$1 = €0.884.

Post adjustment multiplier applicable to Hamburg for March 2020: 39.2 per cent.

<sup>&</sup>lt;sup>a</sup> Based on five days per week.

<sup>&</sup>lt;sup>b</sup> Based on seven days per week.

## Annex X

## Judges' pension scheme in 2021–2022

	United States dollars	Euros
2021		
Pension for 11 retired judges and 8 surviving spouses	805 800	712 300
Pension for 7 judges <sup>a</sup>	453 600	401 000
Total	1 259 400	1 113 300
2022		
Pension for 11 retired judges and 8 surviving spouses	805 800	712 300
Pension for 7 judges <sup>a</sup>	453 600	401 000
Total	1 259 400	1 113 300
Total for the biennial budget	2 518 800	2 226 600

*Note*: United Nations exchange rate for March 2020: US\$1 = 0.884.

<sup>&</sup>lt;sup>a</sup> The actual number of retiring judges can be determined only after the election during the Meeting of States Parties to be held in June 2020.

## Annex XI

## Common staff costs in 2021–2022 (in euros)

Estimate for common staff costs (Based on actual costs and estimated requirements)	
Contributions to the United Nations Joint Staff Pension Fund <sup>a</sup>	638 300
Contribution to the International Civil Service Commission	9 000
Dependency allowance <sup>a</sup>	134 100
Education grant <sup>a</sup>	39 800
Home leave <sup>a</sup>	9 400
Language allowance <sup>a</sup>	18 000
Work-related accident insurance <sup>a</sup>	22 800
Medical insurance <sup>a</sup>	102 600
After-service health insurance <sup>a</sup>	15 100
Rental subsidy <sup>a</sup>	18 000
Provision for staff rotation: <sup>a</sup>	
Professional and higher categories (3.5 per cent)	71 700
General Service and related categories (3.5 per cent)	45 300
Miscellaneous (ex gratia payments including cancellation of leave)	11 000
Total per annum	1 135 100

<sup>&</sup>lt;sup>a</sup> Based on current staffing.

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Annex XII

Maintenance of premises in 2021–2022 (in euros)

		Budget 2019	Budget 2020	Budget 2021	Budget 2022
1.	Facility management	457 300	464 400	533 400	533 400
2.	Maintenance supplies	12 700	12 900	13 100	13 300
	Gas supplies	75 000	75 000	75 000	75 000
	Power supplies	158 100	160 000	159 000	159 000
	Water supplies	13 000	13 000	13 000	13 000
3.	Utilities (electricity, gas and water)	246 100	248 000	247 000	247 000
Li	sted maintenance contracts	166 700	168 800	171 500	174 200
Ex	amination	35 000	35 000	35 000	35 000
4.	Maintenance contracts	201 700	203 800	206 500	209 200
5.	Contents and third-party liability insurance	25 000	25 300	25 700	26 100
6.	Minor repairs (maximum of 1,000 euros each)	50 000	50 000	50 000	50 000
7.	Other repairs	15 000	45 000	45 000	15 000
8.	Security services (24 hours)	196 800	200 100	215 000	215 000
	Total	1 204 600	1 249 500	1 335 700	1 309 000
	Total for the biennial budget		2 454 100		2 644 700