

**Seventieth session**

Agenda item 146

**Financing of the International Residual
Mechanism for Criminal Tribunals****Second performance report on the budget of the
International Residual Mechanism for Criminal Tribunals
for the biennium 2014-2015****Report of the Secretary-General***Summary*

The present report provides an estimate of the anticipated final level of expenditure for the International Residual Mechanism for Criminal Tribunals for the biennium 2014-2015, taking into account changes in parameters for inflation, exchange rates and cost-of-living adjustments compared with the assumptions made in the first performance report ([A/69/598](#)), which was reviewed by the General Assembly at its sixty-ninth session and formed the basis for the revised appropriation and estimate of income for the biennium.

The anticipated final level of expenditure for the Mechanism for 2014-2015 amounts to \$71.6 million, reflecting a decrease of \$43.9 million. The decrease is the result of the strengthening of the dollar against the euro and the Tanzania shilling, lower inflation and decreases related to post and non-post resources. The anticipated final level of income for 2014-2015 amounts to \$5.0 million, reflecting a decrease of \$2.2 million. Consequently, the combined effect of the anticipated final level of expenditure and income for 2014-2015 amounts to \$41.7 million.



I. Introduction

1. The second performance report on the budget of the International Residual Mechanism for Criminal Tribunals for the biennium 2014-2015 provides an estimate of the anticipated final level of expenditure and income for the period. The estimate takes into account actual expenditure for the first 19 months of the biennium, projected requirements for the last 5 months, changes in inflation and exchange rates and cost-of-living adjustments, and uses the approved recosting methodology as compared with the assumptions made in the first performance report (A/69/598), which was reviewed by the General Assembly at its sixty-ninth session and formed the basis for the revised appropriation and estimates of income for 2014-2015.

2. The activities of the Mechanism projected for the biennium 2014-2015 were predominantly judicial and most of the requirements were therefore linked to the pace of judicial activities.

II. Explanation of the changes in expenditure requirements

3. The combined effect of the anticipated final level of expenditure and income represents a decrease of \$41.7 million compared with the revised appropriation and income reflected in the revised appropriation for the biennium 2014-2015, approved by the General Assembly in its resolution 69/256, as shown in tables 1 and 2.

Table 1
Projected changes and proposed final appropriation by component

(Thousands of United States dollars)

Component	Revised 2014-2015 appropriation	Projected changes			Total	Proposed 2014- 2015 final appropriation
		Exchange rate	Inflation	Post incumbency and other changes		
Expenditure						
Arusha						
Chambers	2 696.4	(199.7)	(50.1)	(2 258.9)	(2 508.7)	187.7
Office of the Prosecutor	11 638.4	(898.9)	(101.2)	(3 216.8)	(4 216.9)	7 421.5
Registry	53 509.9	(3 642.9)	(746.7)	(24 913.9)	(29 303.5)	24 206.4
Records management and archives	4 291.8	(372.1)	(45.5)	(232.2)	(185.4)	4 106.4
Subtotal	72 136.5	(5 113.6)	(943.5)	(30 157.4)	(36 214.5)	35 922.0
The Hague						
Chambers	1 443.7	(75.8)	(10.0)	(1 123.6)	(1 209.4)	234.3
Office of the Prosecutor	6 112.9	(340.9)	(170.5)	(858.3)	(1 369.7)	4 743.2
Registry	30 594.1	(1 751.0)	(631.0)	(2 250.3)	(4 632.3)	25 961.8
Records management and archives	5 234.6	(318.8)	(153.1)	(35.1)	(507.0)	4 727.6
Subtotal	43 385.3	(2 486.5)	(964.6)	(4 267.3)	(7 718.4)	35 666.9
Total expenditure (gross)	115 521.8	(7 600.1)	(1 908.1)	(34 424.7)	(43 932.9)	71 588.9

<i>Component</i>	<i>Revised 2014-2015 appropriation</i>	<i>Projected changes</i>			<i>Total</i>	<i>Proposed 2014-2015 final appropriation</i>
		<i>Exchange rate</i>	<i>Inflation</i>	<i>Post incumbency and other changes</i>		
Income						
Staff assessment	7 176.8	(395.9)	(246.3)	(1 560.0)	(2 202.2)	4 974.6
Total requirements (net)	108 345.0	(7 204.2)	(1 661.8)	(32 864.7)	(41 730.7)	66 614.3

Table 2
Projected changes and proposed final appropriation by object of expenditure

(Thousands of United States dollars)

<i>Object of expenditure</i>	<i>Revised 2014-2015 appropriation</i>	<i>Projected changes</i>			<i>Total</i>	<i>Proposed 2014-2015 final appropriation</i>
		<i>Exchange rate</i>	<i>Inflation</i>	<i>Post incumbency and other changes</i>		
Expenditure						
Arusha						
Posts	13 512.7	(1 408.4)	51.6	1 939.4	582.6	14 095.3
Other staff costs	28 797.4	(2 121.8)	(522.4)	(22 339.1)	(24 983.3)	3 814.1
Non-staff compensation	2 626.8	(199.7)	(49.2)	(2 232.9)	(2 481.8)	145.0
Consultants	128.7	(9.7)	(2.5)	(66.5)	(78.7)	50.0
Experts	470.6	(35.9)	(8.7)	(203.9)	(248.5)	222.1
Travel of representatives	69.6	–	(0.9)	(26.0)	(26.9)	42.7
Travel of staff	2 058.2	–	(28.4)	(797.9)	(826.3)	1 231.9
Contractual services	4 003.0	(304.3)	(74.8)	(2 848.7)	(3 227.8)	775.2
General operating expenses	5 491.3	(416.4)	(102.7)	(2 088.2)	(2 607.3)	2 884.0
Hospitality	11.0	(0.8)	(0.2)	–	(1.0)	10.0
Supplies and materials	571.8	(43.5)	(10.6)	(232.9)	(287.0)	284.8
Furniture and equipment	4 272.0	(324.8)	(80.1)	(324.6)	(729.5)	3 542.5
Improvement of premises	5 809.7	(1.7)	(0.4)	(19.1)	(21.2)	5 788.5
Grants and contributions	349.0	–	–	(122.0)	(122.0)	227.0
Staff assessment	3 964.7	(246.6)	(114.2)	(795.0)	(1 155.8)	2 808.9
Subtotal	72 136.5	(5 113.6)	(943.5)	(30 157.4)	(36 214.5)	35 922.0
The Hague						
Posts	8 798.4	(555.6)	(622.0)	2 992.6	1 815.0	10 613.4
Other staff costs	11 954.3	(688.5)	(75.8)	(2 249.5)	(3 013.8)	8 940.5
Non-staff compensation	1 316.4	(75.8)	(8.3)	(1 060.0)	(1 144.1)	172.3
Consultants	25.8	(1.5)	(0.1)	1.7	0.1	25.9
Experts	49.8	(2.9)	(0.2)	(46.7)	(49.8)	–
Travel of representatives	127.3	–	(1.7)	(63.6)	(65.3)	62.0
Travel of staff	997.7	–	(13.9)	(247.5)	(261.4)	736.3
Contractual services	7 186.6	(413.7)	(45.3)	(1 364.3)	(1 823.3)	5 363.3

Object of expenditure	Revised 2014-2015 appropriation	Projected changes			Total	Proposed 2014-2015 final appropriation
		Exchange rate	Inflation	Post incumbency and other changes		
General operating expenses	5 970.1	(383.4)	(41.8)	(1 011.5)	(1 436.7)	4 533.4
Hospitality	10.4	(0.5)	–	–	(0.5)	9.9
Supplies and materials	229.8	(13.1)	(1.4)	(36.7)	(51.2)	178.6
Furniture and equipment	3 078.6	(177.6)	(19.4)	(75.5)	(272.5)	2 806.1
Improvement of premises	428.0	(24.6)	(2.6)	(341.3)	(368.5)	59.5
Staff assessment	3 212.1	(149.3)	(132.1)	(765.0)	(1 046.4)	2 165.7
Subtotal	43 385.3	(2 486.5)	(964.6)	(4 267.3)	(7 718.4)	35 666.9
Total expenditure (gross)	115 521.8	(7 600.1)	(1 908.1)	(34 424.7)	(43 932.9)	71 588.9
Income						
Staff assessment	7 176.8	(395.9)	(246.3)	(1 560.0)	(2 202.2)	4 974.6
Total requirements (net)	108 345.0	(7 204.2)	(1 661.8)	(32 864.7)	(41 730.7)	66 614.3

A. Variations in budgetary assumptions

Rates of exchange and inflation (decrease: \$9,508,200)

4. In terms of inflation and exchange rates, the adjustments of resources for 2015 are based on actual experience in 2015 as compared with inflation and exchange rates approved in the revised appropriation for 2014-2015. For 2014, the adjustments are based on the actual experience for 2014 as compared with inflation and exchange rates approved in the revised appropriation for 2014-2015, which includes projections for the last two months of 2014.

5. In estimating the effect of exchange rate fluctuations experienced in 2015, the actual rates realized from January to September were used, with the September 2015 rate assumed for October, November and December. Details of the assumptions are reflected in annex I to the present report.

6. Accordingly, the decrease in requirements in this category is attributable to the strengthening of the dollar against the euro and the Tanzanian shilling (\$7,600,100) and a decrease in the level of inflation (\$1,908,100).

7. With regard to inflation, adjustments are based on the latest information available (September 2015) on consumer price indices as well as adjustments resulting from differences in actual post adjustment indices for staff in the Professional category and above and in actual cost-of-living adjustments of salary scales for staff in the General Service and related categories.

B. Post incumbency and other changes

8. The changes reflected under post incumbency and other changes are explained below.

Chambers

Table 3

Projected changes and proposed final appropriation by object of expenditure

(Thousands of United States dollars)

Object of expenditure	Revised 2014-2015 appropriation	Exchange rate	Projected changes		Total	Proposed 2014-2015 final appropriation
			Inflation	Post incumbency and other changes		
Arusha						
Salaries and allowances of judges	2 626.8	(199.7)	(49.2)	(2 232.9)	(2 481.8)	145.0
Travel of representatives	69.6	–	(0.9)	(26.0)	(26.9)	42.7
Subtotal	2 696.4	(199.7)	(50.1)	(2 258.9)	(2 508.7)	187.7
The Hague						
Salaries and allowances of judges	1 316.4	(75.8)	(8.3)	(1 060.0)	(1 144.1)	172.3
Travel of representatives	127.3	–	(1.7)	(63.6)	(65.3)	62.0
Subtotal	1 443.7	(75.8)	(10.0)	(1 123.6)	(1 209.4)	234.3
Total	4 140.1	(275.5)	(60.1)	(3 382.5)	(3 718.1)	422.0

Salaries and allowances of judges (decrease: \$3,292,900, including a decrease of \$2,232,900 in Arusha and a decrease of \$1,060,000 in The Hague)

9. The decrease reflects the following:

(a) Arusha: a decrease resulting from the lower than anticipated level of judicial activity, specifically, the absence of trials owing to the non-arrest of two fugitives during the biennium;

(b) The Hague: a decrease resulting from the lower than anticipated level of judicial activity, specifically, the absence of appeals proceedings in the Šešelj and Karadžić cases; the appeals in these cases will not take place during the biennium 2014-2015 as originally planned because of the extension of the completion dates of the first instance proceedings.

Travel of representatives (decrease: \$89,600, including a decrease of \$26,000 in Arusha and a decrease of \$63,600 in The Hague)

10. The decrease reflects the following:

(a) Arusha: a decrease owing to lower than budgeted costs for travel and daily subsistence allowance for judges of the Appeals Chamber (the seat of which is in The Hague) to Arusha in connection with the appeal proceedings in the Ngirabatware case;

(b) The Hague: a decrease owing to efforts to combine travel related to the Mechanism with that undertaken in support of the International Tribunal for the Former Yugoslavia. The Presidency of the two institutions was encumbered by one judge during most of the biennium. By ensuring that travel in support of each institution was combined, it was possible to share the cost between the two bodies, which resulted in underexpenditure.

Office of the Prosecutor

Table 4
Projected changes and proposed final appropriation by object of expenditure

(Thousands of United States dollars)

Object of expenditure	Revised 2014-2015 appropriation	Projected changes			Total	Proposed 2014-2015 final appropriation
		Exchange rate	Inflation	Post incumbency and other changes		
Expenditure						
Arusha						
Posts	3 774.8	(398.9)	51.2	1 592.7	1 245.0	5 019.8
Other staff costs	5 256.2	(387.4)	(95.3)	(3 838.5)	(4 321.2)	935.0
Experts	280.4	(21.4)	(5.2)	(174.6)	(201.2)	79.2
Travel of staff	844.2	–	(11.6)	(194.1)	(205.7)	638.5
Contractual services	79.0	(6.0)	(1.5)	(15.8)	(23.3)	55.7
General operating expenses	494.9	(37.6)	(9.3)	(383.6)	(430.5)	64.4
Furniture and equipment	35.1	(2.6)	(0.7)	(17.9)	(21.2)	13.9
Staff assessment	873.9	(45.0)	(28.8)	(185.0)	(258.8)	615.0
Subtotal	11 638.4	(898.9)	(101.2)	(3 216.8)	(4 216.9)	7 421.5
The Hague						
Posts	1 791.5	(106.7)	(121.3)	918.6	690.6	2 482.1
Other staff costs	3 347.4	(193.1)	(21.2)	(1 458.7)	(1 673.0)	1 674.4
Experts	49.8	(2.9)	(0.2)	(46.7)	(49.8)	–
Travel of staff	131.1	–	(2.2)	(44.5)	(46.7)	84.4
Contractual services	63.8	(3.7)	(0.4)	(27.0)	(31.1)	32.7
Staff assessment	729.3	(34.5)	(25.2)	(200.0)	(259.7)	469.6
Subtotal	6 112.9	(340.9)	(170.5)	(858.3)	(1 369.7)	4 743.2
Total expenditure (gross)	17 751.3	(1 239.8)	(271.7)	(4 075.1)	(5 586.6)	12 164.7
Income						
Staff assessment	1 603.1	(79.5)	(54.0)	(385.0)	(518.5)	1 084.6
Total requirements (net)	16 148.2	(1 160.3)	(217.7)	(3 690.1)	(5 068.1)	11 080.1

Posts (increase: \$2,511,300, including an increase of \$1,592,700 in Arusha and an increase of \$918,600 in The Hague)

11. The increase reflects the following:

(a) Arusha: an increase attributable to lower than budgeted vacancy rates during the biennium. The budgetary assumptions included a vacancy rate of 26.2 per cent for the Professional category and above and 19.6 per cent for the General Service and related categories. During 2014, the average vacancy rates were 18.3 per cent for Professional posts and zero per cent for General Service and related posts. For the period from January to August 2015, the average vacancy rates

were 3.8 per cent for Professional posts and zero per cent for General Service posts. At the end of August 2015, a total of one (Professional) post remained unencumbered, reflecting an actual vacancy rate of 10 per cent for Professional posts and zero per cent for General Service posts;

(b) The Hague: an increase attributable to lower than budgeted vacancy rates during the biennium. The budgetary assumptions included a vacancy rate of 26.2 per cent for the Professional category and above and 19.6 per cent for the General Service and related categories. During 2014, the average vacancy rates were 9.7 per cent for Professional posts and zero per cent for General Service and related posts. For the period from January to August 2015, the average vacancy rates were zero per cent for Professional and General Service posts. At the end of August 2015, no post remained unencumbered, reflecting an actual vacancy rate of zero per cent for Professional and General Service posts.

Other staff costs (decrease: \$5,297,200, including a decrease of \$3,838,500 in Arusha and a decrease of \$1,458,700 in The Hague)

12. The decrease reflects the following:

(a) Arusha: a decrease owing to the lower than anticipated judicial activity during the biennium, attributable to the non-occurrence of the trials of two fugitives, who were not arrested during the biennium; hence, no funds were utilized for the trials of those two cases;

(b) The Hague: a decrease owing to the absence of appeals proceedings in the Šešelj and Karadžić cases. The appeals in these cases have been postponed to 2016 because of the extension of the completion dates of the first instance proceedings.

Experts (decrease: \$221,300, including a decrease of \$174,600 in Arusha and a decrease of \$46,700 in The Hague)

13. The decrease reflects the following:

(a) Arusha: a decrease owing to the lower than anticipated judicial activity since March 2015 in respect of rule 11 bis cases transferred to Rwanda, which resulted in a reduction in the travel of experts who monitor the trials;

(b) The Hague: a decrease owing to the absence of appeals proceedings in the Šešelj and Karadžić cases.

Travel of staff (decrease: \$238,600, including a decrease of \$194,100 in Arusha and a decrease of \$44,500 in The Hague)

14. The decrease reflects the following:

(a) Arusha: a decrease owing to the fact that the 33 missions for fugitive prosecution did not take place since the two fugitives were not arrested during the biennium;

(b) The Hague: a decrease owing mainly to the absence of appeals proceedings in the Šešelj and Karadžić cases.

Contractual services (decrease: \$42,800, including a decrease of \$15,800 in Arusha and a decrease of \$27,000 in The Hague)

15. The decrease reflects the following:

(a) Arusha: a decrease under training owing to the fact that for some training activities, the trainers travelled to Arusha rather than the trainees travelling to the original site of the training, which resulted in underexpenditure;

(b) The Hague: a decrease under training owing to delays in the recruitment of general temporary assistance positions.

General operating expenses (decrease: \$383,600, solely in Arusha)

16. The decrease is due to lower requirements for the tracking of fugitives. Substantial costs under general operating expenses are incurred when there is an arrest, which normally involves the immediate protection and possible relocation of informants and sources who contributed to the arrest and may have exposed themselves to risk. No arrests were made during the biennium, resulting in underexpenditure.

Furniture and equipment (decrease: \$17,900, solely in the Arusha branch)

17. The decrease is due to the fact that the SharePoint software will not be upgraded during the biennium pending the implementation of the Mechanism's strategy for the electronic document and records management system and for information and communications technology.

Staff assessment (decrease: \$385,000, including a decrease of \$185,000 in Arusha and a decrease of \$200,000 in The Hague)

18. The decrease reflects the reduced actual requirements under other staff costs as well as changes in the staffing composition of the Mechanism.

Registry

Table 5
Projected changes and proposed final appropriation by object of expenditure

(Thousands of United States dollars)

Object of expenditure	Revised 2014-2015 appropriation	Projected changes				Proposed 2014-2015 final appropriation
		Exchange rate	Inflation	Post incumbency and other changes	Total	
Expenditure						
Arusha						
Posts	7 454.2	(777.0)	2.1	43.8	(731.1)	6 723.1
Other staff costs	23 535.6	(1 733.9)	(427.0)	(18 498.5)	(20 659.4)	2 876.2
Consultants	128.7	(9.7)	(2.5)	(66.5)	(78.7)	50.0
Experts	190.2	(14.5)	(3.5)	(29.3)	(47.3)	142.9
Travel of staff	1 145.9	–	(15.8)	(561.0)	(576.8)	569.1
Contractual services	3 808.4	(289.4)	(71.1)	(2 779.3)	(3 139.8)	668.6
General operating expenses	4 886.4	(370.4)	(91.3)	(1 706.8)	(2 168.5)	2 717.9

Object of expenditure	Revised 2014-2015 appropriation	Projected changes			Total	Proposed 2014-2015 final appropriation
		Exchange rate	Inflation	Post incumbency and other changes		
Hospitality	11.0	(0.8)	(0.2)	–	(1.0)	10.0
Supplies and materials	560.8	(42.7)	(10.4)	(233.9)	(287.0)	273.8
Furniture and equipment	2 751.5	(209.4)	(51.5)	(162.3)	(423.2)	2 328.3
Improvement of premises	5 809.7	(1.7)	(0.4)	(19.1)	(21.2)	5 788.5
Grants and contributions	349.0	–	–	(322.0)	(322.0)	27.0
Staff assessment	2 878.5	(193.4)	(75.1)	(579.0)	(847.5)	2 031.0
Subtotal	53 509.9	(3 642.9)	(746.7)	(24 913.9)	(29 303.5)	24 206.4
The Hague						
Posts	5 206.2	(318.5)	(392.0)	1 546.8	836.3	6 042.5
Other staff costs	8 604.2	(495.1)	(54.6)	(789.8)	(1 339.5)	7 264.7
Consultants	25.8	(1.5)	(0.1)	1.7	0.1	25.9
Travel of staff	808.0	–	(10.9)	(177.1)	(188.0)	620.0
Contractual services	6 955.6	(400.4)	(44.0)	(1 491.8)	(1 936.2)	5 019.4
General operating expenses	5 712.9	(368.7)	(40.1)	(829.7)	(1 238.5)	4 474.4
Hospitality	10.4	(0.5)	–	–	(0.5)	9.9
Supplies and materials	202.3	(11.5)	(1.1)	(38.2)	(50.8)	151.5
Furniture and equipment	831.9	(48.2)	(5.3)	79.5	26.0	857.9
Improvement of premises	48.9	(2.8)	(0.2)	(26.7)	(29.7)	19.2
Staff assessment	2 187.9	(103.8)	(82.7)	(525.0)	(711.5)	1 476.4
Subtotal	30 594.1	(1 751.0)	(631.0)	(2 250.3)	(4 632.3)	25 961.8
Total expenditure (gross)	84 104.0	(5 393.9)	(1 377.7)	(27 164.2)	(33 935.8)	50 168.2
Income						
Staff assessment	5 066.4	(297.2)	(157.8)	(1 104.0)	(1 559.0)	3 507.4
Total requirements (net)	79 037.6	(5 096.7)	(1 219.9)	(26 060.2)	(32 376.8)	46 660.8

Posts (increase: \$1,590,600, including an increase of \$43,800 in Arusha and an increase of \$1,546,800 in The Hague)

19. The increase reflects the following:

(a) Arusha: a slight increase attributable to higher than budgeted common staff costs (63.1 per cent compared with 59.5 per cent budgeted) and lower than budgeted vacancy rates in 2015, offset mostly by higher than budgeted vacancy rates in 2014. The budgetary assumptions included a vacancy rate of 26.2 per cent for the Professional category and above and 19.6 per cent for the General Service and related categories. During 2014, the average vacancy rates were 42.2 per cent for Professional posts and 45.5 per cent for General Service and related posts. For the period from January to August 2015, the average vacancy rates were 12.3 per cent for Professional posts and 14.1 per cent for General Service posts. At the end of August 2015, a total of three posts (1 Professional, 2 General Service) remained

unencumbered, reflecting an actual vacancy rate of 5.6 per cent for Professional posts and 8.7 per cent for General Service posts;

(b) The Hague: an increase attributable to lower than budgeted vacancy rates during the biennium. The budgetary assumptions included a vacancy rate of 26.2 per cent for the Professional category and above and 19.6 per cent for the General Service and related categories. During 2014, the average vacancy rates were 24.5 per cent for Professional posts and zero per cent for General Service and related posts. For the period from January to August 2015, the average vacancy rates were 18.4 per cent for Professional posts and 4.7 per cent for General Service posts. At the end of August 2015, a total of two posts (1 Professional, 1 General Service) remained unencumbered, reflecting an actual vacancy rate of 5.3 per cent for Professional posts and 6.3 per cent for General Service posts.

Other staff costs (decrease: \$19,288,300, including a decrease of \$18,498,500 in Arusha and a decrease of \$789,800 in The Hague)

20. The decrease reflects the following:

(a) Arusha: a decrease owing mainly to the lower than anticipated judicial activity during the biennium, attributable to the non-occurrence of the trials of two fugitives. The two fugitives were not arrested during the biennium; hence, no funds were utilized for the trials of those two cases;

(b) The Hague: a decrease owing to the absence of appeals proceedings in the Šešelj and Karadžić cases. The appeals in these cases have been postponed to 2016 because of the extension of the completion dates of the first instance proceedings.

Consultants (net decrease: \$64,800, including a decrease of \$66,500 in Arusha and an increase of \$1,700 in The Hague)

21. The decrease reflects the following:

(a) Arusha: a decrease owing mainly to the lower requirements for expert witnesses for the defence teams, attributable to the fact that the two fugitives were not arrested during the biennium;

(b) The Hague: an increase owing to slightly higher than budgeted fees.

Experts (decrease: \$29,300, solely in Arusha)

22. The decrease, entirely under the Arusha branch, is due to lower requirements for monitoring the trials referred to Rwanda by the International Criminal Tribunal for Rwanda under rule 11 bis because of the lower than anticipated judicial activity since March 2015.

Travel of staff (decrease: \$738,100, including a decrease of \$561,000 in Arusha and a decrease of \$177,100 in The Hague)

23. The decrease reflects the following:

(a) Arusha: a decrease owing mainly to the lower than anticipated judicial activity, attributable to the fact that the two fugitives were not arrested during the biennium;

(b) The Hague: a decrease owing mainly to the postponement of appeals proceedings in the Šešelj and Karadžić cases to 2016 because of the extension of the completion dates of the first instance proceedings.

Contractual services (decrease: \$4,271,100, including a decrease of \$2,779,300 in Arusha and a decrease of \$1,491,800 in The Hague)

24. The decrease reflects the following:

(a) Arusha: a decrease owing mainly to lower requirements for defence counsel (\$2,499,900), translation services (\$99,400) and security services (\$152,400), attributable to the fact that the two fugitives were not arrested during the biennium;

(b) The Hague: a decrease owing mainly to lower requirements for defence counsel, attributable to the postponement of appeals proceedings in the Šešelj and Karadžić cases to 2016 because of the extension of the completion dates of the first instance proceedings.

General operating expenses (decrease: \$2,536,500, including a decrease of \$1,706,800 in Arusha and a decrease of \$829,700 in The Hague)

25. The decrease reflects the following:

(a) Arusha: a decrease attributable mainly to lower requirements for enforcement of sentences (\$661,500), communications (\$268,700), rental of premises (\$209,700), rental of data processing equipment (\$156,900) and miscellaneous claims (\$130,800) owing to the lower than anticipated level of judicial activity in Arusha, specifically the non-occurrence of trials of fugitives. The decrease under communications and rental of data processing equipment is due to lower than budgeted costs shared with the International Criminal Tribunal for Rwanda. The decrease under enforcement of sentences is due to the fact that the projected increase in the number of States in which persons convicted by the Criminal Tribunal for Rwanda serve their sentence did not materialize, resulting in lower requirements for assistance to enforcement States;

(b) The Hague: a decrease attributable mainly to lower requirements for enforcement of sentences (\$581,200) and utilities (\$196,600). The decrease under enforcement of sentences is due to the fact that two agreements with States for the enforcement of sentences will not be concluded during the biennium, resulting in lower requirements for assistance to enforcement States. The decrease under utilities is due to consumption reduction initiatives.

Supplies and materials (decrease: \$272,100, including a decrease of \$233,900 in Arusha and a decrease of \$38,200 in The Hague)

26. The decrease reflects the following:

(a) Arusha: a decrease attributable mainly to lower requirements for data processing supplies (\$78,500) and recording equipment (\$61,100) owing to the fact that no trials were conducted during the biennium since the two fugitives were not arrested, and to lower requirements for petrol (\$43,000) owing to lower fuel prices;

(b) The Hague: a decrease owing mainly to lower requirements for stationery and office supplies (\$17,600), as items from the Tribunal become available as the Tribunal downsizes and are reused by the Mechanism, and to petrol (\$13,000), because of lower fuel prices.

Furniture and equipment (net decrease: \$82,800, including a decrease of \$162,300 in Arusha and an increase of \$79,500 in The Hague)

27. The decrease is the net effect of the following:

(a) Arusha: a decrease owing mainly to lower requirements for the acquisition of new furniture and office equipment, as a result of the transfer of usable furniture from the International Criminal Tribunal for Rwanda;

(b) The Hague: an increase owing mainly to the acquisition of a full-size VIP vehicle for the new President of the Mechanism. Until November 2015, the same judge was President of the International Tribunal for the Former Yugoslavia and of the Mechanism.

Improvement of premises (decrease: \$45,800, including a decrease of \$19,100 in Arusha and a decrease of \$26,700 in The Hague)

28. The decrease reflects the following:

(a) Arusha: a decrease owing to the lower than anticipated cost for the refurbishing of offices at the Arusha International Conference Centre;

(b) The Hague: a decrease owing to the lower than anticipated cost of the overhaul of heating, ventilation and air conditioning systems in the main building and of work undertaken in connection with the closure of the Administration Building.

Grants and contributions (decrease: \$322,000, solely in Arusha)

29. The decrease is due to reduced requirements for the organization's contribution to the Department of Safety and Security, which is calculated on the basis of the number of staff. The lower than anticipated level of judicial activity at the Arusha branch (specifically, the non-occurrence of trials of fugitives) resulted in a lower than budgeted number of temporary assistance positions during the biennium, which in turn brought about a decrease in the level of contributions to the Department.

Staff assessment (decrease: \$1,104,000, including a decrease of \$579,000 in Arusha and a decrease of \$525,000 in The Hague)

30. The decrease reflects the reduced actual requirements under other staff costs as well as changes in the staffing composition of the Mechanism.

Records management and archives

Table 6

Projected changes and proposed final appropriation by object of expenditure

(Thousands of United States dollars)

Object of expenditure	Revised 2014-2015 appropriation	Exchange rate	Projected changes			Total	Proposed 2014-2015 final appropriation
			Inflation	Post incumbency and other changes			
Expenditure							
Arusha							
Posts	2 283.7	(232.5)	(1.7)	302.9	68.7	2 352.4	
Other staff costs	5.6	(0.5)	(0.1)	(2.1)	(2.7)	2.9	

Object of expenditure	Revised 2014-2015 appropriation	Projected changes				Proposed 2014-2015 final appropriation
		Exchange rate	Inflation	Post incumbency and other changes	Total	
Travel of staff	68.1	–	(1.0)	(42.8)	(43.8)	24.3
Contractual services	115.6	(8.9)	(2.2)	(53.6)	(64.7)	50.9
General operating expenses	110.0	(8.4)	(2.1)	2.2	(8.3)	101.7
Supplies and materials	11.0	(0.8)	(0.2)	1.0	–	11.0
Furniture and equipment	1 485.4	(112.8)	(27.9)	(144.4)	(285.1)	1 200.3
Grants and contributions	–	–	–	200.0	200.0	200.0
Staff assessment	212.4	(8.2)	(10.3)	(31.0)	(49.5)	162.9
Subtotal	4 291.8	(372.1)	(45.5)	232.2	(185.4)	4 106.4
The Hague						
Posts	1 800.7	(130.4)	(108.7)	527.2	288.1	2 088.8
Other staff costs	2.7	(0.3)	–	(1.0)	(1.3)	1.4
Travel of staff	58.6	–	(0.8)	(25.9)	(26.7)	31.9
Contractual services	167.2	(9.6)	(0.9)	154.5	144.0	311.2
General operating expenses	257.2	(14.7)	(1.7)	(181.8)	(198.2)	59.0
Supplies and materials	27.5	(1.6)	(0.3)	1.5	(0.4)	27.1
Furniture and equipment	2 246.7	(129.4)	(14.1)	(155.0)	(298.5)	1 948.2
Improvement of premises	379.1	(21.8)	(2.4)	(314.6)	(338.8)	40.3
Staff assessment	294.9	(11.0)	(24.2)	(40.0)	(75.2)	219.7
Subtotal	5 234.6	(318.8)	(153.1)	(35.1)	(507.0)	4 727.6
Total expenditure (gross)	9 526.4	(690.9)	(198.6)	197.1	(692.4)	8 834.0
Income						
Staff assessment	507.3	(19.2)	(34.5)	(71.0)	(124.7)	382.6
Total requirements (net)	9 019.1	(671.7)	(164.1)	268.1	(567.7)	8 451.4

Posts (increase: \$830,100, including an increase of \$302,900 in Arusha and an increase of \$527,200 in The Hague)

31. The increase reflects the following:

(a) Arusha: an increase attributable to lower than budgeted vacancy rates during the biennium. The budgetary assumptions included a vacancy rate of 26.2 per cent for the Professional category and above and 19.6 per cent for the General Service and related categories. During 2014, the average vacancy rates were 23.6 per cent for Professional posts and 36.7 per cent for General Service and related posts. For the period from January to August 2015, the average vacancy rates were 4.2 per cent for Professional posts and 5.0 per cent for General Service posts. At the end of August 2015, no post remained unencumbered, reflecting an actual vacancy rate of zero per cent for Professional and General Service posts;

(b) The Hague: an increase attributable to lower than budgeted vacancy rates during the biennium. The budgetary assumptions included a vacancy rate of 26.2 per

cent for the Professional category and above and 19.6 per cent for the General Service and related categories. During 2014, the average vacancy rates were 41.7 per cent for Professional posts and 20.0 per cent for General Service and related posts. For the period from January to August 2015, the average vacancy rates were 31.1 per cent for Professional posts and zero per cent for General Service posts. At the end of August 2015, a total of one (Professional) post remained unencumbered, reflecting an actual vacancy rate of 16.7 per cent for Professional posts and zero per cent for General Service posts.

Other staff costs (decrease: \$3,100, including a decrease of \$2,100 in Arusha and a decrease of \$1,000 in The Hague)

32. The decrease reflects the following:

- (a) Arusha: a decrease owing to the lower use of overtime;
- (b) The Hague: a decrease owing to the lower use of overtime.

Travel of staff (decrease: \$68,700, including a decrease of \$42,800 under Arusha and a decrease of \$25,900 under The Hague)

33. The decrease reflects the following:

- (a) Arusha: a decrease owing to the reduction in the number of trips related to inter-branch coordination and to the use of alternatives to travel, such as videoconferencing;
- (b) The Hague: a decrease owing to the reduction in the number of trips related to inter-branch coordination and to the use of alternatives to travel, such as videoconferencing.

Contractual services (net increase: \$100,900, including a decrease of \$53,600 in Arusha and an increase of \$154,500 in The Hague)

34. The increase is the net effect of the following:

- (a) Arusha: a decrease mainly under data processing services (\$29,800) owing to the postponement of the projects on access to the archives of the International Criminal Tribunal for Rwanda through the Internet and the management of e-mail records; and under other contractual services (\$35,000) owing to the increased use of in-house capacity to cover specialist technical services in the areas of conservation, digitization and migration of digital records;
- (b) The Hague: an increase mainly under other contractual services (\$147,800) owing to requirements for specialist consultancy services to configure TRIM software and undertake the migration of the two existing sets of judicial records.

General operating expenses (net decrease: \$179,600, including an increase of \$2,200 in Arusha and a decrease of \$181,800 in The Hague)

35. The increase is the net effect of the following:

- (a) Arusha: a slight increase in the cost of maintenance of the DIVA software;
- (b) The Hague: a decrease under maintenance of data processing equipment (\$161,200) owing mainly to delays in the acquisition of the Digital Repository, which has led to lower maintenance costs.

Supplies and materials (increase: \$2,500, including an increase of \$1,000 in Arusha and an increase of \$1,500 in The Hague)

36. The increase reflects the following:

- (a) Arusha: a slight increase in the cost of archival supplies;
- (b) The Hague: a slight increase in the cost of archival supplies.

Furniture and equipment (decrease: \$299,400, including a decrease of \$144,400 in Arusha and a decrease of \$155,000 in The Hague)

37. The decrease reflects the following:

(a) Arusha: a decrease owing to the fact that the acquisition of a unified judicial database to enable the judicial records of the two Tribunals and the Mechanism to be combined into one single system will be cancelled, as a technical assessment of the Mechanism's needs has suggested that an existing commercial software can be configured for this purpose, rather than developing or acquiring a new system;

(b) The Hague: a decrease owing mainly to the cancellation of the acquisition of a unified judicial database, as explained above.

Improvement of premises (decrease: \$314,600, solely in The Hague)

38. The decrease is due to the fact that the remodelling of Courtroom 2 into a repository space was undertaken using in-house capacity rather than an external contractor as budgeted.

Grants and contributions (increase: \$200,000, solely in Arusha)

39. A coalition of academic institutions has completed a pilot of specially designed search technology that would greatly enhance the accessibility of the judicial records. The technology is tailored for the specific records of the Tribunals, including the capability to handle Cyrillic characters and the audiovisual recordings of the trials, significantly improving the effectiveness of searches of the database over existing commercial products. The ability to access and search the judicial records is a core need of staff of the Mechanism and of external users. The grant will make it possible for the project to develop beyond the pilot phase.

Staff assessment (decrease: \$71,000, including a decrease of \$31,000 in Arusha and a decrease of \$40,000 in The Hague)

40. The decrease reflects the reduced actual requirements under other staff costs as well as changes in the staffing composition of the Mechanism.

III. Action to be taken by the General Assembly

41. **The General Assembly is requested to take note of the present report and to approve the final appropriation for the biennium 2014-2015 of \$71,588,900 gross (\$66,614,300 net) for the International Residual Mechanism for Criminal Tribunals.**

Annex I

Budgetary assumptions

The following parameters were used in formulating the present proposed estimates for the final appropriation:

<i>Budget parameters</i>	<i>Duty station</i>							
	<i>The Hague (euro to US\$ 1)</i>				<i>Arusha (Tanzania shilling to US\$ 1)</i>			
	<i>Estimates reflected in the first performance report</i>		<i>Proposed estimates for the final appropriation</i>		<i>Estimates reflected in the first performance report</i>		<i>Proposed estimates for the final appropriation</i>	
	<i>2014</i>	<i>2015</i>	<i>2014</i>	<i>2015</i>	<i>2014</i>	<i>2015</i>	<i>2014</i>	<i>2015</i>
Rate of exchange	0.749	0.787	0.751	0.892	1 649.250	1 676.000	1 657.250	2 011.000
Inflation rate (percentage)	0.4	1.3	0.3	0.4	6.2	8.4	6.1	7.0
Post adjustment multiplier (percentage)	56.38	48.20	56.13	34.62	53.38	53.48	53.22	47.58

Annex II

Judicial activity during the biennium 2014-2015

I. Principal activities of the President

In his judicial capacity, the President issued 33 decisions in relation to matters concerning the enforcement of sentences. He issued a number of other decisions on matters related to the review of administrative decisions and the monitoring of cases referred to national jurisdictions. In addition, the President issued 111 orders assigning other matters to a single judge, the Appeals Chamber, or the Trial Chamber. He also presided over and served as pre-appeal judge on the Mechanism's first appeal from judgement, in the case of *Augustin Ngirabatware v. The Prosecutor*.

II. Principal activities of single judges and the Trial Chamber

Judge Vagn Joensen continued to serve as the duty judge or single judge in Arusha. Judges Bakone Justice Moloto, Burton Hall and Liu Daqun were assigned matters as single judges in The Hague. During the course of the biennium, the single judges in Arusha and The Hague issued 171 decisions or orders related to witness protection matters, requests for access to or reclassification of material, disclosure, and requests for compensation.

In addition, the President assigned a request for the revocation of a referral of a case to a national jurisdiction to a Trial Chamber composed of Judges Vagn Joensen, presiding, William H. Sekule and Florence Rita Arrey. The Trial Chamber issued five pretrial decisions in relation to the application, which is currently pending.

III. Principal activities of the Appeals Chamber

The Appeals Chamber issued its first appeal judgement on 18 December 2014 in the case of *Augustin Ngirabatware v. The Prosecutor*. It affirmed Mr. Ngirabatware's convictions for direct and public incitement to commit genocide and aiding and abetting genocide, which were imposed by the International Criminal Tribunal for Rwanda, but reversed his conviction for committing rape as a crime against humanity pursuant to the extended form of joint criminal enterprise and reduced his sentence of 35 years of imprisonment to 30 years of imprisonment. The Appeals Chamber also issued a number of pre-appeal decisions and orders in relation to this case.

Moreover, the Appeals Chamber issued a decision on an appeal of a decision of the International Tribunal for the Former Yugoslavia on a request for revocation of the referral of a case to a national jurisdiction. It also issued several decisions on requests for review and assignment of counsel in connection with requests for review. In addition, the Appeals Chamber issued a number of decisions on procedural or witness protection matters related to these cases. In total, the Appeals Chamber issued 32 decisions or orders.