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Agenda item 139

**Financing of the International Tribunal for the Prosecution of  
Persons Responsible for Serious Violations of International  
Humanitarian Law Committed in the Territory of the  
Former Yugoslavia since 1991****Second performance report on the budget of the  
International Tribunal for the Former Yugoslavia  
for the biennium 2006-2007****Report of the Secretary-General***Summary*

The second performance report on the budget of the International Tribunal for the Former Yugoslavia for the biennium 2006-2007 is submitted pursuant to General Assembly resolution 61/242. The report provides an estimate of the anticipated final level of expenditures for the biennium 2006-2007, taking into account changes in parameters for inflation and exchange rates and cost-of-living adjustments compared with the assumptions made in the first performance report (A/61/585), which was reviewed by the Assembly at its sixty-first session and which formed the basis for the revised appropriation and estimate of income for the biennium.

The revised requirements reflect an increase of \$22,405,400 gross (\$19,106,900 net) as compared with the revised appropriation for the biennium 2006-2007. The increase in requirements includes changes with respect to the combined effect of exchange rate fluctuations and inflation (\$16,998,000 gross (\$16,242,100 net)); a commitment authority pursuant to General Assembly resolution 61/263 for the standardized access control project (\$1,500,000) and increases in post incumbency and other changes (\$3,907,400 gross (\$1,364,800 net)).

The General Assembly is requested to revise the appropriation for 2006-2007 to \$348,979,300 gross (\$316,237,400 net) to the Special Account for the International Tribunal for the Former Yugoslavia.



## I. Introduction

1. The purpose of the present second performance report on the budget for the International Tribunal for the Former Yugoslavia is to provide an estimate of the final level of resources required for the biennium. The estimate is based on actual expenditures for the first 20 months of the biennium, projected requirements for the last four months and changes in inflation and exchange rates and cost-of-living adjustments as compared with the assumption made in the first performance report (A/61/585), which was reviewed by the General Assembly at its sixty-first session and which formed the basis for the revised appropriation for the biennium 2006-2007.

2. The activities of the International Tribunal are predominantly trial based, and most of the requirements are therefore linked to the pace of trial activities.

## II. Explanation of the changes in net expenditure requirements

3. The estimates proposed in the present report reflect an increase of \$22,405,400 gross (\$19,106,900 net) as compared with the revised appropriation approved by the General Assembly in its resolution 61/242. The distribution of the projected changes and the proposed final appropriation for the International Tribunal for the biennium 2006-2007 are set out in tables 1 and 2.

Table 1

### Estimated final requirements by component and main determining factor

(Thousands of United States dollars)

Component	Revised 2006-2007 appropriation	Projected changes				Total	Proposed 2006-2007 final appropriation
		Rate of exchange	Inflation	Commitment authority	Post incumbency and other changes		
Expenditure							
Chambers	9 525.3	2 783.2	(2.0)	—	631.0	3 412.2	12 937.5
Office of the Prosecutor	87 085.0	3 637.7	(122.4)	—	5 568.7	9 084.0	96 169.0
Registry	229 963.6	10 567.5	134.0	1 500.0	(2 292.3)	9 909.2	239 872.8
<b>Total expenditure (gross)</b>	<b>326 573.9</b>	<b>16 988.4</b>	<b>9.6</b>	<b>1 500.0</b>	<b>3 907.4</b>	<b>22 405.4</b>	<b>348 979.3</b>
Income							
Staff assessment	29 178.1	561.2	194.7	—	2 587.3	3 343.2	32 521.3
Other income	265.3	—	—	—	(44.7)	(44.7)	220.6
<b>Total requirements (net)</b>	<b>297 130.5</b>	<b>16 427.2</b>	<b>(185.1)</b>	<b>1 500.0</b>	<b>1 364.8</b>	<b>19 106.9</b>	<b>316 237.4</b>

Table 2

**Projected expenditures by object of expenditure and main determining factor**

(Thousands of United States dollars)

Object of expenditure	Revised 2006-2007 appropriation	Rate of exchange	Inflation	Projected changes			Proposed 2006-2007 final appropriation
				Commitment authority	Post incumbency and other changes	Total	
<b>Expenditure</b>							
Posts	163 251.2	7 624.8	(78.3)	—	5 920.7	13 467.2	176 718.4
Other staff costs	25 797.5	1 304.1	(12.7)	—	(4 497.3)	(3 205.9)	22 591.6
Salaries and allowances of judges	9 347.6	2 781.6	(0.8)	—	632.7	3 413.5	12 761.1
Consultants and experts	795.5	40.7	(0.4)	—	32.0	72.3	867.8
Travel of staff	7 685.6	—	(53.7)	—	(859.6)	(913.3)	6 772.3
Contractual services	56 973.5	2 897.0	(27.6)	—	4 014.2	6 883.6	63 857.1
General operating expenses	24 655.4	1 252.2	(11.8)	—	(2 431.7)	(1 191.3)	23 464.1
Hospitality	14.4	0.7	—	—	(0.7)	—	14.4
Supplies and materials	2 507.9	141.8	(0.4)	—	(845.7)	(704.3)	1 803.6
Furniture and equipment	5 739.7	366.8	0.8	—	(990.7)	(623.1)	5 116.6
Improvement of premises	358.3	17.5	(0.2)	1 500.0	347.2	1 864.5	2 222.8
Grants and contributions	269.2	—	—	—	(1.0)	(1.0)	268.2
Staff assessment	29 178.1	561.2	194.7	—	2 587.3	3 343.2	32 521.3
<b>Total expenditure (gross)</b>	<b>326 573.9</b>	<b>16 988.4</b>	<b>9.6</b>	<b>1 500.0</b>	<b>3 907.4</b>	<b>22 405.4</b>	<b>348 979.3</b>
<b>Income</b>							
Staff assessment	29 178.1	561.2	194.7	—	2 587.3	3 343.2	32 521.3
Other income	265.3	—	—	—	(44.7)	(44.7)	220.6
<b>Total requirements (net)</b>	<b>297 130.5</b>	<b>16 427.2</b>	<b>(185.1)</b>	<b>1 500.0</b>	<b>1 364.8</b>	<b>19 106.9</b>	<b>316 237.4</b>

**A. Variations in budgetary assumptions*****Rates of exchange and inflation (increase: \$16,998,000)***

4. The increase in this category is attributable to the impact of exchange rate fluctuations (\$16,988,400), attributable mainly to the weakening of the dollar vis-à-vis the euro during the period from January to November 2007 and the application of the November exchange rate for December 2007 as well as increased requirements for inflation (\$9,600). With regard to inflation, the adjustments are based on the latest information available 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 actual cost-of-living adjustments of salary scales for staff in the General Service and related categories compared with the assumptions made in the revised appropriation. Details of the assumptions used in arriving at the foregoing figures are outline in annex I to the present report.

## B. Other requirements

### Chambers

Table 3

#### Projected expenditures by object of expenditure and main determining factor

(Thousands of United States dollars)

Object of expenditure	Revised 2006-2007 appropriation	Projected changes			Total	Proposed 2006-2007 final appropriation
		Rate of exchange	Inflation	Post incumbency and other changes		
Salaries and allowances of judges	9 347.6	2 781.6	(0.8)	632.7	3 413.5	12 761.1
Consultants and experts	31.4	1.6	(0.1)	(2.8)	(1.3)	30.1
Travel of staff	146.3	—	(1.1)	1.1	—	146.3
<b>Total requirements</b>	<b>9 525.3</b>	<b>2 783.2</b>	<b>(2.0)</b>	<b>631.0</b>	<b>3 412.2</b>	<b>12 937.5</b>

#### *Salaries and allowances of judges (increase: \$632,700)*

5. The increased requirements under this heading broadly relate to the appointment of three reserve judges, as approved by the Security Council in its resolution 1660 (2006), for which no provisions were made in the 2006-2007 budget proposal (\$765,400). In this regard, it should be recalled that the General Assembly, in its decision 60/560, took note of the report of the Secretary-General on revised estimates arising in respect of Security Council resolution 1660 (2006) on the appointment of three reserve judges at the International Tribunal (A/60/844) and requested the Secretary-General to report on any additional requirements arising thereof in the context of the second performance report for the biennium 2006-2007. The increase is partially offset by lower requirements for common costs of judges, including travel on home leave, education allowances, pension benefits for former judges, relocation and installation costs (\$132,700).

### Office of the Prosecutor

Table 4

#### Projected expenditures by object of expenditure and main determining factor

(Thousands of United States dollars)

Object of expenditure	Revised 2006-2007 appropriation	Projected changes			Total	Proposed 2006-2007 final appropriation
		Rate of exchange	Inflation	Post incumbency and other changes		
Expenditure						
Posts	60 160.3	2 810.5	(144.5)	5 365.2	8 031.2	68 191.5
Other staff costs	13 125.0	665.3	(6.3)	(639.2)	19.8	13 144.8
Consultants and experts	388.4	20.1	(0.1)	109.3	129.3	517.7

<i>Object of expenditure</i>	<i>Revised 2006-2007 appropriation</i>	<i>Projected changes</i>			<i>Total</i>	<i>Proposed 2006-2007 final appropriation</i>
		<i>Rate of exchange</i>	<i>Inflation</i>	<i>Post incumbency and other changes</i>		
Travel of staff	2 788.6	—	(17.8)	(515.8)	(533.6)	2 255.0
Contractual services	196.8	9.9	(0.1)	(60.8)	(51.0)	145.8
Staff assessment	10 425.9	131.9	46.4	1 310.0	1 488.3	11 914.2
<b>Total expenditure (gross)</b>	<b>87 085.0</b>	<b>3 637.7</b>	<b>(122.4)</b>	<b>5 568.7</b>	<b>9 084.0</b>	<b>96 169.0</b>
<b>Income</b>						
Staff assessment	10 425.9	131.9	46.4	1 310.0	1 488.3	11 914.2
<b>Total requirements (net)</b>	<b>76 659.1</b>	<b>3 505.8</b>	<b>(168.8)</b>	<b>4 258.7</b>	<b>7 595.7</b>	<b>84 254.8</b>

***Posts (increase: \$5,365,200)***

6. The increase under this heading reflects the combined effect of increases in salaries (\$4,198,600) and common staff costs (\$1,166,600). Consistently lower than standard vacancy rates have been experienced by the Office of the Prosecutor during the biennium 2006-2007. During 2006, the average vacancy rates were 4.4 per cent for Professional posts and 2.4 per cent for General Service posts, compared with the budgetary assumptions of 9.5 per cent and 7.9 per cent, respectively. During the period from January to August 2007, average vacancy rates were 2.3 per cent for Professional posts and 1.5 per cent for General Service posts. At the time of the preparation of the present report, a total of 13 posts (10 Professional and 3 General Service) remained unencumbered, reflecting actual vacancy rates of 5.1 per cent and 2.4 per cent for Professional and General Service posts, respectively. Furthermore, the increased requirements under common staff costs relate to frequent rotation in the Office resulting in higher payments for installation/repatriation travel and allowances, which has generated a higher rate of actual common staff costs than projected.

7. Provisions under staff assessment amount to \$11,914,200, reflecting a net increase of \$1,488,300, which is offset by the same amount under income from staff assessment.

***Other staff costs (decrease: \$639,200)***

8. The overall reduction is mainly attributable to reduced requirements under mission subsistence allowance (\$102,600) and general temporary assistance (\$532,300). Decreased requirements under mission subsistence allowance are attributable to the lower than anticipated number of staff stationed in field offices. Reduced requirements under general temporary assistance are attributable to the difficulties faced by the Tribunal in the recruitment of temporary assistance staff required to assist in peak pretrial and trial phases, research and analysis due to the perceived temporary status of the positions.

**Consultants and experts (increase: \$109,300)**

9. Increased requirements under this heading relate to two main factors: (a) the higher than budgeted number of expert witnesses, including military analysts, forensic experts, political and historical analysts engaged by the Office of the Prosecutor owing to a decision by the Trial Chamber not to allow in-house experts to provide expert testimony during hearings; and (b) the higher than budgeted number of consultants required to assist prosecution teams in pretrial and trial work owing to the increased complexity of issues generated by the multiple trials of accused persons.

**Travel of staff (decrease: \$515,800)**

10. The reduction (\$515,800) is a result of the continued efficient management of travel. As in previous bienniums, senior management continued to scrutinize and assess the strategic value and anticipated benefit of each mission, which resulted in less travel, shorter missions and increased reliance on personnel stationed in field offices.

**Contractual services (decrease: \$60,800)**

11. The decrease relates to reduced requirements under training owing to the heavy workload associated with the heavy pace of trial activity, both at the trial and appellate level, resulting in the inability of staff to attend training courses as initially programmed for the biennium 2006-2007.

**Registry**

Table 5

**Projected expenditures by object of expenditure and main determining factor**

(Thousands of United States dollars)

Object of expenditure	Revised 2006-2007 appropriation	Rate of exchange	Inflation	Projected changes			Proposed 2006-2007 final appropriation
				Commitment authority	Post incumbency and other changes	Total	
Expenditure							
Posts	103 090.9	4 814.3	66.2	—	555.5	5 436.0	108 526.9
Other staff costs	12 672.5	638.8	(6.4)	—	(3 858.1)	(3 225.7)	9 446.8
Consultants and experts	375.7	19.0	(0.2)	—	(74.5)	(55.7)	320.0
Travel of staff	4 750.7	—	(34.8)	—	(344.9)	(379.7)	4 371.0
Contractual services	56 776.7	2 887.1	(27.5)	—	4 075.0	6 934.6	63 711.3
General operating expenses	24 655.4	1 252.2	(11.8)	—	(2 431.7)	(1 191.3)	23 464.1
Hospitality	14.4	0.7	—	—	(0.7)	—	14.4
Supplies and materials	2 507.9	141.8	(0.4)	—	(845.7)	(704.3)	1 803.6
Furniture and equipment	5 739.7	366.8	0.8	—	(990.7)	(623.1)	5 116.6
Improvement of premises	358.3	17.5	(0.2)	1 500.0	347.2	1 864.5	2 222.8

Object of expenditure	Revised 2006-2007 appropriation	Rate of exchange	Projected changes			Total	Proposed 2006-2007 final appropriation
			Inflation	Commitment authority	Post incumbency and other changes		
Grants and contributions	269.2	—	—	—	(1.0)	(1.0)	268.2
Staff assessment	18 752.2	429.3	148.3	—	1 277.3	1 854.9	20 607.1
<b>Total expenditure (gross)</b>	<b>229 963.6</b>	<b>10 567.5</b>	<b>134.0</b>	<b>1 500.0</b>	<b>(2 292.3)</b>	<b>9 909.2</b>	<b>239 872.8</b>
Income							
Staff assessment	18 752.2	429.3	148.3	—	1 277.3	1 854.9	20 607.1
Other income	265.3	—	—	—	(44.7)	(44.7)	220.6
<b>Total requirements (net)</b>	<b>210 946.1</b>	<b>10 138.2</b>	<b>(14.3)</b>	<b>1 500.0</b>	<b>(3 524.9)</b>	<b>8 099.0</b>	<b>219 045.1</b>

**Posts (increase: \$555,500)**

12. The increase is attributable to increased requirements under salaries (\$3,817,800) owing to the lower than budgeted vacancy rate realized for the biennium 2006-2007, partly offset by decreased requirements under common staff costs arising from lower than budgeted actual rates of common staff costs (\$3,262,300). The budgetary assumptions included a vacancy rate of 9.5 per cent for the Professional category and above and 7.9 per cent for the General Service and related categories. During 2006, the average vacancy rates experienced at the Registry were 6.3 per cent for the Professional category and 3.6 per cent for General Service category. For the period from January to August 2007, the average vacancy rates were 3.1 per cent for the Professional category and 4.2 per cent for the General Service category, resulting in increased requirements under this heading. At the time of the preparation of the present report, a total of 23 posts (3 Professional and 20 General Service) remained unencumbered, reflecting actual vacancy rates of 1.2 per cent for Professional posts and 4.2 per cent for General Service posts.

13. Provisions under staff assessment amount to \$20,607,100, reflecting a net increase of \$1,854,900, which is offset by an equivalent amount under income from staff assessment.

**Other staff costs (decrease: \$3,858,100)**

14. The reduction is mainly attributable to reduced requirements under interpretation (\$1,534,600), translation (\$1,305,600), general temporary assistance (\$483,100), overtime (\$327,700) and mission subsistence allowance (\$34,000). Reduced requirements under interpretation and translation are mainly attributable to delays in the proceedings, due to reasons beyond the Tribunal's control, which had an impact on court room utilization and hearing time and, in turn, resulted in lower actual than budget requirements for interpreters and translators in support of trials. The reduction under general temporary assistance is broadly attributable to the difficulties faced by the Tribunal in the recruitment of temporary assistance staff during peak workload periods due to the perceived temporary status of the positions. The decrease under overtime has been achieved through continuous and rigorous monitoring of requests for overtime, whereas reduced requirements under mission

subsistence allowance are broadly attributable to the lower than estimated number of staff stationed in field offices.

***Consultants and experts (decrease: \$74,500)***

15. The decrease is broadly attributable to the fact that fewer expert witnesses were required to travel to The Hague during the biennium.

***Travel of staff (decrease: \$344,900)***

16. The reduction relates primarily to reduced requirements under travel of staff accompanying witnesses to and from The Hague owing to measures introduced by the Registry during the biennium resulting in more efficient planning and coordination of escort travel.

***Contractual services (increase: \$4,075,000)***

17. The increase is mainly attributable to additional requirements for defence counsel fees (\$2,070,200) as well as increased requirements under detainee services (\$2,986,600). The increase is broadly offset by reduced requirements under contractual translation and verbatim reporting (\$1,011,400).

18. The increase under defence counsel fees (\$2,070,200) arises from changes in the composition and profile of trials as compared to the assumptions used in the preparation of the 2006-2007 budget. In particular, the trial schedule was significantly altered as a result of the death of Slobodan Milošević in March 2006. The Popović et al. case, involving seven co-accused, which was initially scheduled to begin in June 2007, opened instead in September 2006. As a result of this early start, the Tribunal faced additional costs of over \$2 million, which were not foreseen at the time of the preparation of the budget. The reduced requirements of approximately \$750,000 associated with the early conclusion of the Milošević trial were not sufficient to offset the additional costs generated by the above-mentioned trial of multiple accused. At the same time, additional legal fees and travel expenses were incurred during the biennium in respect of the Mrkšić trial, which was originally expected to be referred to the region under rule 11 bis but was actually tried in The Hague following a decision of the Appeals Chambers. Furthermore, pretrial legal fees were not budgeted for in the 2006-2007 budget in respect of the two fugitives apprehended in July 2007.

19. Regarding the increased requirements under detainee services (\$2,986,600), it should be recalled that at the time of the preparation of the proposed budget for the biennium 2006-2007, the Detention Unit consisted of 68 cells located within the Scheveningen penitentiary complex in two separate blocks of 36 and 32 cells, respectively. At that time, it was projected that the then existing cell capacity of 68 cells would not be sufficient to accommodate the estimated detainee population for the biennium 2006-2007. In view of that situation, discussions were initiated with the authorities of the Government of the Netherlands for the transfer of detainees to another unit within the penitentiary with a higher cell capacity. During the preliminary discussions, the authorities indicated that they would be prepared to make available to the Tribunal a unit consisting of 84 cells. However, at the time of preparing the budget, the Tribunal had not been provided with information on the additional costs, and no provisions were therefore made in the context of the proposed budget for the biennium 2006-2007. It should be noted that during its



consideration of the proposed budget for the biennium 2006-2007, the Advisory Committee on Administrative and Budgetary Questions was informed that any additional requirements associated with the increase in the number of cells would be reported in the context of the performance report for the biennium 2006-2007. Towards the end of 2005, an agreement was reached between the Tribunal and the authorities of the Netherlands resulting in an increase in cell capacity of 16 additional cells, from 68 to 84. The actual move of detainees to the unit with higher cell capacity took place in December 2005.

***General operating expenses (decrease: \$2,431,700)***

20. The reduction under this heading relates broadly to reduced requirements under miscellaneous services (\$1,052,600) owing to the lower than budgeted number of families in need of temporary relocation within the Netherlands as well as a reduction under general insurance resulting from an increase in the deductible amount for property and liability insurance, which in turn yielded lower insurance premiums. The reduction also relates to reduced requirements under: (a) miscellaneous maintenance services as a result of a new access security system being installed in the biennium 2006-2007, which is still under warranty (\$298,100); (b) rental of office equipment owing to renegotiation of the terms and conditions of the lease agreement for photocopiers (\$557,900); (c) communications due to economies achieved through sharp competition in the deregulated European telecommunications industry, improvements in satellite communications and reduced field communication charges (\$400,600); and (d) maintenance of various items of equipment resulting from proactive maintenance and equipment life cycle replacement programmes implemented by the Tribunal (\$478,900).

21. The reduction is broadly offset by increased requirements under utilities (\$261,700) based on usage due to extended working hours and increases under maintenance of office automation equipment (\$93,600), reflecting the strategy of the Information Technology Support Section in migrating from acquisition of equipment towards turnkey lease and maintenance agreement contracts.

***Supplies and materials (decrease: \$845,700)***

22. The decrease under this heading is mainly attributable to reduced requirements under stationery and office supplies, including data processing and communications supplies, owing to strict controls implemented on the use of stationery and office supplies throughout the different organs of the Tribunal and to the greater use of disclosure of evidence and other legal materials in electronic rather than hardcopy format, made possible through the expansion of the e-court and electronic data systems, as well as the more intensive use of e-mail for text/image document transmissions (\$597,300). The reduction also relates to decreased requirements under petrol, oil and other lubricants as a result of reduced travel activity in the field offices, which also brought about a decrease in vehicle utilization (\$109,600); as well as reduced requirements under uniforms (\$123,600).

***Furniture and equipment (decrease: \$990,700)***

23. The reduction reflects the transition from an acquisition-based management approach to a maintenance life cycle management approach through turnkey leasing. The decrease relates broadly to reduced requirements under: (a) furniture and

fixtures (\$34,600); (b) acquisition of office automation equipment (\$873,300); (c) acquisition of audio-visual equipment (\$172,100); (d) communications equipment (\$77,900); and (e) security and safety equipment (\$19,000). The reduction is partly offset by increased requirements under acquisition of software packages (\$211,100) relating to the upgrade of the Microsoft Office operating system platform scheduled to take place at the end of 2007.

***Improvement of premises (increase: \$347,200)***

***1. Construction, alteration and maintenance of premises (increase: \$490,800)***

24. The increase pertains primarily to increased requirements under construction, alteration and maintenance of premises (\$490,800) relating to the handover costs of the main building to the landlord. As per the terms and conditions of the new lease agreement, a handover fee would be due to the landlord in order to cover the costs associated with alterations made by the Tribunal over the years. That is, an indexed handover fee would apply in lieu of demolition and/or restoration of the building to its original state. It should be noted that it would be most cost effective to incur this expense now so as to avoid any increase over time given that the index is equivalent to approximately \$10,000 per year.

***2. Security improvement of premises (decrease: \$143,600)***

25. Under the terms of General Assembly resolution 61/263 on a strengthened and unified security management system, the Secretary-General is authorized to enter into commitments up to \$1,500,000 under the budget of the International Tribunal, without prejudice to the implementation of projects previously approved for the biennium 2006-2007 to be reported in the context of the second performance report, to implement the first phase of the standardized access control system.

26. Under the provisions of resolution 61/263, commitments in the amount of \$1,356,400 have been entered into, reflecting a decrease of \$143,600 from the authorized level, as follows: (a) closed circuit television (\$325,300); (b) access control barriers (\$671,400); and (c) security control room (\$359,700).

### **III. Conclusion**

**27. The General Assembly is requested to take note of the present report and to approve the final appropriation for the biennium 2006-2007 of \$348,979,300 gross (\$316,237,400 net) to the Special Account for the International Tribunal for the Former Yugoslavia.**

## Annex I

### Budgetary assumptions

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

<i>Budget parameters</i>	<i>Estimates used for the revised appropriation</i>		<i>Proposed estimates for the final appropriation</i>	
	<i>2006</i>	<i>2007</i>	<i>2006</i>	<i>2007</i>
Rate of exchange (US\$ 1: €)	0.80	0.80	0.80	0.73
Rate of inflation (percentage)	1.40	1.60	1.1	1.8
Post adjustment multiplier at The Hague (percentage)	47.43	44.15	47.84	55.34

## Annex II

### **Trial activity during the biennium 2006-2007**

1. The three Trial Chambers of the Tribunal continued to operate at record capacity with two separate sittings in each of the Tribunal's three courtrooms from early morning through to the evening. With the three available courtrooms, the Tribunal is able to run six trials (in hearing phase) simultaneously per day from 9 a.m. to 7 p.m. In 2007, the Tribunal was, however, able to accommodate the running of a full seventh trial. This was made possible by: (a) making use of free courtroom space resulting from unavoidable delays in the proceedings; and (b) assigning judges to serve on more than one case at a time. Furthermore, in order to expedite the hearing of trials, two of the Chambers hearing multiple accused cases held additional hearings during the three-week summer recess period, taking advantage of the extended availability of the three courtrooms. Additionally, during the fourth quarter of 2007, the Tribunal started a new trial while the judgment of another trial was in drafting phase, thus increasing the number of active trials to a record number of eight trials.

2. As at the time of the present report, out of the 161 accused indicted by the Tribunal, 11 accused remain at the pretrial stage, awaiting the commencement of their trials, and a further four accused are still at large. A total of 27 accused are presently being tried (a record number) and an additional eight have appeals pending. All other cases have been completed.

3. The Slobodan Milošević case was terminated on 14 March 2006 upon the death of the accused. The Krajišnik case ended on 31 August 2006 and the judgment was rendered on 27 September 2006. The Haradinaj et al. (three accused) case started on 5 March 2007. It is estimated that the trial will finish by March 2008.

4. The Mrkšić et al. case (three accused) commenced on 11 October 2005 and trial proceedings closed on 16 March 2007. The judgment was rendered on 27 September 2007. The Trial Chamber, while working on the writing of the judgment, started a new case, Boškoski and Tarčulovski, on 16 April 2007. Opening statements by the Office of the Prosecutor were heard on 16 April 2007. The presentation of evidence by the prosecution commenced on 7 May 2007.

5. On 15 March 2006, judgment was delivered in the Hadžihasanović and Kubura case. The Trial Chamber commenced the Prlić et al. case (six accused) on 26 April 2006. There was an adjournment from 6 to 12 June 2006 in this case, owing to a site visit by the Trial Chamber to the former Yugoslavia. The trial is estimated to finish by January 2009.

6. The Martić case commenced on 13 December 2005 and the trial ended on 12 January 2007. The judgment in the Martić case was rendered on 12 June 2007. The Milutinović et al. case (six accused) commenced 10 July 2006. The prosecution closed its case on 7 May 2007. There was an adjournment in this case (18 May 2007 through 22 June 2007), for rule 98 bis deliberations, and from 25 June 2007 to 3 August 2007 to allow the defence to prepare its case. The trial resumed on 6 August 2007, sitting extended hours during the court recess, and is estimated to finish by September 2008.

7. The Delić case started on 12 July 2007. The trial is scheduled to finish by June 2008. The Orić case commenced on 6 October 2004 and the trial ended on 10 April 2006. The judgment in the Orić case was rendered on 30 June 2006. The Trial Chamber started the Popović et al. case (seven accused) on 14 July 2006. The Popović trial case is estimated to end by April 2009.

8. The Dragomir Milošević case commenced on 11 January 2007 and the trial case ended on 10 October 2007. A site visit was conducted from 18 to 22 March. The prosecution ended its case on 2 May 2007, the rule 98 bis decision was rendered on 3 May, and the defence began its case on 24 May 2007. The case is currently in the judgment writing phase. Judgment is expected by the end of December 2007.

9. The pretrial conference in the Šešelj case commenced on 27 November 2006, followed by the opening statement of the Office of the Prosecutor. The trial adjourned on 1 December 2006 owing to the failing health of the accused. The trial was eventually annulled by the decision of the Appeals Chamber of 8 December 2006, following an appeal lodged by the accused against the imposition of assigned counsel by the Trial Chamber. The trial started on 7 November 2007. On 11 November 2006, Šešelj commenced a hunger strike at the Detention Unit, which he ended on 8 December 2006. In order to maximize courtroom usage, the Chambers decided to advance the start of the Dragomir Milošević trial to fill the gap left in the schedule following the delays in the Šešelj case.

10. Finally, the preparation of judgments in connection with cases scheduled for completion during the biennium required considerable work outside the courtrooms.

## Annex III

### Voluntary contributions and trust fund activities

1. The General Assembly, in its resolutions 49/242 B and 53/212, invited Member States and other interested parties to make voluntary contributions to the International Tribunal for the Former Yugoslavia both in cash and in the form of services and supplies acceptable to the Secretary-General. As at 31 October 2007, cash donations of approximately \$43.4 million had been received for the Voluntary Fund to support the activities of the Tribunal. Furthermore, pledges amounting to \$780,400 have also been received. For the period from 1 January 2006 to 31 October 2007, the Tribunal received \$1,220,800 in voluntary cash contributions.

2. Voluntary contributions have been utilized for activities related to supporting the Tribunal's prosecution and Registry activities, including the arrest initiative, victims and witnesses support, the outreach programme, continued development of the Tribunal's library and advocacy training activities. The status of voluntary cash contributions and cash pledges to support the activities of the Tribunal, as at 31 October 2007, is as follows:

#### Cash contributions to the Voluntary Fund, by contributor, as at 31 October 2007

(Thousands of United States dollars)

Contributions from inception to 31 December 2005	42 273.1
Contributions from 1 January 2006 to 31 October 2007	
Foundation Open Society Institute	20.0
European Commission	1 180.7
Norway	20.1
<b>Subtotal</b>	<b>1 220.8</b>
<b>Total</b>	<b>43 493.9</b>

#### Cash pledges to the Voluntary Fund, by contributor, as at 31 October 2007

(Thousands of United States dollars)

European Commission	Balance (2006 grant)	653.1
European Commission	Balance (2005 grant)	125.0
German Bar Association	Library	2.3
<b>Total</b>		<b>780.4</b>

**Projected expenditures by object of expenditure**

(Thousands of United States dollars)

<i>Object of expenditure</i>	<i>2006-2007 estimate<sup>a</sup></i>	<i>2006-2007 revised estimate</i>	<i>Increase (decrease)</i>
Posts	—	—	—
Other staff costs	3 695.0	3 780.5	85.5
Consultants and experts	13.0	13.0	—
Travel	57.4	57.4	—
Contractual services	76.9	76.9	—
General operating expenses	22.7	22.7	—
Supplies and materials	14.0	14.0	—
Furniture and equipment	27.4	27.4	—
<b>Total</b>	<b>3 906.4</b>	<b>3 991.9</b>	<b>85.5</b>

<sup>a</sup> A/62/374.

3. The increase in the revised requirements relates mainly to exchange rate fluctuations.