



# General Assembly

Distr.: General  
11 December 2007

Original: English

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## Sixty-second session

Agenda items 138 and 139

**Financing of the International Criminal Tribunal  
for the Prosecution of Persons Responsible for Genocide  
and Other Serious Violations of International Humanitarian  
Law Committed in the Territory of Rwanda and Rwandan  
Citizens Responsible for Genocide and Other Such Violations  
Committed in the Territory of Neighbouring States between  
1 January and 31 December 1994**

**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 reports for the biennium 2006-2007 and proposed budgets for the biennium 2008-2009 of the International Criminal Tribunal for Rwanda and of the International Tribunal for the Former Yugoslavia**

### **Report of the Advisory Committee on Administrative and Budgetary Questions**

#### **I. Introduction**

1. The Advisory Committee on Administrative and Budgetary Questions has considered the proposed budgets for the biennium 2008-2009 for the International Tribunal for the Former Yugoslavia (A/62/374) and for the International Criminal Tribunal for Rwanda (A/62/468). It has also considered an advance version of the second performance reports for the biennium 2006-2007 for the International Tribunal for the Former Yugoslavia (A/62/556) and the International Criminal Tribunal for Rwanda (A/62/557). During its consideration of the reports, the Committee met with the Registrars, Deputy Prosecutors and other representatives of both Tribunals, who provided additional information and clarification.

2. The Advisory Committee points out that its review of this subject was hindered by the late submission of the second performance reports for the Tribunals (A/62/556 and A/62/557), advance copies of which were received only at the end of



November 2007. As a result, hearings were held on 3 December and additional information required by the Committee was received on 7 December 2007. **In order to ensure that the General Assembly has sufficient time and information available when considering the budgets of the Tribunals, the Committee recommends that future budget and performance reports be submitted in all official languages in a timely manner.**

3. The Advisory Committee considered the financing of the Tribunals together in order to facilitate discussions on cross-cutting issues concerning both bodies.

## **II. Cross-cutting issues**

### **A. Completion strategy**

4. Upon enquiry, the Advisory Committee was informed that the total expenditures from inception through 31 December 2007 are estimated at approximately \$1.2 billion for the International Tribunal for the Former Yugoslavia and \$1.1 billion for the International Criminal Tribunal for Rwanda. Summary information on case-related statistics, including the breakdown of the number of persons indicted, acquitted, sentenced, referred and those under proceedings is provided in sections III and IV below.

5. The Advisory Committee notes that the completion strategy for each Tribunal was endorsed by the Security Council and reconfirmed “in the strongest terms” in its resolution 1503 (2003). The aim was to complete investigations by 31 December 2004, first instance trials by 31 December 2008 and appeals by 31 December 2010. The Council re-emphasized the importance of fully implementing the completion strategy in its resolution 1534 (2004). The strategy comprises two main pillars: (a) fair and expeditious completion of trials in accordance with the established timeline; and (b) transfer of certain cases against accused persons, indicted under the authority of the Tribunal, to competent national jurisdictions.

6. Trials for the 11 cases originally planned for the International Tribunal for the Former Yugoslavia were on schedule for completion by the end of 2009, however, three new cases have been added to the trial schedule for 2009 as a result of the arrest of two fugitives and the revoked referral to a national court of two accused. The Advisory Committee was informed that the Tribunal anticipates that 14 cases will be tried during 2008-2009, involving 37 accused (A/62/374, paras. 5-7). It notes that a total of 13 accused have been transferred to domestic courts and that another case may be considered for referral to national jurisdiction. The Committee was informed that the trials of the two persons newly arrested were scheduled for completion in early 2010, and that all appeals were now expected to be finalized by 2011.

7. The International Criminal Tribunal for Rwanda anticipates that trials involving up to 21 accused will be ongoing during 2008. Of the eight accused persons in custody and awaiting trial, the Prosecutor has indicated his intention to refer up to five accused to competent jurisdictions for trial (A/62/468, paras. 6-7). The Advisory Committee was informed that the trials at first instance were expected to be completed by the end of 2008 or mid-2009.

8. The judicial work of the Tribunals has been evolving, from investigations to prosecutions, and a gradual shift towards appeals is envisaged during the course of 2008-2009. The Appeals Chamber consists of seven permanent appeals judges in The Hague, five of whom are financed by the International Tribunal for the Former Yugoslavia and two by the International Criminal Tribunal for Rwanda (A/62/374, para. 32, and A/62/468, para. 24). The Advisory Committee was informed that, as the work of the Tribunals would move progressively towards appeals, this would place greater pressure on the Appeals Chamber and would potentially affect the overall time frame for the completion strategy.

9. As regards referral to national jurisdictions, Rule 11 bis of the Rules of Evidence and Procedure of the Tribunals requests monitoring of proceedings in cases referred to national jurisdictions. The Advisory Committee was informed that the Office of the Prosecutor of the International Tribunal for the Former Yugoslavia would continue to assist transitional justice efforts in the region by supporting national prosecution and judicial authorities in the member States of the former Yugoslavia. The Committee was also informed that the Tribunal has made arrangements with the Organization for Security and Cooperation in Europe for the monitoring of transferred trials and that the monitoring mechanism is a fundamental component of the Tribunal's referral process (A/62/374, para. 63). With regard to the International Criminal Tribunal for Rwanda, the Committee was informed that, in the three cases for which the Trial Chambers has issued referral orders, the Chambers has specifically ordered the Prosecutor to monitor the proceedings and has stressed that the Prosecutor must have sufficient resources to discharge these obligations effectively.

10. The Advisory Committee was informed that: with respect to the International Tribunal for the Former Yugoslavia, four indicted persons are still at large; with respect to the International Criminal Tribunal for Rwanda, 18 are still at large. The Committee notes that the trial schedules and related budget proposals do not take into account resource requirements related to the trials of the fugitives. Thus the additional requirements will be presented as and when they are apprehended (A/62/374, para. 7, and A/62/468, para. 8). The Committee notes that, according to the Prosecutor of the International Tribunal for the Former Yugoslavia, even if the remaining fugitives are still at large after 2010 when the Tribunal will have completed trials and appeals, they must be tried by an international tribunal, preferably by the Tribunal itself (A/62/374, para. 59). Of the 18 fugitives being sought by the International Criminal Tribunal for Rwanda, the Prosecutor of the Tribunal intends to transfer 12 to national jurisdictions for trial and to try any of the prioritized six fugitives, should they be arrested before the end of 2008 (A/62/468, para. 48). The contingency plans of the Criminal Tribunal are contained in the above-mentioned report (A/62/468, para. 68). Upon enquiry, the Committee was informed that while, in the case of the International Tribunal for the Former Yugoslavia, only cases of intermediate and lower-level accused may be sought for transfer to national jurisdiction (A/62/374, para. 49), as determined by the Security Council, there are no such criteria for the referral of cases for the International Criminal Tribunal for Rwanda.

## **B. Multiple-accused and single-case trials**

11. The Advisory Committee notes that the International Tribunal for the Former Yugoslavia considers that the multiple-accused trials reduce overall trial time substantially in comparison with holding separate trials for each of the accused (A/62/374, para. 36). In this context, the Committee notes that, while an average eight accused persons were on trial at any one time during 2004-2005, an average of 23 are expected to be on trial at any one time during 2008. From 2009, the number is expected to drop as the Tribunal moves back to single-case trials. The multiple-accused cases will also reach the appeal level during 2008-2009, meaning that one case could comprise up to eight individual appeals, an enormous increase in complexity compared to appeals cases to date (A/62/374, para. 36). By contrast, the Committee was informed that the experience of the International Criminal Tribunal for Rwanda showed that trial of single-cases was a more efficient way to proceed, with one-single case trial taking no more than 16 weeks, while multiple-accused cases could last 300 days or even more.

## **C. Downsizing of the Tribunals**

12. The Advisory Committee notes from the Secretary-General's proposal that, based on the projected trial schedule of the Tribunals, it will be necessary to maintain the level of posts for 2008 at essentially the approved level for 2006-2007. For 2009, however, 258 posts at the International Tribunal for the Former Yugoslavia would be discontinued during the third and fourth quarters, and 349 posts at the International Criminal Tribunal for Rwanda would be discontinued, effective 1 January and 1 July. To enable the Tribunals to have the flexibility to align staff requirements more closely with the actual pace of trial activity during 2009, it is proposed that 258 posts for the International Tribunal for the Former Yugoslavia and 146 posts for the International Criminal Tribunal for Rwanda be abolished as at 1 January 2009, but that funding be provided through general temporary assistance. Upon enquiry, the Committee was informed that the proposed change in the source of funding would not affect the contractual status of staff encumbering these posts. Furthermore, the Tribunals understand the need to monitor post occupancy during 2009 so that the expiration of contracts coincides with the date on which particular functions are no longer required. Details on these posts are provided in the above-mentioned reports (A/62/374, para. 25, and A/62/468, para. 16) and are discussed in paragraphs 27 and 37 below. **The Committee has no objection to this approach.**

## **D. Cooperation between the Tribunals**

13. The resources requested for records management and archives for the biennium 2008-2009 are estimated at \$3,860,100 for the International Tribunal for the Former Yugoslavia and \$7,652,400 for the International Criminal Tribunal for Rwanda. Information with respect to formats, purposes, nature and the archiving project of the significant volumes of archives that have been compiled over the years in the work of the Tribunals is provided in the reports in the proposed budgets of the Tribunals (A/62/374, paras. 89-100, and A/62/468, paras. 88-99). The Advisory Committee notes that, by the time the Tribunals finish their work, their

archives will have to be organized for residual and legacy activities, that is, to provide documentary support for ongoing judicial procedures and to enable access by Member States, jurists, non-governmental organizations, historians and researchers. Representatives of the Tribunals and the Archives and Records Management Section at Headquarters met in June 2007 to develop and implement a common, comprehensive and coordinated strategy and project plan that outlines, inter alia, the appropriate preservation and access standards for records that are disclosable. Major tasks include: (a) input of records to a records management database; (b) digitization of the audio-visual records; and (c) digital preservation and support for the overall project with the assistance of consultants.

14. Upon enquiry, the Advisory Committee was informed that the International Criminal Tribunal for Rwanda had higher resource requirements for this purpose as it was at a less advanced stage than the International Tribunal for the Former Yugoslavia with regard to the readiness of its video records for digitization. While the International Tribunal for the Former Yugoslavia has already redacted video records for witness protection, and the conversion can be done directly and immediately, the International Criminal Tribunal for Rwanda will require a tape by tape review before the conversion of its tens of thousands of hours of tapes.

15. Upon further enquiry, the Advisory Committee was informed that the Tribunals continue to cooperate on a wide variety of other legal and administrative issues. Among the most notable are advocacy training and the sharing of best practices, which will result in a best practices manual (A/62/374, para. 20) and the development of recommendations on the legacy of the Tribunals. The Tribunals communicate frequently with each other and with concerned departments at Headquarters, including the Archives and Records Management Section, the Office of Programme Planning, Budget and Accounts, the Office of Legal Affairs and the Office of Human Resources Management, thus facilitating not only synchronized approaches between the Tribunals but also policy oversight by Headquarters. **The Committee welcomes these concerted efforts and encourages greater coordination and cooperation between the Tribunals as well as with Headquarters.**

## **E. After-service health insurance and pensions**

16. Information on the after-service health insurance and pension benefits for the Tribunals are contained in the reports in their proposed budgets for the biennium 2008-2009 (for the International Tribunal for the Former Yugoslavia, A/62/374, paras. 101-105; for the International Criminal Tribunal for Rwanda, A/62/468, paras. 100-104).

17. The Advisory Committee notes that since the establishment of the two Tribunals as temporary bodies, liabilities pertaining to after-service health insurance benefits have accrued but have not, thus far, been funded. These liabilities have now been duly recognized and reflected in the financial statements, in accordance with General Assembly resolution 60/255. The Committee notes that, given the completion strategy of the Tribunals, this accrued liability needs to be funded. In this connection, the Secretary-General has proposed, for financial prudence, to allocate in 2008 the required amount to the newly established independent special

account for after-service health insurance, established in accordance with Assembly resolution 61/264.

18. Based on the actuarial valuation conducted in August 2007, the requirements for financing the accrued liability for after-service health insurance would amount to \$16,600,000 for the International Tribunal for the Former Yugoslavia and \$28,500,000 for the International Criminal Tribunal for Rwanda (A/62/374, para. 105; A/62/468, para. 104). The Advisory Committee was informed that these requirements are one-time provisions. Upon enquiry, the Committee was informed that the actuarial valuation conducted in respect of after-service health insurance benefits follows the methodology and assumptions described in section III of the report of the Secretary-General on liabilities and proposed funding for after-service health insurance benefits (A/61/730).

19. Pension benefits payable to former judges are at present provided for in the biennial budgets. However, the current practice will not be a viable option after the closure of the Tribunals. The requirements for pension benefits will amount to \$17,100,100 for the International Tribunal for the Former Yugoslavia and \$13,030,600 for the International Criminal Tribunal for Rwanda, both of which are one-time provisions. The methodology employed in valuations with respect to the pensions is based on generally accepted actuarial principles.

20. The Advisory Committee was informed that the accrued liability for after-service health insurance and pensions of the judges, to be included in the financial statements of the Tribunals for the biennium 2006-2007, are subject to review by both the Office of Internal Oversight Services and the Board of Auditors. **The Committee recommends approval of the provision for the pensions of judges based on the information provided in the proposed budgets of the Tribunals. As regards the provision for after-service health insurance, the Committee recalls that, in its resolution 61/264, the General Assembly decided to revert to the question of the funding of after-service health insurance, as a matter of priority, at its sixty-third session. The Committee recommends that the General Assembly take up the proposed funding of the after-service health insurance liabilities of the Tribunals in the context of that overall review and consider related additional requirements in the context of the first performance reports of the Tribunals.**

## **F. Staff turnover**

21. Upon request, the Advisory Committee was provided with information concerning staff turnover at the Tribunals (see annex).

## **G. Implementation of recommendations by the Board of Auditors**

22. The Advisory Committee notes the follow-up action taken by the Tribunals to implement recommendations of the Board of Auditors, as provided in tables 13 of both budget documents. In this regard, **the Committee emphasizes the importance of expeditious action to implement the recommendations of the Board of Auditors. Such information, including certification by the Board of final financial statements of the Tribunals, should be incorporated in future budget submissions.**

### III. International Tribunal for the Former Yugoslavia

23. Upon enquiry, the Committee was provided with the following breakdown of persons indicted by the International Tribunal for the Former Yugoslavia.

Table 1

	<i>Number of persons</i>
<b>A. Concluded proceedings</b>	
Acquitted	<b>9</b>
Sentenced	
Awaiting transfer	8
Transferred	27
Served sentence	16
Died while serving sentence	2
<b>Subtotal</b>	<b>53</b>
Referred to national jurisdiction (Rule 11 bis)	<b>13</b>
Deceased or indictment withdrawn	
Indictment withdrawn before transfer to the Tribunal	20
Reported deceased before trials	7
Indictment withdrawn after transfer	5
Died in custody	3
Died while on provisional release	1
<b>Subtotal</b>	<b>36</b>
<b>Total (A)</b>	<b>111</b>
<b>B. Ongoing proceedings</b>	
Pre-trial stage	11
First instance trial	27
Appeal stage	8
<b>Total (B)</b>	<b>46</b>
<b>C. Fugitives at large</b>	
<b>Total (C)</b>	<b>4</b>
<b>Overall (A+B+C)</b>	<b>161</b>

#### A. Second performance report for the biennium 2006-2007

24. By its resolution 61/242, the General Assembly approved a revised appropriation for the International Tribunal for the Former Yugoslavia for the biennium 2006-2007 in the amount of \$326,573,900 gross (\$297,130,500 net). Table 1 of the second performance report (A/62/556) shows an increase in

requirements of \$22,405,400 gross (\$19,106,900 net), as compared with the revised appropriation. The estimated final requirements for 2006-2007 amount to \$348,979,300 gross (\$316,237,400 net). As indicated in table 2 of the report, the increase in requirements includes changes with respect to the combined effect of exchange rates and inflation (\$16,998,000 gross (\$16,242,100 net)); expenditure under 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)). Upon enquiry, the Advisory Committee was informed that the overall vacancy rate at 30 November 2007 was 3.6 per cent with 13 vacant Professional posts, or 2.9 per cent, and 23 vacant General Service and related categories posts, or 4.3 per cent. **The Committee recommends approval of the revised appropriation for the biennium 2006-2007 in the amount of \$348,979,300 gross (\$316,237,400 net) to the Special Account for the International Tribunal for the Former Yugoslavia.**

## B. Proposed budget for 2008-2009

25. The estimated resource requirements for the biennium 2008-2009 amount to \$339,439,600 gross (\$310,952,100 net) before recosting, reflecting a real growth in resources of \$12,865,700, or 3.9 per cent (\$13,821,600 net, or 4.7 per cent) compared to the revised appropriation for the biennium 2006-2007 (A/62/374, table 2 and para. 23). The total requirements proposed for 2008-2009, after recosting, amount to \$356,314,300 gross (\$326,917,100 net).

26. The Advisory Committee notes that the estimate for the extrabudgetary resources for the biennium 2008-2009 amounts to \$3,133,200, down from the estimate for 2006-2007 of \$3,906,400.

### 1. Posts

27. Posts requirements are provided in table 3 of the proposed budget (A/62/374). The Secretary-General proposes to retain staffing level of 990 temporary posts authorized for 2006-2007 in 2008, based on the projected trial schedule, but to retain only 732 posts in 2009 (347 Professional, 385 General Service and Security). As discussed in paragraph 12 above, the functions of 258 posts (107 Professional and 151 General Service), planned for abolition during the third and fourth quarter of 2009, would be abolished as at 1 January 2009, but funding would be provided through general temporary assistance provisions to permit the smooth phasing out of staff in line with the completion strategy.

28. As the workload of the Tribunals shifts from trial support to appellate support, the Secretary-General proposes an organizational change in the office of the Prosecutor. The Investigations Division would be incorporated into the Prosecution Division, and the post of Chief of Investigations at the D-1 level would be redeployed to head the new Appeals Division, which is proposed to be upgraded from the current Appeals Section. It is also proposed that 37 posts (3 P-5, 7 P-4, 16 P-3, 4 P-2 and 7 General Service) be redeployed during 2009 from the Trial Section and Trial Support Unit to the newly upgraded Appeals Division (A/62/374, para. 26). **The Advisory Committee recommends approval of these proposed redeployments.**



29. In addition, the International Tribunal for the Former Yugoslavia proposes to strengthen the Chambers Legal Support Section of the Registry by upgrading the post of the Head of Chambers from the P-5 to the D-1 level, effective 1 January 2008, to better reflect the increased managerial and coordinating responsibilities (A/62/374, para. 27). Upon enquiry, the Advisory Committee was informed that the most senior legal officer (P-5) of the Appeals Chamber has been acting as a de facto Head of Chambers and that it is proposed to reclassify this post of senior legal officer from P-5 to D-1 as Head of Chambers. It was explained to the Committee that this reclassification is required due to the increase in the volume and complexity of the work of Chambers, which has led to a significant increase in the responsibilities of this post. The Chambers now has five P-5 senior legal officers, 44 legal officers at various levels and 23 support staff. The number of trials running each day has doubled from three to six, and recently increased to seven. The President, and the Registrar delegate many of the managerial and administrative responsibilities to the senior legal officer. The proposed Head of Chambers will have four principle tasks, namely: the supervision of all Chambers staff; the management of Chambers; principal legal adviser to the Chambers; and institutional coordination. The establishment of a Head of Chambers would allow for a centralized and expedited decision-making process. **The Committee recommends acceptance of the proposal.**

## 2. Non-post resources

30. Upon enquiry, the Advisory Committee was informed of the cost parameters for the United Nations Detention Unit, for which the estimates for 2008-2009 have been calculated based on a cost of 215 euros (€) per cell per day. Under the agreement with the host government, this amount covers the provision of detention guards, accommodation, food and basic medical care for the Tribunal's detainees. The proposed provision for detainee service, in the amount of \$14,535,500, reflects an increase of \$599,200 and is based on the maintenance of 84 cells for 2008, with a reduction of 20 cells in 2009. With respect to the increased requirements under detainees services (\$2,986,600) for 2006-2007 (A/62/556, para. 19), the Committee was informed that this was due to the transfer of detainees to the current block with an increase in the number of cells from 68 to 84.

31. The Advisory Committee was informed that the provision of \$11,582,000 for the rental of premises, an increase of \$1,482,900, relate broadly to the revision of the lease agreement for the headquarters building, which entered into effect on 1 July 2006, as well as the exclusion in 2008-2009 of rental credit applied during 2006-2007. Rental charges under the previous lease from 1994 to 2006 had only been adjusted through cost-of-living increases. Under the new lease, rental costs reflect market rates.

32. Upon enquiry, the Advisory Committee was provided with the following information on appropriations and assessments for non-post objects of expenditure in 2006-2007 and proposed amounts for 2008-2009.

Table 2  
**Requirements by object of expenditure**

(Thousands of United States dollars)

*Assessed budget*

<i>Object of expenditure</i>	<i>2004-2005 expenditure</i>	<i>2006-2007 appropri- ation</i>	<i>Resource growth</i>		<i>Total before recosting</i>	<i>Recosting</i>	<i>2008-2009 estimate</i>
			<i>Amount</i>	<i>Percentage</i>			
Posts	158 682.5	163 251.2	(20 508.1)	(12.6)	142 743.1	8 983.8	151 726.9
Other staff costs	18 904.3	25 797.5	8 640.3	33.5	34 437.8	1 111.2	35 549.0
Non-staff compensation	11 061.3	9 347.6	942.7	10.1	10 290.3	2 482.6	12 772.9
Consultants and experts	571.0	795.5	(41.5)	(5.2)	754.0	24.3	778.3
Travel of staff	6 045.4	7 685.6	(2 375.7)	(30.9)	5 309.9	345.3	5 655.2
Contractual services	40 190.8	56 973.5	(4 014.3)	(7.0)	52 959.2	1 708.2	54 667.4
General operating expenses	22 341.4	24 655.4	674.6	2.7	25 330.0	1 135.5	26 465.5
Hospitality	7.5	14.4	—	—	14.4	0.4	14.8
Supplies and materials	2 021.3	2 507.9	(531.8)	(21.2)	1 976.1	63.6	2 039.7
Furniture and equipment	5 982.4	5 739.7	(2 608.8)	(45.5)	3 130.9	101.0	3 231.9
Improvement of premises	687.2	358.3	(77.0)	(21.5)	281.3	9.1	290.4
Grants and contributions	148.2	269.2	33 721.2	12 526.4	33 990.4	—	33 990.4
Staff assessment	—	29 178.1	(955.9)	(3.3)	28 222.2	909.7	29 131.9
<b>Total expenditures (gross)</b>	<b>266 643.3</b>	<b>326 573.9</b>	<b>12 865.7</b>	<b>3.9</b>	<b>339 439.6</b>	<b>16 874.7</b>	<b>356 314.3</b>
<b>Income</b>							
Income from staff assessment	36 013.0	29 178.1	(955.9)	(3.3)	28 222.2	909.7	29 131.9
Other income	240.7	265.3	—	—	265.3	—	265.3
<b>Total requirements (net)</b>	<b>230 389.6</b>	<b>297 130.5</b>	<b>13 821.6</b>	<b>4.7</b>	<b>310 952.1</b>	<b>15 965.0</b>	<b>326 917.1</b>

## C. Conclusions and recommendations

33. The Advisory Committee recommends approval of the resource requirements outlined in the proposed programme budget for the biennium 2008-2009 for the International Tribunal for the Former Yugoslavia, subject to its observations and recommendations in paragraph 20 above.

## IV. International Criminal Tribunal for Rwanda

34. Upon enquiry, the Committee received the following analysis of case-related statistics at the International Criminal Tribunal for Rwanda as at 30 November 2007.

Table 3

Number of indictments issued	81
Number of arrests made	67
Number of persons convicted	29
Number of persons acquitted	5
Number of accused awaiting judgment	9
Number of accused on trial	19
Number of detainees awaiting trial	6
Number of accused awaiting transfer to the United Nations Detention Facility	3
Number of fugitives remaining at large	14
Number of appeals completed	24
Number of completed referral applications	2
Number of pending referral applications	51

### A. Second performance report for the biennium 2006-2007

35. The General Assembly, by its resolution 61/241, approved a revised appropriation for the International Criminal Tribunal for Rwanda for the biennium 2006-2007 in the amount of \$277,127,700 gross (\$254,757,400 net). Table 1 of the second performance report (A/62/557) shows an increase in requirements of \$2,384,700 gross (\$2,357,200 net), as compared with the revised appropriation (see A/62/557). The estimated final requirements for 2006-2007 amount to \$279,512,400 gross (\$257,114,600 net). As shown in table 2 of the report, the increase in requirements includes changes with respect to the combined effect of exchange rates and inflation (\$2,985,200 gross (\$2,973,000 net)); a commitment authority pursuant to General Assembly resolution 61/263 for the standardized access control project (\$1,975,000), partially offset by decreases in post incumbency and other changes (\$2,575,500 gross (\$2,590,800 net)). Upon enquiry, the Advisory Committee was informed of an overall vacancy rate of 16 per cent as at 30 November 2007, comprised of 76 vacant Professional posts, or 18 per cent, and 95 vacant posts in the General Service and related categories or 15 per cent. **The Committee recommends approval of the revised appropriation for the biennium 2006-2007 in the amount of \$279,512,400 gross (\$257,114,600 net) to the Special Account for the International Criminal Tribunal for Rwanda.**

## **B. Proposed budget for 2008-2009**

36. The resources required for the biennium 2008-2009 under assessed contributions are estimated at \$286,687,300 gross (\$267,138,700 net), before recosting, reflecting an increase of \$9,559,600 gross, or 3.4 per cent (\$12,381,300 net, or 4.9 per cent) when compared with the revised appropriation for the biennium 2006-2007 (A/62/468, table 2). The total requirements proposed for 2008-2009, after recosting, amounts to \$302,599,700 gross (\$283,215,900 net).

37. The Advisory Committee notes that the estimate for the extrabudgetary resources for the biennium 2008-2009 amounts to \$2,425,000, down from the estimate for 2006-2007 of \$2,522,700. Information on the outreach programme of the International Criminal Tribunal for Rwanda is contained in the annex to the budget document (A/62/468).

### **1. Posts**

38. Posts requirements are provided in table 3 of the proposed budget (A/62/468). The Secretary-General proposes to keep the staffing level of 1,042 temporary posts authorized for 2006-2007 relatively unchanged in 2008, with abolition of 10 posts (8 P-3 and 2 P-2), based on the projected trial schedule, and to retain 693 posts in 2009 (280 Professional, 413 General Service and Security). A total of 339 posts are proposed for abolition (124 Professional and 215 General Service), 193 effective 1 January 2009 and 146 effective 1 July 2009. As discussed in paragraph 12 above, the 146 positions to be abolished effective 1 July 2009 would be abolished as at 1 January 2009, but funding would be provided through general temporary assistance.

39. In addition, six posts (1 P-4, 2 P-3 and 3 P-2) are proposed for redeployment from the Office of the Prosecutor to the Registry. **The Advisory Committee recommends approval of redeployment of these six posts.**

### **2. Non-post resources**

40. Upon enquiry, the Advisory Committee was provided with the following information on appropriations and assessments for non-post objects of expenditure in 2006-2007 and proposed amounts for 2008-2009.

## Requirements by object of expenditure

(Thousands of United States dollars)

### Assessed budget

Object of expenditure	2004-2005 expenditure	2006-2007 appropri- ation	Resource growth		Total before recosting	Recosting	2008-2009 estimate
			Amount	Percentage			
Posts	163 714.3	187 887.6	(32 096.6)	(17.1)	155 791.0	10 062.9	165 853.9
Other staff costs	9 059.1	4 171.4	10 348.7	248.1	14 520.1	1 361.2	15 881.3
Non-staff compensation	7 908.7	9 445.1	(1 411.5)	(14.9)	8 033.6	219.9	8 253.5
Consultants and experts	457.4	1 061.7	(141.0)	(13.3)	920.7	73.6	994.3
Travel of representatives	560.9	611.1	—	—	611.1	39.7	650.8
Travel of staff	8 681.4	5 926.3	(1 142.1)	(19.3)	4 784.2	311.0	5 095.2
Contractual services	17 630.8	23 489.4	(2 422.4)	(10.3)	21 067.0	1 745.0	22 812.0
General operating expenses	9 786.9	12 865.9	(934.7)	(7.3)	11 931.2	1 029.7	12 960.9
Hospitality	5.0	6.2	—	—	6.2	0.5	6.7
Supplies and materials	2 617.8	2 565.4	249.9	9.7	2 815.3	237.9	3 053.2
Furniture and equipment	3 683.9	3 581.1	(1 497.8)	(41.8)	2 083.3	175.6	2 258.9
Improvement of premises	692.1	339.0	(81.8)	(24.1)	257.2	21.7	278.9
Grants and contributions	1 926.9	2 807.2	41 510.6	1 478.7	44 317.8	—	44 317.8
Staff assessment	25 809.2	22 370.3	(2 821.7)	(12.6)	19 548.6	633.5	20 182.1
<b>Total expenditure (gross)</b>	<b>252 534.4</b>	<b>277 127.7</b>	<b>9 559.6</b>	<b>3.4</b>	<b>286 687.3</b>	<b>15 912.2</b>	<b>302 599.5</b>
<b>Income</b>							
Income from staff assessment	25 809.2	22 370.3	(2 821.7)	(12.6)	19 548.6	585.9	20 134.5
<b>Total requirements (net)</b>	<b>226 725.2</b>	<b>254 757.4</b>	<b>12 381.3</b>	<b>4.9</b>	<b>267 138.7</b>	<b>15 355.2</b>	<b>283 215.9</b>

### **C. Conclusions and recommendations**

41. The Advisory Committee recommends approval of the resource requirements outlined in the proposed programme budget for the biennium 2008-2009 for the International Criminal Tribunal for Rwanda, subject to the observations and recommendations in paragraph 20 above.

## Annex

## Staff turnover

Office	Section	2004		2005		2006		Nov. 2007	
		ITFY <sup>a</sup>	ICTR <sup>b</sup>	ITFY	ICTR	ITFY	ICTR	ITFY	ICTR
Office of the Prosecutor Internationally recruited	Immediate Office	8	—	3	5	4	2	2	—
	Prosecution Division	14	9	3	10	15	7	15	11
	Investigations Division	43	21	20	10	10	4	6	6
	<b>Subtotal</b>	<b>65</b>	<b>30</b>	<b>26</b>	<b>25</b>	<b>29</b>	<b>13</b>	<b>23</b>	<b>17</b>
Office of the Prosecutor Locally recruited	Immediate Office	8	—	2	—	3	—	1	—
	Prosecution Division	12	—	5	—	3	—	5	—
	Investigations Division	38	—	5	—	3	—	8	1
	<b>Subtotal</b>	<b>58</b>	<b>—</b>	<b>12</b>	<b>—</b>	<b>9</b>	<b>—</b>	<b>14</b>	<b>1</b>
<b>Total</b>		<b>123</b>	<b>30</b>	<b>38</b>	<b>25</b>	<b>38</b>	<b>13</b>	<b>37</b>	<b>18</b>
Registry Internationally recruited	Chambers legal staff	18	8	12	18	11	7	12	7
	Other judicial services staff	6	4	6	17	10	11	9	17
	Conference and Language Services	9	7	2	—	10	9	3	10
	Security	—	11	—	4	1	11	1	—
	Administration	7	22	2	16	6	13	3	14
	<b>Subtotal</b>	<b>40</b>	<b>52</b>	<b>22</b>	<b>55</b>	<b>38</b>	<b>51</b>	<b>28</b>	<b>48</b>
Registry Locally recruited	Chambers legal staff	16	—	1	3	2	—	0	—
	Other judicial services staff	6	3	8	3	6	1	14	3
	Conference and Language Services	3	1	1	—	1	3	1	2
	Security	39	4	22	8	15	3	32	7
	Administration	18	26	13	13	7	12	10	10
	<b>Subtotal</b>	<b>82</b>	<b>34</b>	<b>45</b>	<b>27</b>	<b>31</b>	<b>19</b>	<b>57</b>	<b>22</b>
<b>Total</b>		<b>122</b>	<b>86</b>	<b>67</b>	<b>82</b>	<b>69</b>	<b>70</b>	<b>85</b>	<b>70</b>
International		105	82	48	80	67	64	51	65
Locally recruited		140	34	57	27	40	19	71	23
<b>Overall</b>		<b>245</b>	<b>116</b>	<b>105</b>	<b>107</b>	<b>107</b>	<b>83</b>	<b>122</b>	<b>88</b>

<sup>a</sup> ITFY stands for the International Tribunal for the Former Yugoslavia.

<sup>b</sup> ICTR stands for the International Criminal Tribunal for Rwanda.