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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

Budget for 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, for the biennium 2014-2015

Report of the Secretary-General

Summary

The present report contains the resource requirements for the biennium 2014-2015 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.

The resources for the biennium 2014-2015 before recosting amount to \$191,335,700 gross (\$170,160,300 net) and reflect a decrease in real terms of \$98,786,300 gross or 34.0 per cent (\$87,632,400 net or 34.0 per cent), compared with the 2012-2013 resources at revised rates.

* A/68/150.



I. Introduction

1. The terms of reference of the International Tribunal for the Former Yugoslavia were established by the Security Council in resolution 808 (1993). The statute of the Tribunal, adopted by the Security Council in resolution 827 (1993), provides in article 11 that the Tribunal shall consist of three organs, namely, the Chambers, the Prosecutor and the Registry. The activities for which the Tribunal is responsible are also set out in the statute.

2. The Security Council, in resolution 1329 (2000), expressed its continuing conviction that the prosecution of persons responsible for serious violations of international humanitarian law in the territory of the former Yugoslavia contributed to the restoration and maintenance of peace in the former Yugoslavia.

3. In its resolution 1966 (2010), the Security Council decided to establish the International Residual Mechanism for Criminal Tribunals, with two branches, in Arusha and The Hague. The proposed budget of the Tribunal for the biennium 2014-2015 has been formulated taking into account the functions that will be transferred to the Residual Mechanism as from July 2012 and the associated resources required to carry out those functions.

4. At the time of writing of the present report, there were four cases in trial proceedings, namely *Šešelj*, *Karadžić*, *Mladić* and *Hadžić*. The trial in the *Šešelj* case is scheduled to be completed by October 2013. Therefore, during the biennium 2014-2015 the Tribunal will be conducting trials in three cases. The trials of two of the last three accused (Karadžić and Hadžić) are expected to be completed by July and December 2015, respectively. The trial of the last accused (Mladić) is scheduled for completion by July 2016. Following the conclusion of the trial in the *Mladić* case, the Tribunal will have completed proceedings in respect of all 161 persons indicted by the Prosecutor.

5. With respect to appeals, every effort is being made to complete as many as possible before 31 December 2014. In 2009, the Security Council, noting that the Appeals Chamber would be faced with an expanded workload in its final years, authorized the redeployment of four judges from the International Tribunal for the Former Yugoslavia and four judges from the International Criminal Tribunal for Rwanda to the Appeals Chamber (resolution 1877 (2009)). In accordance with the resolution, four judges from the International Criminal Tribunal for Rwanda have been redeployed to the Appeals Chamber following completion of their trials. To date no redeployment of judges from the International Tribunal for the Former Yugoslavia has been possible owing to the need to assign trial judges earmarked for redeployment to the cases of recently arrested indictees.

6. The Appeals Chamber anticipates completion of six appeals (three for the International Tribunal for the Former Yugoslavia and three for the International Criminal Tribunal for Rwanda) in 2013. At the beginning of the biennium 2014-2015, the Appeals Chamber expects to remain seized of up to nine appeal cases (five for the International Tribunal for the Former Yugoslavia and four for the International Criminal Tribunal for Rwanda). The Chamber anticipates completing five of these cases in 2014 (two for the International Tribunal for the Former Yugoslavia, including one case involving five appellants and three for the International Criminal Tribunal for Rwanda). The remaining four cases (three for the International Tribunal for the Former Yugoslavia and one for the International

Criminal Tribunal for Rwanda) are due for completion during 2015, with the exception of one case (*Prlić et al.*) involving six appellants, which is due for completion by April 2017. The Appeals Chamber of the Tribunals already functions concurrently with the Appeals Chamber of the Residual Mechanism, which is currently seized of an appeal in the *Ngirabatware* case. For the biennium 2014-2015 it is anticipated that the Residual Mechanism will be responsible for two more appeals (*Šešelj* and *Karadžić*) involving two accused. Updated information on the progress made in achieving the goals of the completion strategy will be provided by the President of the Tribunal and the Prosecutor in their joint biannual reports to the Security Council.

7. A trial schedule reflecting these timelines has been used by the Tribunal in order to determine the resource requirements for the biennium 2014-2015. It should be borne in mind that a number of external factors beyond the Tribunal's control could have a major impact on the anticipated completion dates of the proceedings, as reflected in the projected trial schedule. A number of legal developments that have recently taken place may have an impact on the estimated completion date of the *Šešelj* case, which was originally scheduled for October 2013. Should that be the case and should the actual trial schedule vary significantly from that used for the formulation of the 2014-2015 budget proposal, the requirements would have to be reassessed and realigned and any additional requirements would be brought to the attention of the General Assembly.

8. The budget proposal for the biennium 2014-2015 is based on the following planning assumptions, namely: (a) the completion of two of the last three trials, resulting in a decrease in first-instance trial activity; (b) the completion of eight of the last nine cases on appeal (four for the International Tribunal for the Former Yugoslavia and four for the International Criminal Tribunal for Rwanda); (c) the transfer of substantive activities to the Residual Mechanism in line with the completion of trials and appeals; and (d) the establishment of an initial core administrative capacity in the Residual Mechanism.

9. The Tribunal continues to conduct the trials and appeals in the most expeditious manner possible without compromise to the due process rights of the accused. Over the years, the Tribunal has kept its procedures under review and has introduced a number of reforms and measures aimed at enhancing the efficient conduct of proceedings. These include reducing the scope of the indictment; the assignment of cases to the trial chamber likely to try the case at the earliest stage possible; the use of agreed facts and of adjudicated facts; the admission of evidence in writing; strictly enforcing time limits upon the parties; and discouraging duplicative evidence.

10. In terms of appeals, the members of the Appeals Chamber have adopted a number of recommendations, including on the need to strictly adhere to the requirement of good cause to vary time and word limits and the practice of not delaying the briefing schedule on appeal for the translation of the judgement into Bosnian/Croatian/Serbian but permitting an appellant to bring a motion to amend the notice of appeal and/or appeal brief if necessary. Furthermore, in cases where the working language of the defence differs from that of the trial judgement, the Tribunal has taken practical measures to reduce translation timelines. All of these important measures have had and will contribute to the expeditious completion of proceedings.

11. Although assistance to national prosecutorial and judicial authorities in the former Yugoslavia in relation to completed cases has been transferred to the Residual Mechanism, the Tribunal will continue to play an active role in providing support in connection with ongoing cases. In particular, the Office of the Prosecutor will assist local authorities by providing information and documents, responding to multiple requests for assistance and answering questions in relation to ongoing investigations and trials. The Registry will continue to provide essential support to national courts, in particular with regard to requests for assistance in connection with documents and other evidentiary material filed with the Tribunal, as well as issues related to the protection of witnesses.

12. During the biennium 2014-2015, the Tribunal will be actively engaged in the transfer of know-how and in other capacity-building activities in the region of the former Yugoslavia. In 2010, the Office of the Prosecutor, with the support of the European Commission, launched a project permitting visiting national prosecutors to spend time working in The Hague to review information and gain experience in prosecuting complex war crime cases. This project will continue during the biennium 2014-2015, subject to the continuation of funding from the European Commission. The Registry will also be engaged in the transfer of know-how and in other capacity-building activities in the region of the former Yugoslavia, including by training domestic judicial and prosecutorial training professionals (“training the trainers”), working with partners to produce transcripts of the Tribunal’s hearings in the local languages and improving access by national legal professionals to the Tribunal’s records and archives.

13. The Tribunal will play a critical role in ensuring the continued transfer of functions to the Residual Mechanism. It will work with the Mechanism to ensure that the transfer of functions and operations proceeds in the most cost-efficient, effective and practical manner. Furthermore, the Registry will continue to play a very active role in assisting the Mechanism to further develop its procedures and ensuring the transfer of best practices and lessons learned. The Division of Administration will provide assistance in the development of a lean administrative capacity in the Mechanism as from 2014.

14. During the next biennium, the Registry will continue to make every effort to ensure the closure of the Tribunal in an efficient and expeditious manner while observing the rights of the accused to due process. To assist this process, the Tribunal has developed a consolidated closure plan, which contains a road map of the major milestones and potential risks envisioned as part of the closure process.

15. The Registry will continue to support special measures to retain staff, including measures aimed at career transition and at meeting staff development and training needs. During the past year, the Registry implemented, in partnership with staff representatives, a procedure to be used for the extension of contracts in the context of the downsizing exercise. The experience gained thus far in implementing this procedure has been very positive and the Tribunal intends to continue to apply it during the biennium 2014-2015.

16. The overall resources for the biennium 2014-2015 for the International Tribunal for the Former Yugoslavia amount to \$191,335,700 gross (\$170,160,300 net) before recosting, reflecting a net decrease in real terms of \$98,786,300 gross, or 34.0 per cent (\$87,632,400 net, or 34.0 per cent), compared with the 2012-2013 resources at revised rates. The decrease (see table 2) reflects reductions under

Chambers (\$1,483,600), the Office of the Prosecutor (\$21,017,200), the Registry (\$73,654,900) and the records management and archives component (\$2,630,600) owing mainly to the reduction in trial and appeal activity during the biennium 2014-2015.

17. For the biennium 2014-2015, the International Tribunal for the Former Yugoslavia proposes the retention of 506 temporary posts until December 2014 and 379 temporary posts thereafter. It is proposed to gradually abolish 167 posts during the biennium, or 30 per cent (98 Professional, 39 General Service and 30 Security Service posts). It is proposed that 40 posts be abolished as at 1 January 2014 and 127 posts be abolished as at 1 January 2015, as reflected in table 3, but that their related funding be provided through general temporary assistance for the number of months for which the functions of the posts are actually needed, as reflected in table 5. During the bienniums 2008-2009 and 2010-2011, a total of 444 posts were abolished but funding was provided through general temporary assistance to enable the functions of the posts to be maintained. In view of the slippage in the trial schedule and the late arrest of fugitives, the functions of the abolished posts needed to be maintained for a longer period than originally anticipated. As at 31 December 2013, the equivalent of 156 positions will be funded under general temporary assistance and all these positions will be gradually reduced during the biennium, as reflected in table 4.

18. The recosting of the proposed budgetary provisions contained in the present report is in line with the standard regular budget recosting methodology.

19. In accordance with staff regulation 6.2, the Tribunal provides its employees who have met certain eligibility requirements with medical and dental coverage after they retire through the after-service health insurance programme in the United Nations. Since the establishment of the Tribunal as a temporary body, after-service health insurance benefits payable to former staff are provided for in the biennial budget of the Tribunal under common staff costs but the liabilities pertaining to such insurance have been accruing and have remained unfunded. These liabilities have now been duly recognized and reflected in the financial statements, in accordance with General Assembly resolution 60/255. The after-service health insurance liabilities of future benefits as at 31 December 2012 for the Tribunal are estimated to be \$28.5 million. In its report (A/64/555), the Advisory Committee on Administrative and Budgetary Questions reiterated that, in view of the limited mandates of the Tribunals, the Assembly would need to address the long-term after-service health insurance liabilities of the Tribunals in the context of the final performance reports.

20. In addition, the permanent judges of the Tribunal are eligible to retirement benefits in accordance with the conditions of services and compensation governing the judges of the Tribunals. At present, pension benefits payable to former judges are provided for in the biennial budget of the Tribunal. In its report (A/64/555), the Advisory Committee recommended that the liabilities for future payments of pensions to judges and surviving spouses should be addressed in the final budget submissions and performance reports of the Tribunals.

21. The recommendations of the Advisory Committee were endorsed by the General Assembly in its resolution 64/240. Accordingly, the question of liabilities for the Tribunal will be addressed in the final budget and performance report of the Tribunal.

22. Extrabudgetary resources for the biennium 2014-2015 are estimated at \$1,079,300 and will be utilized for a variety of activities related to supporting the work of the Office of the Prosecutor and the Registry. The estimated level of extrabudgetary resources reflects a decrease of \$577,300 reflecting the completion of several projects.

Table 1
Percentage distribution of resources by component

<i>Component</i>	<i>Regular budget</i>	<i>Extrabudgetary</i>
1. Chambers	5.5	—
2. Office of the Prosecutor	20.1	38.7
3. Registry	74.4	61.3
4. Records management and archives	—	—
Total	100.0	100.0

Table 2
Resource requirements by component

(Thousands of United States dollars)

(1) *Assessed budget*

<i>Component</i>	<i>2010-2011 expenditure</i>	<i>2012-2013 resources at revised rates</i>	<i>Resource growth</i>		<i>Total before recosting</i>	<i>Recosting</i>	<i>2014-2015 estimate</i>
			<i>Amount</i>	<i>Percentage</i>			
1. Chambers	14 620.3	12 007.5	(1 483.6)	(12.4)	10 523.9	123.2	10 647.1
2. Office of the Prosecutor	79 722.2	59 513.9	(21 017.2)	(35.3)	38 496.7	1 437.9	39 934.6
3. Registry	226 095.6	215 970.0	(73 654.9)	(34.1)	142 315.1	5 770.2	148 085.3
4. Records management and archives	3 696.7	2 630.6	(2 630.6)	(100.0)	—	—	—
Total (gross)	324 134.8	290 122.0	(98 786.3)	(34.0)	191 335.7	7 331.3	198 667.0
Income							
Income from staff assessment	39 958.1	32 029.8	(11 139.9)	(34.8)	20 889.9	636.6	21 526.5
Other income	229.0	299.5	(14.0)	(4.7)	285.5	—	285.5
Total (net)	283 947.7	257 792.7	(87 632.4)	(34.0)	170 160.3	6 694.7	176 855.0

(2) *Extrabudgetary*

	<i>2010-2011 expenditure</i>	<i>2012-2013 estimate</i>	<i>2014-2015 estimate</i>
Activities	4 131.5	1 656.6	1 079.3
Total (1) and (2)	288 079.2	259 449.3	177 934.3

Table 3
Temporary post requirements

Category	Proposed reduction			Extrabudgetary		Total	
	2013	1 January 2014	1 January 2015	2012-2013	2014-2015	2014	2015
Professional and higher							
USG	1	–	–	–	–	1	1
ASG	1	–	–	–	–	1	1
D-2	1	(1)	–	–	–	–	–
D-1	4	–	(1)	–	–	4	3
P-5	21	(3)	(3)	–	–	18	15
P-4/3	176	(15)	(53)	–	–	161	108
P-2/1	57	(4)	(18)	–	–	53	35
Subtotal	261	(23)	(75)	–	–	238	163
General Service							
Principal level	10	–	–	–	–	10	10
Other level	188	(12)	(27)	–	–	176	149
Subtotal	198	(12)	(27)	–	–	186	159
Other							
Security Service	87	(5)	(25)	–	–	82	57
Subtotal	87	(5)	(25)	–	–	82	57
Total	546	(40)	(127)	–	–	506	379

Abbreviations: USG, Under-Secretary-General; ASG, Assistant Secretary-General.

Table 4
General temporary assistance positions in lieu of temporary posts abolished during the biennium 2010-2011 which continue in 2012-2013 and 2014-2015

Category	31 December 2013	January-April 2014	May-December 2014	January-March 2015	April 2015	May-June 2015	July 2015	August-September 2015	October 2015	November-December 2015
Professional and higher										
P-5	6	3	3	3	3	3	3	1	1	–
P-4/3	42	31	15	12	12	12	2	–	–	–
P-2/1	21	15	13	6	5	5	–	–	–	–
Subtotal	69	49	31	21	20	20	5	1	1	–
General Service										
Other level	66	58	51	31	31	31	15	–	–	–
Subtotal	66	58	51	31	31	31	15	–	–	–

Category	31 December 2013	January- April 2014	May- December 2014	January- March 2015	April 2015	May- June 2015	July 2015	August- September 2015	October 2015	November- December 2015
Other										
Security Service	21	21	13	13	13	13	9	9	–	–
Subtotal	21	21	13	13	13	13	9	9	–	–
Total	156	128	95	65	64	64	29	10	1	–

Table 5

General temporary assistance positions in lieu of temporary posts abolished during the biennium 2014-2015

Category	31 December 2013	January- April 2014	May- December 2014	January- March 2015	April 2015	May- June 2015	July 2015	August- September 2015	October 2015	November- December 2015
Professional and higher										
D-1	–	–	–	1	1	1	1	–	–	–
P-5	–	–	–	3	3	2	1	–	–	–
P-4/3	–	9	–	37	36	34	20	2	–	–
P-2/1	–	2	–	15	12	7	7	–	–	–
Subtotal	–	11	–	56	52	44	29	2	–	–
General Service										
Other level	–	5	–	13	13	13	4	–	–	–
Subtotal	–	5	–	13	13	13	4	–	–	–
Other										
Security Service	–	5	–	22	22	22	3	3	–	–
Subtotal	–	5	–	22	22	22	3	3	–	–
Total	–	21	–	91	87	79	36	5	–	–

II. Programme of work and resource requirements

A. Chambers

23. The Chambers are the judicial organ of the Tribunal, performing its core activity: determination of the criminal responsibility of persons accused of serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991. Through their judicial activities, the Chambers will continue to ensure that all accused persons receive a fair trial without undue delay. The Security Council has determined that the Tribunal will be returned to its full complement of permanent judges owing to its inability to redeploy any judges to the Appeals Chamber. Accordingly, at the beginning of the biennium 2014-2015, 23 judges (20 permanent judges, including 6 judges of the International Criminal

Tribunal for Rwanda assigned to the Appeals Chamber and 3 ad litem judges) will comprise the Chambers.

24. During the biennium 2014-2015, the Chambers will conduct judicial trial proceedings in the cases of *Karadžić*, *Hadžić* and *Mladić*. The delayed arrests of these three accused rendered it impossible for the Chambers to complete their proceedings within the time frame of 31 December 2014 requested by the Security Council. To expedite the proceedings in these cases, where the health of the accused and the workload of the judges permit, the three trial Chambers will hold extended sitting hours or increase the number of hearings.

25. The Chambers aim to complete the trials of two of the last three accused, *Karadžić* and *Hadžić*, in 2014-2015. It further aims to complete the prosecution and defence cases in the trial of *Mladić* and also advance substantially the judgement drafting in that case. Any appeal from judgement in these cases will fall under the purview of the Residual Mechanism, pursuant to Security Council resolution 1966 (2010).

26. During the biennium 2014-2015, the Chambers anticipate completion of other proceedings that may remain pending after December 2013, namely: (a) the trial of one contempt of court or false testimony case for which the indictment was confirmed prior to 1 July 2013; and (b) the proceedings relating to the review of one judgement which the Tribunal has been seized of prior to 1 July 2013.

27. The Appeals Chamber expects to remain seized of up to nine appeal cases (five for the International Tribunal for the Former Yugoslavia and four for the International Criminal Tribunal for Rwanda) at the beginning of the biennium 2014-2015. The Chamber anticipates completing eight cases (four for the International Tribunal for the Former Yugoslavia and four for the International Criminal Tribunal for Rwanda) during the biennium, leaving only one case (*Prlić et al.*) pending for completion during the biennium 2016-2017.

28. The Trial and Appeal Scheduling Working Group, chaired by the Vice-President of the Tribunal, will continue to monitor the progress of trials and appeals and to be a key advisory tool for the completion strategy. Measures aimed at expediting appeals adopted pursuant to the recommendation of the Working Group on Speeding Up Appeals will continue to be applied and the new measures recommended in the report of the reconstituted Working Group on Speeding Up Appeals will be implemented, including that of strict adherence to the requirement of good cause to vary time and word limits and the practice of not delaying the briefing schedule on appeal to await the translation of a judgement.

29. The Office of the President will continue to provide legal advice and logistical support to the President of the Tribunal in the exercise of his or her functions. The President is the highest authority of the Tribunal, acting as its institutional head. He or she is responsible for the overall execution of the mission of the Tribunal and for representing the Tribunal before its parent body, the Security Council, and the General Assembly. The President performs representational functions vis-à-vis heads of mission, embassies of Member States and the Secretary-General.

30. Pursuant to rule 19 of the Rules of Procedure and Evidence, the President of the Tribunal also coordinates the work of the Chambers, supervises the activities of the Registry and exercises all other functions conferred on him or her by the statute and the Rules. These functions can be divided into the following three categories:

(a) Judicial functions: pursuant to article 14 (2) of the statute of the International Tribunal for the Former Yugoslavia and article 12 (2) of the statute of the International Criminal Tribunal for Rwanda, the President of the Tribunal is the presiding judge of the appeals chambers of both Tribunals. The President is responsible for notifying the Security Council of failures to comply with an obligation under the statute;

(b) Internal functions: pursuant to rule 23 bis of the Rules, the President of the Tribunal is the Chair of the Coordination Council responsible for ensuring the coordination of the activities of the three organs of the Tribunal;

(c) Quasi-judicial functions: pursuant to rule 23, the President is the Chair of the Bureau and is responsible for reviewing all major matters arising from the functioning of the Tribunal. The President also chairs, pursuant to rule 19 (A), the plenary meetings of the Tribunal during which the judges adopt and amend the Rules and decide upon matters relating to the internal functioning of the Chambers and the Tribunal.

31. Following the commencement of operations of the branch of the Mechanism in The Hague on 1 July 2013, a number of residual functions currently assumed by the President of the Tribunal, such as the supervision of the enforcement of sentences handed down by the Tribunal; decisions on pardon or commutation of sentences; and assignment of judges to judicial work that transfers to the Mechanism, have been assumed by the President of the Mechanism.

32. For the biennium 2014-2015, a matter of primary importance for the Office of the President will be to continue to carry forward the completion strategy initiated by the Tribunal and endorsed by the Security Council.

Outputs

33. During the biennium 2014-2015, the following outputs will be delivered:

(a) Courtroom activities: initial appearances, status conferences and pretrial conferences in case of contempt of court or false testimony for which the indictment was confirmed prior to 1 July 2013 and which remains pending past the biennium 2012-2013, trials, appeals and delivery of judgements in such cases;

(b) Decisions relating to, inter alia, review and confirmation of indictments for contempt cases, arrest and other warrants, various pretrial motions, motions during trial and appeal, applications for additional evidence and interlocutory appeals;

(c) Judgements on the merits in relation to trials and appeals (appeal activities are for both tribunals);

(d) Judgements on contempt cases;

(e) Review of the Rules, Practice Directions and the Rules of Detention and proposal of amendments to the statute of the Tribunal to the Security Council;

(f) Reviews of decisions of the Registrar;

(g) Reports of the President to the Security Council, as requested by a trial chamber or the Prosecutor, on non-compliance by States with orders of the Tribunal;

(h) Annual report to the General Assembly and biannual report to the Security Council;

- (i) Press releases on matters of importance to the Tribunal as a whole;
- (j) Special events: hosting of visiting dignitaries, usually at the level of ambassador or minister for foreign affairs, and Heads of State; establishing and maintaining high-level contacts with Governments of Member States to facilitate and improve cooperation with the Tribunal;
- (k) Participation in exchanges of information with judges in the region, including in peer-to-peer, outreach and legacy activities, and provision of assistance in trials of alleged war criminals by regional courts;
- (l) Relations with non-governmental organizations;
- (m) Participation in activities within the United Nations system: annual statement by the President to the General Assembly, participation in meetings concerning the role of the Tribunal within the United Nations system, cooperation with the International Criminal Tribunal for Rwanda and the Residual Mechanism and participation in discussions concerning other international judicial entities.

Table 6
Resource requirements

Category	Resources (thousands of United States dollars)		Posts	
	2012-2013	2014-2015 (before recosting)	2012-2013	2014-2015
Assessed budget				
Non-post	12 007.5	10 523.9	—	—
Total	12 007.5	10 523.9	—	—

34. The amount of \$10,523,900, reflecting a net decrease of \$1,483,600 compared with the biennium 2012-2013, comprises non-post requirements, as follows: (a) \$10,347,200 to provide compensation for eight permanent trial judges, five permanent appeals judges and three ad litem judges based on 361 work-months; (b) \$27,000 for the engagement of consultants to provide expertise not available in-house to undertake three specialized legal briefs per year; and (c) \$149,700 for the travel of the President and Vice-President of the Tribunal to Headquarters in New York and to central and western Europe, of 16 judges to the Joint Judges Seminar (International Tribunal for the Former Yugoslavia/International Criminal Tribunal for Rwanda) and of judges to the field to view crime scenes.

35. The net decrease of \$1,483,600 is attributable mainly to the gradual departure of permanent and ad litem judges following the completion of trials and appeals during the biennium 2014-2015 and reduced requirements under consultants and travel, offset in part by increases under: (a) common costs owing to the increased cost of separation as judges are leaving the Tribunal; and (b) pensions of former judges owing to an increased number of retired judges and to the payment of a one-time lump sum to ad litem judges approved by the General Assembly in its resolution [65/258](#).

B. Office of the Prosecutor

36. The Office of the Prosecutor is mandated to investigate and prosecute persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991. The role and responsibilities of the Prosecutor consist of the investigation and prosecution of the crimes listed in articles 2, 3, 4 and 5 of the statute of the International Tribunal for the Former Yugoslavia. The Prosecutor is responsible for the collection of evidence establishing the commission of these crimes and the presentation of charges and evidence against them before the Chambers of the Tribunal.

37. The biennium 2012-2013 was, for the Office of the Prosecutor, a period of intense activity marked by continued commitment to completing trials and appeals effectively in order to meet the goals of the completion strategy. In December 2004, the Office met the first milestone of the completion strategy by issuing its final indictments.

38. To implement the Tribunal's completion strategy, the Office of the Prosecutor focused on transferring cases of intermediate and lower rank accused to the former Yugoslavia. The Office furthered the process of transferring cases of intermediate and lower rank accused under rule 11 bis and investigation files/dossiers to national jurisdictions. All rule 11 bis cases have now been transferred to States of the region and are completed cases. All the investigative files/dossiers have also been transferred to the region and no further transfer will take place. However, assistance has been and continues to be provided to the prosecutors in the region in further investigation and prosecution in relation to these files/dossiers. There are now 14 outstanding category II cases, involving a total of 38 suspects.

39. During the biennium 2012-2013, the Office of the Prosecutor took measures to expedite its work and increase efficiency. To improve judicial efficiency and expedite trials, the Office merged related indictments, whenever possible, and ran trials with more than three accused. All the multiple-accused trials have now been completed and the merger of these high-level cases resulted in a substantial overall reduction in the length of proceedings.

40. During the biennium 2014-2015, in the context of the Tribunal's completion strategy, the activities of the Office of the Prosecutor will rest on the following two important priorities:

(a) Completion of trials and appeals:

(i) During the biennium 2014-2015, the Office of the Prosecutor will be fully engaged in the completion of two of the three remaining trials: that of Radovan Karadžić and of Goran Hadžić. The trial of Ratko Mladić is expected to finish in the middle of 2016. Appeals will continue into 2014 and 2015. On the basis of previous experience, it is expected that each first-instance judgement will be appealed. It is projected that, during the biennium 2014-2015, there will be five appeals, involving a total of 16 persons: *Popović et al.* (5 convicted persons); *Stanišić and Župljanin* (2 convicted persons); *Tolimir* (1 convicted person); *Stanišić and Simatović* (2 acquitted persons — prosecution appeal); and *Prlić et al.* (6 convicted persons);

(ii) To keep up the pace and schedule of the Chambers' work and to fulfil the goals of the completion strategy, it is proposed that the Office of the

Prosecutor maintain an adequate level of resources. To support the three ongoing trials and the appeals, the Office will require maintaining a sufficient number of trial/appeal attorneys, assisted by a core investigative capacity (including researchers, analysts and trial support staff) dedicated to completing trials and appeals. The estimates for the biennium 2014-2015, which are based on the court schedule projections, take into account the reduced trial and appeal workload;

(iii) As in the previous biennium, resources for the Office of the Prosecutor will be allocated in accordance with a workplan that sets out the requirements for all cases to be tried in 2014 and 2015. The plan foresees adequate allocation of resources, including attorneys, investigators, analysts, researchers and trial support staff, to all cases. To facilitate this review, cases have been divided according to their level of complexity;

(iv) In line with the Tribunal's completion strategy, the Office of the Prosecutor will continue to implement measures aimed at reducing the length of trials and appeals and improving judicial efficiency. Further, taking into account the fairness of the judicial process, the Office of the Prosecutor will insist on taking measures to increase judicial efficiency. The Office will insist on putting forward proposals to the Tribunal's Rules Committee, headed by the judges, which formulates proposals to the Plenary of Judges, which can amend the Tribunal's Rules of Procedure and Evidence;

(v) To improve efficiency and support the trials and appeals effectively, the Office of the Prosecutor has undergone restructuring and organizational changes. One such change was that investigators, analysts, researchers and other trial support staff work directly on specific cases, under the leadership of a Senior Trial Attorney. The position of Chief of Prosecutions has been abolished and a more streamlined structure has been put in place to reflect the emphasis on the prosecutorial aspect of the work of the Office. Investigating staff members still have a role to play and will be directly available to assist the legal staff working on each case, including appeals. These measures have improved internal efficiencies and have enhanced the Office's work product;

(vi) The reorganization of the Office of the Prosecutor included positioning the Transition Team, the Request Unit and field office operations under the direct supervision of the Immediate Office of the Prosecutor. This measure improved coordination in matters of cooperation with the States of the former Yugoslavia, which included the transfer of cases and the provision of assistance to those States, together with capacity-building efforts;

(b) Legacy: as the date of completion draws near, the Office of the Prosecutor will devote special attention to the legacy of the Tribunal's work. Some of the work product and tools of the Office will need to be preserved. The Immediate Office of the Prosecutor will play a central role in legacy matters, in coordination with the Registry and the Chambers. The Office of the Prosecutor is currently actively involved in the working groups in relation to archiving and the Residual Mechanism. This activity will continue during the biennium 2014-2015.

Table 7

Objectives for the biennium, expected accomplishments, indicators of achievement and performance measures

Objective: To prosecute in a timely and fair manner persons responsible for serious violations of international humanitarian law and ensure that the requirements of the Security Council are fulfilled with regard to the implementation of the completion strategy and to position the Office of the Prosecutor for the transfer of criminal cases against accused persons to the national courts of the former Yugoslavia

Expected accomplishments	Indicators of achievement
(a) Effective management and implementation of the completion strategy	<p>(a) Number of first-instance trials completed during the biennium</p> <p><i>Performance measures</i></p> <p>2010-2011: 4</p> <p>Estimate 2012-2013: 6</p> <p>Target 2014-2015: 2</p>
(b) Effective provision of assistance to national judicial systems in the former Yugoslavia	<p>(b) Number of requests for assistance from national jurisdictions processed and replied to</p> <p><i>Performance measures</i></p> <p>2010-2011: 562</p> <p>Estimate 2012-2013: 480</p> <p>Target 2014-2015: 150</p>
(c) Efficient utilization of trial and appeal support resources	<p>(c) (i) Number of ongoing trials</p> <p><i>Performance measures</i></p> <p>2010-2011: 11</p> <p>Estimate 2012-2013: 9</p> <p>Target 2014-2015: 3</p> <p>(ii) Number of accused in appeals on the merit proceedings completed during the biennium</p> <p><i>Performance measures</i></p> <p>2010-2011: 6</p> <p>Estimate 2012-2013: 11</p> <p>Target 2014-2015: 10</p>

External factors

41. The Office of the Prosecutor is expected to meet its objective and expected accomplishments on the assumption that: (a) there is normal functioning of judiciaries in the States of the former Yugoslavia, including the War Crimes Chamber of the Court of Bosnia and Herzegovina, so that cases may be tried at the domestic level; and (b) there are no delays in the proceedings for reasons beyond the Tribunal's control, such as illness of the accused, unforeseen disclosure of material, requests for replacement of defence counsel, requests for review of cases already tried, other motions affecting the proceedings and the availability of witnesses to certify statements and provide testimony.

Outputs

42. During the biennium 2014-2015, the following outputs will be delivered:

(a) Prosecution outputs: witness statements, expert witness statements, summaries of witness interviews, witness schedules and protective measures for witnesses; reports of on-site investigations; reports on military and civilian political structures and events and on missions; collection of evidence; reports generated through computer searches of collected evidence for documents relevant to trials and appeals and reports generated by computer searches for the purposes of disclosure under various rules; demographic reports and maps; responses to requests for evidence and other material from national jurisdictions; unofficial translations and English summaries of documents written in Bosnian, Croatian or Serbian; and limited project-based exhumation work;

(b) Outputs related to trial: filings related to the prosecution of cases and appeals, including amended indictments, motions, responses to defence motions, witness statements, closing briefs, sentencing briefs, appeals on the merits, interlocutory appeals, plea agreements and miscellaneous applications for orders from judges or trial chambers, including applications for subpoenas, search warrants, the detention of suspects and the transmission of arrest warrants; court exhibits; training courses, including induction, legal issues and advocacy; and legal opinions on issues of international law;

(c) Information management outputs: indexes of evidentiary material and information sources, including witness statements, videotapes and audiotapes, intelligence material submitted under rule 70 and press and other relevant, freely accessible material; custody, control and storage of material submitted under chain-of-custody procedures, including decontamination and preservation; software systems and modifications to computer systems and database applications for the Office of the Prosecutor, including the Electronic Disclosure System, CaseMap, Sanction and e-Court software packages; and training courses for all staff;

(d) Provision of support after the transfer of cases to the States of the former Yugoslavia: support to local officials regarding the transfer of dossiers, review of requests and preparation of answers; exchange of knowledge with domestic prosecution authorities; and exchange of know-how and training;

(e) Legacy issues: engaging in coordination with the Registry and Chambers in the preparation of the files and electronic data to be preserved and forming part of the Tribunal's legacy;

(f) Management outputs: policy papers and directives, guidelines related to legal practice, annual reports, funding proposals, budget preparation, reports on activities of States relevant to cooperation; and press releases, speeches, statements and briefings.

Table 8
Resource requirements

Category	Resources (thousands of United States dollars)		Posts	
	2012-2013	2014-2015 (before recosting)	2012-2013	2014-2015
Assessed budget				
Post	28 351.7	23 025.8	117	82
Non-post	21 911.2	10 213.3	—	—
Staff assessment	9 251.0	5 257.6	—	—
Subtotal	59 513.9	38 496.7	117	82
Extrabudgetary	739.0	418.2	—	—
Total	60 252.9	38 914.9	117	82

Table 9
Temporary post requirements

Category	Proposed reduction			Extrabudgetary		Total	
	2013	1 January 2014	1 January 2015	2012-2013	2014-2015	2014	2015
Professional and higher							
USG	1	—	—	—	—	1	1
D-2	1	(1)	—	—	—	—	—
D-1	1	—	(1)	—	—	1	—
P-5	8	—	(1)	—	—	8	7
P-4/3	57	(2)	(18)	—	—	55	37
P-2/1	14	(2)	(6)	—	—	12	6
Subtotal	82	(5)	(26)	—	—	77	51
General Service							
Other level	35	(1)	(3)	—	—	34	31
Subtotal	35	(1)	(3)	—	—	354	31
Total	117	(6)	(29)	—	—	111	82

Abbreviations: USG, Under-Secretary-General.

Table 10
General temporary assistance positions in lieu of temporary posts abolished during the biennium 2010-2011 that continue in 2012-2013 and 2014-2015

Category	31 December 2013	January-April 2014	May-December 2014	January-June 2015	July 2015	August-September 2015	October-December 2015
Professional and higher							
P-5	5	2	2	2	2	—	—
P-4/3	25	14	8	5	1	—	—
P-2/1	3	1	1	1	—	—	—
Subtotal	33	17	11	8	3	—	—
General Service							
Other level	24	23	23	14	14	—	—
Subtotal	24	23	23	14	14	—	—
Total	57	40	34	22	17	—	—

Table 11
General temporary assistance positions in lieu of temporary posts abolished during the biennium 2014-2015

Category	31 December 2013	January-April 2014	May-December 2014	January-June 2015	July 2015	August-September 2015	October-December 2015
Professional and higher							
D-1	—	—	—	1	1	—	—
P-5	—	—	—	1	1	—	—
P-4/3	—	—	—	18	16	1	—
P-2/1	—	2	—	4	4	—	—
Subtotal	—	2	—	24	22	1	—
General Service							
Other level	—	—	—	3	1	—	—
Subtotal	—	—	—	3	1	—	—
Total	—	2	—	27	23	1	—

43. Resources under posts and staff assessment in the amount of \$23,025,800 and \$5,257,600, respectively, would provide for the continuation of 111 temporary posts in 2014 and 82 temporary posts in 2015 during the biennium 2014-2015. The reduction under posts (\$5,325,900) and staff assessment (\$3,993,400) is attributable to the abolition of 35 temporary posts during the biennium (6 in 2014 and 29 in 2015).

44. Non-post requirements in the amount of \$10,213,300, reflecting a decrease of \$11,697,900, would provide for general temporary assistance, including peak trial

and appeals support, the document translation and indexing project, overtime, expert witnesses and consultants to assist trial and appeals teams during the proceedings, travel of investigators and prosecutors and contractual services for the ongoing training of the staff of the Office of the Prosecutor.

45. The provision under general temporary assistance also includes requirements to cover the functions of posts abolished during the biennium 2010-2011 and posts abolished during the biennium 2014-2015 which are still needed during part of the biennium 2014-2015. It is proposed to gradually reduce these requirements during the biennium, as shown in tables 10 and 11 above.

46. The decrease of \$11,697,900 under non-post requirements reflects reduced requirements under other staff costs (\$11,236,600), consultants and experts (\$209,500), travel of staff (\$213,000) and contractual services (\$38,800), owing mainly to the reduction in trial activity during the biennium.

C. Registry

47. The Registry is responsible for the judicial administration of the Tribunal. It is composed of three main organizational units, namely, the Office of the Registrar, the Division of Judicial Support Services and the Division of Administration. For budgetary purposes, the Office of the President and the resident auditors are included under the Registry.

48. For the biennium 2014-2015, the Registry will focus on five principal objectives:

(a) Provision of continued support to trials and appeals in order to complete the Tribunal's mandate as expeditiously as possible in tandem with a sustainable implementation of the Tribunal's completion plan;

(b) Provision of continued support to the operation of The Hague branch of the Mechanism;

(c) Provision of continued support to national judicial systems in the former Yugoslavia through the transfer of know-how, capacity-building and the Tribunal's legacy projects;

(d) Provision of continued and focused support to the Tribunal's communications strategy and outreach programme to ensure awareness of the Tribunal's activities and achievements and to strengthen cooperation and the exchange of information with stakeholders within and outside the former Yugoslavia;

(e) Provision of support to administrative policies and practices concerning staff retention, including establishing appropriate career transition policies as well as staff training and development, and ensuring that the downsizing exercise is undertaken in a fair and transparent manner using the comparative review process and based on the trial and appeals schedule.

49. Throughout most of 2014, the Registry will be supporting the undertaking of the most recent three trials, two of which involve very high-profile accused (Karadžić and Mladić). In addition, the *Karadžić* case involves a self-represented accused. Experience has shown that trials of self-represented accused are demanding in terms of workload for the Division of Judicial Support Services, as additional resources and time must be allocated to ensure that the self-represented accused are

provided with adequate facilities and resources for the conduct of their defence. Furthermore, trials of self-represented accused typically generate a higher number of motions, interlocutory appeals and judicial challenges than regular cases, which in turn generates additional workload for the Registry.

50. By the end of 2014 the Tribunal will shift its focus towards appeals proceedings, while continuing to support the remaining three trials. It is envisaged that appellate proceedings in five cases (*Popović et al.*, *Prlić et al.*, *Tolimir*, *Stanišić and Simatović* and *Stanišić and Župljanin*) will be ongoing in 2014-2015. Out of the five cases, one involves a self-represented accused (*Tolimir*). In addition to difficulties associated with such cases as outlined above, the accused in this case does not understand either of the two working languages of the Tribunal. This has a substantive effect on resources in terms of translation capacity as all case-related documentation needs to be translated in a language that they understand which, in turn, impacts the time needed to complete these cases.

51. In the next biennium, the capacity of the Registry will continue to be principally dedicated to supporting trial and appeal activity and ensuring the efficient conduct of fair proceedings. The need for efficient proceedings is important in view of factors beyond the Tribunal's control that may have an impact on the speed with which trials and appeals can be completed. For example, delays in proceedings resulting from unforeseen disclosure of materials, requests for the replacement of the defence counsel, illness of the accused or counsel, the availability of witnesses to provide testimony and State cooperation may affect the timely completion of a trial or appeal. The Registry, within the scope of its competency, will continue to support the implementation of measures aimed at reducing the length of trials and appeals and enhancing efficiency.

52. The reduction of trial activity in the next biennium will cause a significant decrease in the number of posts, which will in turn require a sustained analysis and implementation of synergies derived from the merging of functions or operational capacity to ensure an optimal progression towards the Tribunal's completion. From the beginning of 2014, the various judicial services sections within the Registry will undergo a major restructuring that will see the Office for Legal Aid and Defence Matters, the Victims and Witnesses Section and the court operations functions of the Court Management and Support Services Section being merged into one section, principally to give effect to achieving the most optimal use of reduced resources while maintaining the support levels that will ensure a smooth completion. Similar consolidations will be effected within the Division of Administration.

53. During the next biennium, the Registry will continue to make every effort to ensure the closure of the Tribunal in an efficient and expeditious manner while observing the rights of the accused to due process. To assist this process, the Tribunal has developed a consolidated closure plan, which contains a road map of the major milestones and potential risks envisioned as part of the closure process. The principal elements outlined in the closure plan are: (a) the preparation of the archives for transfer to the Mechanism; (b) downsizing of staff; (c) the disposal of assets (including transfer to the Residual Mechanism); (d) the finalization of facilities and contract management; and (e) the finalization of financial arrangements. Key milestones of the plan during the next biennium include: (a) the progressive abolition of temporary posts in line with the requirements of judicial activity; (b) the transfer of physical and digital records for inactive cases to the Residual Mechanism; and (c) the closure in late 2015 of the Administration Building.

54. In support of the second objective, the Registry will continue to play a role in ensuring support for the functions of the Residual Mechanism, which saw the effective start-up of operations of the Arusha branch on 1 July 2012 and of The Hague branch on 1 July 2013. The Mechanism will coexist with the Tribunals in the biennium 2014-2015, allowing the Tribunals and the Mechanism to share resources, provide mutual support and achieve beneficial cooperation during the period of their coexistence. The Registry will work together with the Registries of the Mechanism and of the International Criminal Tribunal for Rwanda to ensure full cooperation and coordination of the respective functions and operations in the most cost-efficient, effective and practical manner.

55. Furthermore, the Registry will continue to play an active role in assisting the Residual Mechanism in the development of its policies, procedures and structure, with a view to facilitating operations and ensuring the transfer of best practices and lessons learned. During the biennium 2014-2015, the Tribunal will downsize significant numbers of staff and rapidly shrink its institutional footprint. Managing that process will require detailed coordinated planning, which would see a reduction in the Tribunal's activities and at the same time an increase in the activities of the Residual Mechanism, especially after the establishment of The Hague branch. The transfer of best practices and lessons learned will ensure that the institutional knowledge of departing staff members is memorialized, thereby preserving important substantive and operational knowledge vital to a smooth closure of the Tribunal and continued operations of the Mechanism.

56. With regard to the third objective, the completion strategy foresees the strengthening of national judicial systems and increased domestic prosecutions as integral to the achievement of the mandate of the Tribunal. In the biennium 2014-2015, the Registry will continue to provide essential support to national judicial systems in the region of the former Yugoslavia, in particular through responding to requests for assistance from national authorities in connection with documents and other evidentiary material held by the Tribunal, and in relation to the continuing protection of witnesses. The Registry will also be engaged in the transfer of know-how and other capacity-building activities in the region of the former Yugoslavia, including by training domestic judicial and prosecutorial training professionals ("training the trainers"), working with partners to translate Tribunal materials into the local languages and improving access by national legal professionals to the Tribunal's records and archives.

57. In the context of preserving the Tribunal's legacy and its outreach activities, in 2012-2013, the Tribunal organized two regional conferences on legacy, for 350 participants, in Sarajevo and Zagreb; completed the 2011-2012 youth education project reaching 3,500 high schools and university students across the region; launched a new round of the youth education project for 2012-2013, which is anticipated to reach more high school and university students; and produced and published a book with transcripts of the 2011 legacy conference on the theme "Global legacy of the International Tribunal for the Former Yugoslavia" (2,000 copies in English and 2,000 copies in Bosnian/Croatian/Serbian). The Tribunal also produced a feature-length documentary entitled "Crimes before the International Tribunal for the Former Yugoslavia: Prijedor" and promoted and distributed a documentary entitled "Sexual violence and the triumph of justice". That documentary was screened at various events in the former Yugoslavia and had more than 1,500 views on YouTube. Furthermore, approximately 2,500 copies of the

documentary were distributed worldwide. In addition, the Tribunal welcomed more than 9,000 international visitors (of which more than 150 were from the former Yugoslavia) to its premises at The Hague.

58. With regard to the fourth objective, during the next biennium, the Registry will continue to implement its communications strategy and outreach programme to ensure awareness of the Tribunal's activities and achievements and strengthen cooperation and the exchange of information with stakeholders within and outside the former Yugoslavia. In this regard, the Tribunal is planning a series of events both at The Hague and in the former Yugoslavia which, on the occasion of the twentieth anniversary of the Tribunal's existence, will highlight its contribution to the development of international criminal law and its role in promoting justice and accountability in the former Yugoslavia.

59. The fifth main objective encompasses special measures to retain staff, including measures aimed at career transition and meeting staff development and training needs. The Registry will continue to support these initiatives throughout the biennium 2014-2015, including by enabling staff to engage in cross-training, as well as by assisting them to explore future employment opportunities. Furthermore, the comparative review process implemented by the Registry in 2010, in partnership with staff representatives, will continue to be applied for the downsizing of staff in line with the abolishment of posts. Using the comparative review process, staff members are placed against specific posts selected for downsizing. Staff members' contract validity dates are synchronized to the dates set for the abolishment of their posts. The Registry will prepare the comparative review process for the biennium 2014-2015 early in advance. By conducting this exercise as early as possible, staff members will be provided with the maximum contractual security that prudent financial planning may permit. The Registry is committed to ensuring that this exercise will continue to be implemented and communicated in an open and transparent manner, taking into consideration the interests of both the staff and the organization.

Table 12

Objectives for the biennium, expected accomplishments, indicators of achievement and performance measures

Objective: The efficient administration and servicing of the Tribunal by the management of judicial, administrative and legal support to Chambers, the Office of the Prosecutor and, in a limited fashion, the defence, in line with the statute of the Tribunal, the Rules of Procedure and Evidence, United Nations regulations and rules and the Tribunal's completion strategy

Expected accomplishments	Indicators of achievement
(a) Timely implementation of formal actions taken in accordance with the agreed-upon completion strategy	(a) Percentage of actions completed on time <i>Performance measures</i> 2010-2011: 95 per cent Estimate 2012-2013: 95 per cent Target 2014-2015: 95 per cent

- (b) Increased public awareness of the activities of the Tribunal
- (b) (i) Number of page views on the website of the Tribunal

Performance measures

2010-2011: 6.4 million

Estimate 2012-2013: 7.5 million

Target 2014-2015: 6.0 million

- (ii) Number of visitors to the Tribunal's premises (physical visitors)

Performance measures

2010-2011: 17,500

Estimate 2012-2013: 18,000

Target 2014-2015: 18,000

- (c) Improved dissemination of information in the Bosnian, Croatian and Serbian languages (for court proceedings, considered by the Tribunal to be one language)
- (c) Number of days between receipt and distribution of material

Performance measures

2010-2011: 0 to 2 days

Estimate 2012-2013: 0 to 2 days

Target 2014-2015: 0 to 2 days

- (d) Needs of clients for sound, comprehensive and timely advice on legal and related policy matters are met
- (d) (i) Number of agreements and memorandums of understanding negotiated and contracts on which advice is given

Performance measures

2010-2011: 110

Estimate 2012-2013: 100

Target 2014-2015: 90

- (ii) Number of provisional agreements by States for the enforcement of individual sentences

Performance measures

2010-2011: not available

Estimate 2012-2013: not available

Target 2014-2015: 18

	(iii) Number of legal submissions in ongoing proceedings pursuant to rule 33 (B)
	<i>Performance measures</i>
	2010-2011: 240
	Estimate 2012-2013: 255
	Target 2014-2015: 200
(e) Effective legal support provided to judges	(e) Number of timely oral and written decisions and judgements
	<i>Performance measures</i>
	2010-2011: 2,063
	Estimate 2012-2013: 1,400
	Target 2014-2015: 700
(f) Compliance with the Tribunal's legal aid system	(f) Number of cases in which a supplemental payment is required to ensure a fair trial
	<i>Performance measures</i>
	2010-2011: 3
	Estimate 2012-2013: 3
	Target 2014-2015: 3
(g) Effective judicial support services provided to Chambers, the Office of the Prosecutor and defence counsel	(g) Level of client satisfaction
	<i>Performance measures</i>
	2010-2011: 95 per cent
	Estimate 2012-2013: 95 per cent
	Target 2014-2015: 95 per cent
(h) Effectiveness of administrative services maintained	(h) Degree of satisfaction expressed by recipients of various administrative services
	<i>Performance measures</i>
	2010-2011: 95 per cent
	Estimate 2012-2013: 95 per cent
	Target 2014-2015: 95 per cent

(i) Timely finalization of monthly financial reports

(i) Time between the end of the month and the issuance of financial reports

Performance measures

2010-2011: 8 working days

Estimate 2012-2013: 8 working days

Target 2014-2015: 8 working days

External factors

60. The Registry is expected to meet its objective and expected accomplishments on the assumption that: (a) the States of the former Yugoslavia cooperate in the provision of information and other forms of assistance; (b) there are no delays in the proceedings for reasons beyond the Tribunal's control, such as illness of the accused, unforeseen disclosure of material, requests for replacement of defence counsel, requests for review of cases already tried, other motions affecting the proceedings or the non-availability of witnesses to certify statements and provide testimony; and (c) the turnover rate of the Tribunal's staff remains within acceptable limits.

Outputs

61. During the biennium 2014-2015, the following outputs will be delivered:

(a) Victims and Witnesses Section: provision of safe transportation of witnesses from their residence to The Hague; liaison with States for exit and entry permits, travel documents, safe-conduct agreements and visas for pretrial and post-trial protection; provision of support services for the temporary and permanent relocation of witnesses; liaison with host Governments for the protection, safe accommodation and transportation of witnesses during trials; and implementation of the Tribunal's policies regarding the payment of entitlements, such as the reimbursement of lost earnings and the clothing allowance;

(b) Defence counsel services: provision of access to legal assistance for suspects and accused persons; review of claims of indigence from suspects and accused persons and assessment of their financial status; and implementation of the directive on the assignment of defence counsel and legal aid practices;

(c) Court management: implementation of procedures relating to the confirmation, amendment or withdrawal of indictments, the issuing of arrest warrants, the addressing of cases of failure to execute a warrant, the appearance of the accused, detention on remand and provisional release and procedures to obtain depositions; organization and scheduling of trials and other hearings, cases of contempt of court, procedures relating to amici curiae, summoning of witnesses and experts and judicial recordkeeping; and procedures relating to appellate and review proceedings, pardons and commutations of sentence;

(d) Immediate Office of the Registrar: leading the implementation of Security Council resolution [1966 \(2010\)](#) on the establishment of the Residual Mechanism; negotiation of international agreements on the enforcement of sentences and relocation of witnesses; liaison with the host country on privileges and immunities of judges and staff; liaison with Member States, international

organizations and United Nations Headquarters on matters pertaining to the mandate and funding of the Tribunal; facilitation of requests for assistance from the region of the former Yugoslavia; and drafting of policy papers, directives and guidelines relating to legal practice;

(e) Detention facility management: provision of a secure detention facility for detainees; provision of a remand programme and medical care in accordance with international standards and with the Tribunal's Rules of Detention; negotiation and cooperation with the host State authorities to ensure that the detention facilities of the Tribunal meet the standards set out in existing agreements and required by non-governmental organizations responsible for monitoring such facilities;

(f) Conference and language support: provision of simultaneous interpretation for all court hearings into and from English, French, Bosnian/Croatian/Serbian and other languages as required and consecutive interpretation during interviews with victims and witnesses; translation into and from English, French and Bosnian/Croatian/Serbian for the Registry, the Chambers, the Office of the Prosecutor and the defence; and transcripts of court proceedings in English and French for every hearing in the courtroom and for the plenary meetings of judges;

(g) Publications: publication of various information materials relating to court activity and the broader work of the Tribunal;

(h) Electronic, audio and video issuances: creation of multimedia content distributed through the website; maintenance of social media platforms; production and broadcast (in electronic format) of trial exhibits within the courts; and time-delayed webcasts of Tribunal proceedings in English, French and Bosnian/Croatian/Serbian;

(i) Booklets, pamphlets and fact sheets: publication of regular bulletins on Tribunal activities, including through new media and social media networks;

(j) Press releases and briefings: issuance of press releases and distribution of information to the local, national and international press regarding trial activities;

(k) Library services: provision of library services regarding international and national law relevant to the operations of the Tribunal for the use of judges, staff and defence counsel; and provision of online information services to assist staff, in particular the legal officers and judges, with legal research and greater access to bibliographic information;

(l) Administrative support: processing of financial documents; preparation of the proposed budget and annual performance reports; exercise of budgetary control and post management in respect of assessed budget and extrabudgetary resources; formulation of draft administrative responses to external and internal oversight bodies; screening of applications for vacant posts; implementation of staff development and training programmes; arrangement of travel and issuance of tickets and vouchers for judges, staff members, witnesses and other persons; undertaking of property management and inventory control; implementation, operation and maintenance of the information technology infrastructure; purchase and contracting of goods and services; and provision of a safe and secure environment for all VIPs, staff and visitors.

Table 13
Resource requirements

Category	Resources (thousands of United States dollars)		Posts	
	2012-2013	2014-2015 (before recosting)	2012-2013	2014-2015
Assessed budget				
Post	88 213.5	70 227.8	429	297
Non-post	105 166.9	56 455.0	—	—
Staff assessment	22 589.6	15 632.3	—	—
Subtotal	215 970.0	142 315.1	429	297
Extrabudgetary	917.6	661.1	—	—
Total	216 887.6	142 976.2	429	297

Table 14
Temporary post requirements

Category	2013	Proposed reduction		Extrabudgetary		Total	
		1 January 2014	1 January 2015	2012-2013	2014-2015	2014	2015
Professional and higher							
ASG	1	—	—	—	—	1	1
D-1	3	—	—	—	—	3	3
P-5	13	(3)	(2)	—	—	10	8
P-4/3	119	(13)	(35)	—	—	106	71
P-2/1	43	(2)	(12)	—	—	41	29
Subtotal	179	(18)	(49)	—	—	161	112
General Service							
Principal level	10	—	—	—	—	10	10
Other level	153	(11)	(24)	—	—	142	118
Subtotal	163	(11)	(24)	—	—	152	128
Other							
Security Service	87	(5)	(25)	—	—	82	57
Subtotal	87	(5)	(25)	—	—	82	57
Total	429	(34)	(98)	—	—	395	297

Abbreviations: ASG, Assistant Secretary-General.

Table 15
**General temporary assistance positions in lieu of temporary posts abolished
during the biennium 2010-2011 that continue in 2012-2013 and 2014-2015**

Category	31 December 2013	January- April 2014	May- December 2014	January- March 2015	April 2015	May- June 2015	July 2015	August- September 2015	October 2015	November- December 2015
Professional and higher										
P-5	1	1	1	1	1	1	1	1	1	—
P-4/3	17	17	7	7	7	7	1	—	—	—
P-2/1	18	14	12	5	4	4	—	—	—	—
Subtotal	36	32	20	13	12	12	2	1	1	—
General Service										
Other level	42	35	28	17	17	17	1	—	—	—
Subtotal	42	35	28	17	17	17	1	—	—	—
Other										
Security Service	21	21	13	13	13	13	9	9	—	—
Subtotal	21	21	13	13	13	13	9	9	—	—
Total	99	88	61	43	42	42	12	10	1	—

Table 16
**General temporary assistance positions in lieu of temporary posts abolished
during the biennium 2014-2015**

Category	31 December 2013	January- April 2014	May- December 2014	January- March 2015	April 2015	May- June 2015	July 2015	August- September 2015	October 2015	November- December 2015
Professional and higher										
P-5	—	—	—	2	2	1	—	—	—	—
P-4/3	—	9	—	19	18	16	4	1	—	—
P-2/1	—	—	—	11	8	3	3	—	—	—
Subtotal	—	9	—	32	28	20	7	1	—	—
General Service										
Other level	—	5	—	10	10	10	3	—	—	—
Subtotal	—	5	—	10	10	10	3	—	—	—
Other										
Security Service	—	5	—	22	22	22	3	3	—	—
Subtotal	—	5	—	22	22	22	3	3	—	—
Total	—	19	—	64	60	52	13	4	—	—

62. Resources under posts and staff assessment in the amount of \$70,227,800 and \$15,632,300, respectively, would provide for the continuation of 395 temporary posts in 2014 and 297 temporary posts in 2015 during the biennium 2014-2015. The reduction under posts (\$17,985,700) and staff assessment (\$6,957,300) is attributable to the abolishment of 132 temporary posts during the biennium (34 in 2014 and 98 in 2015).

63. Non-post requirements in the amount of \$56,455,000, reflecting a decrease of \$48,711,900, would provide for general temporary assistance, including translation and interpretation, consultants and experts, travel of staff, contractual services, including defence counsel and detainee services, general operating expenses, hospitality, supplies and materials, furniture and equipment, improvement of premises and grants and contributions.

64. The provision under general temporary assistance also includes requirements to cover the functions of posts abolished during the biennium 2010-2011 and posts abolished during the biennium 2014-2015 which are still needed during part of the biennium 2014-2015. It is proposed to gradually reduce these requirements during the biennium, as shown in tables 15 and 16 above.

65. The decrease of \$48,711,900 in non-post requirements reflects reduced requirements under other staff costs (\$14,968,300), consultants and experts (\$176,300), travel of staff (\$1,719,500), contractual services (\$20,351,800), general operating expenses (\$9,652,900), supplies and materials (\$696,000), furniture and equipment (\$957,800), improvement of premises (\$164,300) and grants and contributions (\$25,000), owing mainly to the reduction in staffing and trial activities during the biennium.

D. Records management and archives

66. In accordance with the provisions of Security Council resolution [1966 \(2010\)](#), the records and archives function of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda were transferred to the Residual Mechanism during the biennium 2012-2013.

67. Pursuant to article 27 of its statute, the Mechanism is responsible for the management, including preservation and access, of the archives of the two Tribunals and of the Mechanism, which together constitute the archives of the International Criminal Tribunals. After the commencement of each branch, the Mechanism acquired exclusive competence over and responsibility for the archives of the Tribunals.

68. The Archives and Records Management Section of the Residual Mechanism was established in July 2012. A total of 20 new posts were created to support the archives and records management activities of the two branches of the Mechanism.

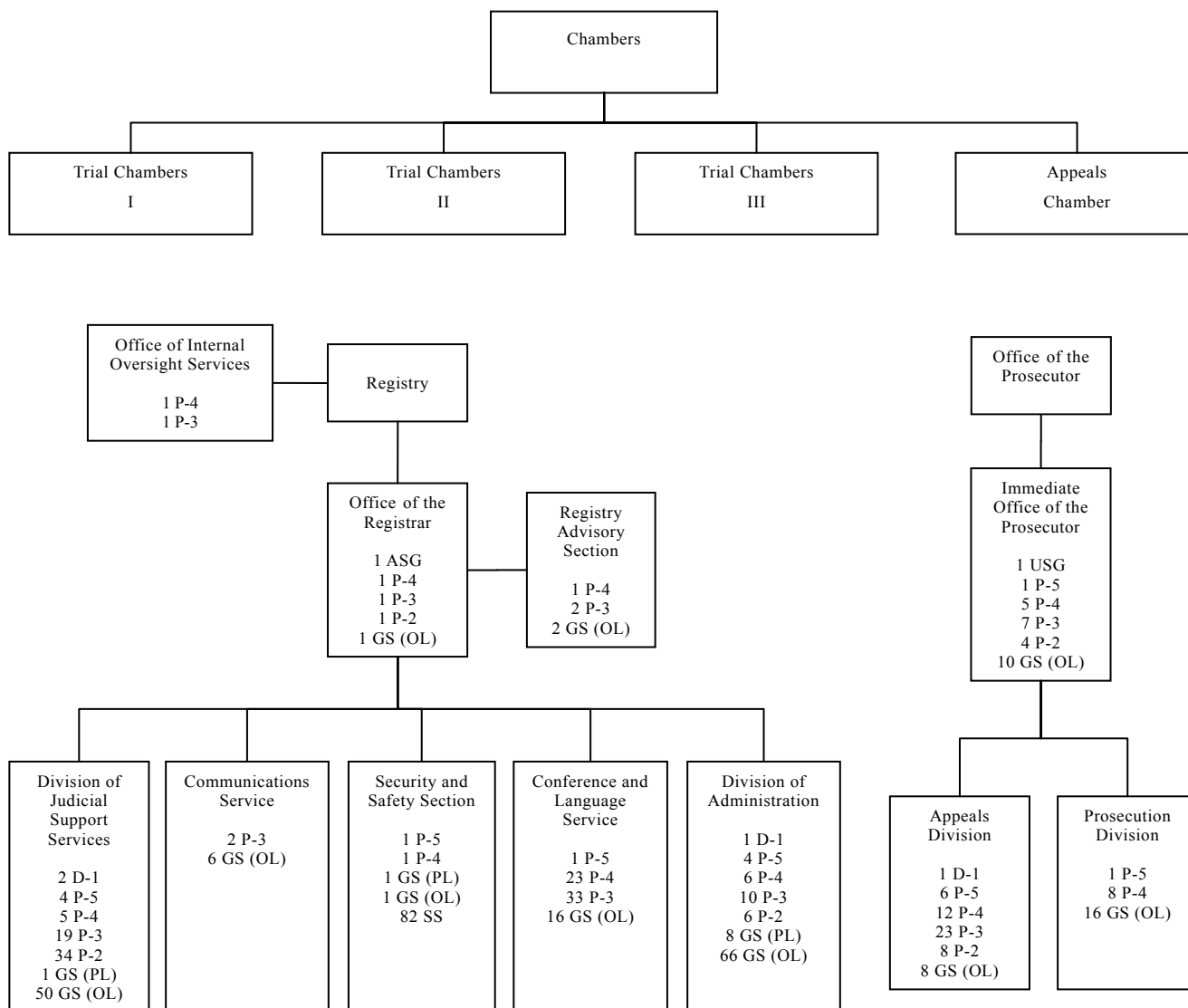
Table 17
Resource requirements

Category	Resources (thousands of United States dollars)		Posts	
	2012-2013	2014-2015 (before recosting)	2012-2013	2014-2015
Assessed budget				
Non-post	2 441.4	—	—	—
Staff assessment	189.2	—	—	—
Total	2 630.6	—	—	—

69. As the functions relating to records management and archives have been transferred to the Residual Mechanism during the biennium 2012-2013, no resources are requested under this component for the biennium 2014-2015.

Annex I

Organizational structure and post distribution as at 1 January 2014



Abbreviations: USG, Under-Secretary-General; ASG, Assistant Secretary-General; GS, General Service; PL, Principal level; OL, Other level; SS, Security Service.

Annex II

Summary of follow-up action taken to implement the relevant recommendations of the oversight bodies

Brief description of the recommendation

Action taken to implement the recommendation

Board of Auditors ([A/67/5/Add.12](#))

The Board recommended that the Tribunal expedite its preparations, including the undertaking of a comprehensive review of its need for the implementation of IPSAS and more proactively communicate with the Headquarters IPSAS implementation team so as to better prepare for the implementation of IPSAS (para. 20).

The Tribunal is part of the United Nations Headquarters IPSAS implementation process for which a structured approach has been developed, including an initial assessment of the Tribunal's operations and the undertaking of regular monthly assessments of its readiness in terms of the status of the tasks to be performed and the risks involved. On the basis of the progress achieved thus far, the Headquarters IPSAS team has determined that the Tribunal is on track in terms of IPSAS implementation.

The Board recommended that the Tribunal consolidate existing plans and reports associated with the closure of the Tribunal and the transition to the Residual Mechanism into a single comprehensive plan integrating all the elements needed to guide its orderly closure, including, but not limited to, the identification of tasks to be performed, milestones and the risks and benefits associated with the closure (para. 23).

Pursuant to the recommendation, the Tribunal has developed a consolidated closure plan, which contains a road map of the major milestones and potential risks envisioned as part of the closure process. The principal elements outlined in the closure plan are: (a) preparation of the archives for transfer to the Mechanism; (b) downsizing of staff; (c) disposal of assets (including transfer to the Residual Mechanism); (d) finalization of facilities and contract management; and (e) finalization of financial arrangements.

The Tribunal agreed with the Board's recommendation that it continue to ensure that trial and appeals are undertaken as expeditiously as possible, with due regard for the rights of the accused and due process (para. 26).

The Tribunal is implementing a variety of novel, large-scale measures to ensure that judicial proceedings are undertaken more expeditiously and would implement any further measures possible with due regard to the rights of the accused and due process requirements. The planned revision of the structure of the Division of Judicial Support Services in the biennium 2014-2015 will serve to further this aim.

<i>Brief description of the recommendation</i>	<i>Action taken to implement the recommendation</i>
<p>The Tribunal agreed with the Board's recommendation that the downsizing methodology to be applied at the time of the next budget should aim at abolishing all types of posts (including both temporary and general temporary assistance positions) rather than temporary posts only or general temporary assistance posts only (para. 30).</p>	<p>As borne out by the budget proposal for the biennium 2014-2015, the Tribunal's planned downsizing of posts in the upcoming biennium will impact both temporary and general temporary assistance positions.</p>
<p>The Tribunal agreed with the Board's recommendation to: (a) put in place procedures to resolve the matters identified through its physical verification exercises of non-expendable property; (b) update the database of non-expendable property in a timely manner; and (c) ensure that all non-expendable property is properly labelled (para. 35).</p>	<p>The Tribunal is continuing its implementation of a new system that provides bar-code information about non-expendable property items as well as the location/room numbers. The Tribunal is also continuing the full physical verification of non-expendable property employing the new bar-code system in use since April 2012.</p>
<p>The Tribunal agreed with the Board's recommendation to: (a) develop an e-mail management policy to distinguish between business and private e-mails; (b) prepare a disaster recovery plan for physical records; and (c) improve the management of vaults in order to enhance the management of the archives and records (para. 40).</p>	<p>The Tribunal has implemented a new e-mail management policy in May 2013, a disaster recovery plan with provisions for staff training and access logbooks to the Tribunal's vaults.</p>
<p>Office of Internal Oversight Services (A/67/297 (Part I)/Add.1, table 4.B (AA2011/270/01))</p>	
<p>Audit of adequacy of arrangements for closing the International Criminal Tribunal for the Former Yugoslavia field offices in Belgrade, Zagreb and Sarajevo.</p>	<p>Arrangements for the liquidation of the Building Management Committee are currently being addressed together with the European Union of Facilities Management. To this end, the Chief Administrative Officer visited the field office in Sarajevo to discuss arrangements for the liquidation and an audit of the bookkeeping of the Committee should be finalized in 2013.</p>
<p>The Tribunal should ensure that arrangements for the liquidation of the Building Management Committee are established as required under the memorandum of understanding between the Tribunal, the European Union Monitoring Missions and other occupants of the United Nations House, to facilitate the closure of the Sarajevo field office.</p>	