



# General Assembly

Distr.: General  
18 September 2015

Original: English

---

## Seventieth session

Agenda item 146

### **Financing of the International Residual Mechanism for Criminal Tribunals**

## **Budget for the International Residual Mechanism for Criminal Tribunals for the biennium 2016-2017**

### **Report of the Secretary-General**

#### *Summary*

By its resolution 1966 (2010), the Security Council decided to establish the International Residual Mechanism for Criminal Tribunals with two branches, which commenced functioning on 1 July 2012 (branch for the International Criminal Tribunal for Rwanda) and 1 July 2013 (branch for the International Tribunal for the Former Yugoslavia).

The present report contains the proposed resource requirements for the Mechanism for the biennium 2016-2017. The resources for the biennium 2016-2017, before recosting, amount to \$140,905,300 gross (\$130,455,000 net).



## I. Overview

1. By its resolution 1966 (2010), the Security Council decided to establish the International Residual Mechanism for Criminal Tribunals with two branches and to adopt the statute of the Mechanism. The Council also decided that the Mechanism would continue the jurisdiction, rights and obligations and essential functions of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda.

2. The continuous activities of the Mechanism comprise all activities mandated under Security Council resolution 1966 (2010) that are ongoing in nature — that is, activities that must be carried out at all times, irrespective of whether the Mechanism is conducting any trials or appeals. Those activities include the tracking and prosecution of remaining fugitives, the protection of witnesses, the supervision of the enforcement of sentences, the provision of assistance to national jurisdictions and the management of the archives.

3. The ad hoc activities of the Mechanism are those activities mandated under Security Council resolution 1966 (2010) that are carried out from time to time and include primarily the conduct of trials and appeals, as well as coordination with the Tribunals as they transfer functions to the Mechanism. Those activities require resources, but not on a continuous basis.

4. The Mechanism embodies the vision of the Security Council of a small and efficient organization. It has performed functions transferred from the Tribunals, with no gap in the provision of services. During the biennium 2014-2015, the Mechanism also delivered its first appeal judgement in the *Ngirabatware* case, continued to monitor four cases of the International Criminal Tribunal for Rwanda referred to national jurisdictions and developed a growing body of jurisprudence. It achieved a state of trial readiness, with procedures and rosters of potential staff in place for the trial of one or more accused who are still at large. With a gender-balanced and diverse staff of more than 50 nationalities, the Mechanism has made considerable progress in the establishment of its independent administration as the Tribunals have progressively downsized. In addition, the construction of the Mechanism's new premises in Arusha commenced at the end of February 2015.

5. During the biennium 2016-2017, the Mechanism will: (a) continue to effectively implement its continuous mandated functions; (b) assume responsibility for appeals proceedings in the four cases currently being tried by the International Tribunal for the Former Yugoslavia (*Šešelj*, *Hadžić*, *Karadžić* and *Mladić*) while continuing to monitor referred cases of the International Criminal Tribunal for Rwanda and deal with a wide variety of judicial requests; (c) acquire additional transitional functions as the closure of the Tribunals approaches; and (d) continue to establish its independent administration.

6. In line with Security Council resolution 1966 (2010), the responsibility for tracking the remaining fugitives from the International Criminal Tribunal for Rwanda devolved to the Mechanism on 1 July 2012. In that regard, the Office of the Prosecutor has intensified efforts in tracking the top three fugitives, namely, Félicien Kabuga, Protais Mpiranya and Augustin Bizimana, with a particular focus on the Great Lakes and Southern African regions.

7. The Mechanism has been responsible for witness support and protection functions in relation to the thousands of protected witnesses who have testified in completed cases tried by the Tribunals since the opening of the corresponding branches.

8. The Mechanism has assumed jurisdiction over enforcement issues, including the authority to designate enforcement States, to supervise the enforcement of sentences and to decide on requests for pardons or the commutation of sentences for convicted persons already serving their sentences.

9. The Mechanism routinely receives requests from national authorities for assistance with investigations, prosecutions and trials of individuals charged in relation to the genocide in Rwanda and the Balkans conflict. This function will continue to be carried out in the biennium 2016-2017.

10. At the time of reporting, the Mechanism Archives and Records Section had received, and managed, in accordance with international standards, approximately 75 per cent of the records of the International Criminal Tribunal for Rwanda with archival value and approximately 15 per cent of the records of the International Tribunal for the Former Yugoslavia with archival value. The Section is developing a digital repository designed to ensure secure storage of the Tribunals' digital records. During the biennium 2016-2017, the Mechanism will continue to manage those historic archives and will improve their accessibility.

11. It is expected that the biennium 2016-2017 will mark a significant increase in the workload of the Appeals Chamber, which will be seized of the four remaining cases of the International Tribunal for the Former Yugoslavia (*Karadžić*, *Šešelj*, *Hadžić* and *Mladić*). The judges of the Mechanism at both Branches will continue to receive a wide variety of requests related to review, revocation of the referral of cases to national jurisdictions, compensation for violations of fair-trial rights, the disclosure of exculpatory material, cooperation, the variation of protection measures, access to confidential material, and changes in the classification of confidential material. In line with the approach adopted during the biennium 2014-2015, provisions have been made for the trials of two fugitives indicted by the International Criminal Tribunal for Rwanda whose proceedings fall under the jurisdiction of the Mechanism.

12. With respect to the monitoring of cases, two cases of the International Criminal Tribunal for Rwanda, *Bucyibaruta* and *Munyeshyaka*, were referred to France in November 2007 and are pending before the French judiciary. Two additional cases of the Tribunal, *Uwinkindi* and *Munyagishari*, have been referred to Rwanda. The monitoring of those cases is ongoing and will continue during the biennium 2016-2017.

13. As a consequence of the closure of the International Criminal Tribunal for Rwanda before the end of 2015, the Mechanism will carry out additional activities during the biennium 2016-2017, which were previously carried out by the Tribunal. It will provide for the upkeep and relocation of the persons acquitted and released by the Tribunal, with respect to which responsibility was transferred to the Mechanism on 1 January 2015. Beginning in October 2015, the Mechanism will also inherit the rights and obligations of the Tribunal pertaining to the United Nations Detention Facility in Arusha, which houses Tribunal and Mechanism detainees and convicted persons awaiting transfer for the enforcement of their

sentences. Furthermore, the Mechanism will work to reduce or clear the backlog in the translation of the Tribunal's judgements as well as in the redaction of its historic judicial proceedings, so that they can be made accessible to the public. Requirements related to those transitional activities have been included in the present budget submission.

14. During the biennium 2016-2017, the Mechanism will operate in Arusha without the administrative support of the International Criminal Tribunal for Rwanda. Accordingly, in addition to further strengthening the provision of the administrative services for which it assumed responsibility during the biennium 2014-2015 (human resources, finance and budget, and procurement), the Mechanism will be required to establish its own Security and Safety Section, Medical Services Unit and General Services Section. The sizes of those structures will be minimal. The relevant requirements have been included in the present budget submission.

15. With respect to the construction of the new Mechanism premises in Arusha, a total of \$8,787,800 has been approved for that purpose, with no additional provision required in 2016-2017. The construction of the premises is under way, and a status report will be submitted to the General Assembly at the first part of the resumed seventieth session, in early 2016.

16. The overall level of resources required for the biennium 2016-2017 for the Mechanism amounts to \$140,905,300 gross, of which \$76,883,900 relates to the Arusha branch, \$63,623,100 to the Hague branch and \$398,300 to Mechanism support in New York.

17. An expansion of the Mechanism's administrative capacity in Arusha is necessary following the closure of the International Criminal Tribunal for Rwanda, as reflected in the current proposals for the establishment of 48 new posts at the Arusha branch in 2016-2017. The redeployment of one P-4 post from The Hague to Arusha is also proposed. In addition, two new posts are proposed for establishment at the Hague branch with a view to better alignment with actual requirements, and a new post is proposed to augment Mechanism support in New York. The addition of the proposed new posts to the existing 126 temporary posts would enable the Mechanism to deliver its functions and meet operational requirements with an efficient staffing of 177 posts in the biennium 2016-2017.

18. The recosting of the proposed budgetary provisions contained in the present report is in line with the recosting methodology. With regard to vacancy rates, those approved in the context of the first performance report of the Mechanism for the biennium 2014-2015 ([A/69/598](#)), namely, a uniform rate for both new and continuing posts (26.2 per cent for posts in the Professional and higher categories and 19.6 per cent for General Service posts), are proposed for the biennium 2016-2017.

19. The distribution of resources proposed for the Mechanism for the biennium 2016-2017 is shown in tables 1 to 3 below.

Table 1  
**Distribution of resources by component**  
 (Percentage)

<i>Component</i>	<i>Assessed budget</i>
<b>Arusha branch</b>	
A. Chambers	1.9
B. Office of the Prosecutor	7.1
C. Registry	43.3
D. Archives	2.3
<b>Subtotal</b>	<b>54.6</b>
<b>Hague branch</b>	
A. Chambers	3.2
B. Office of the Prosecutor	7.2
C. Registry	32.5
D. Archives	2.2
<b>Subtotal</b>	<b>45.1</b>
<b>Mechanism support, New York</b>	
<b>Subtotal</b>	<b>0.3</b>
<b>Total</b>	<b>100.0</b>

Table 2  
**Resource requirements by component**  
 (Thousands of United States dollars)

*Assessed budget*

<i>Component</i>	<i>2012-2013 expenditure</i>	<i>2014-2015 revised appropriation</i>	<i>Resource growth</i>		<i>Total before recosting</i>	<i>Recosting</i>	<i>2016-2017 estimate</i>
			<i>Amount</i>	<i>Percentage</i>			
<b>A. Chambers</b>							
1. Arusha branch	19.9	2 696.4	(7.6)	(0.3)	2 688.8	406.9	3 095.7
2. Hague branch	47.8	1 443.7	3 062.6	212.1	4 506.3	29.8	4 536.1
<b>Subtotal</b>	<b>67.7</b>	<b>4 140.1</b>	<b>3 055.0</b>	<b>73.8</b>	<b>7 195.1</b>	<b>436.7</b>	<b>7 631.8</b>
<b>B. Office of the Prosecutor</b>							
1. Arusha branch	2 680.0	11 638.4	(1 615.2)	(13.9)	10 023.2	1 119.8	11 143.0
2. Hague branch	335.0	6 112.9	3 998.7	65.4	10 111.6	34.2	10 145.8
<b>Subtotal</b>	<b>3 015.0</b>	<b>17 751.3</b>	<b>2 383.5</b>	<b>13.4</b>	<b>20 134.8</b>	<b>1 154.0</b>	<b>21 288.8</b>
<b>C. Registry</b>							
1. Arusha branch	7 663.2	53 509.9	7 487.6	14.0	60 997.5	7 676.8	68 674.3
2. Hague branch	4 291.4	30 594.1	15 282.4	50.0	45 876.5	194.1	46 070.6

Component	2012-2013 expenditure	2014-2015 revised appropriation	Resource growth		Total before recosting	Recosting	2016-2017 estimate
			Amount	Percentage			
3. Mechanism support, New York	–	–	398.3	–	398.3	8.9	407.2
<b>Subtotal</b>	<b>11 954.6</b>	<b>84 104.0</b>	<b>23 168.3</b>	<b>27.5</b>	<b>107 272.3</b>	<b>7 879.8</b>	<b>115 152.1</b>
<b>D. Records management and archives</b>							
1. Arusha branch	395.5	4 291.8	(1 117.4)	(26.0)	3 174.4	301.4	3 475.8
2. Hague branch	1 141.7	5 234.6	(2 105.9)	(40.2)	3 128.7	11.3	3 140.0
<b>Subtotal</b>	<b>1 537.2</b>	<b>9 526.4</b>	<b>(3 223.3)</b>	<b>(33.8)</b>	<b>6 303.1</b>	<b>312.7</b>	<b>6 615.8</b>
<b>Total requirements (gross)</b>	<b>16 574.5</b>	<b>115 521.8</b>	<b>25 383.5</b>	<b>22.0</b>	<b>140 905.3</b>	<b>9 783.2</b>	<b>150 688.5</b>
<b>Income</b>							
Income from staff assessment	1 155.0	7 176.8	3 273.5	45.6	10 450.3	408.8	10 859.1
<b>Total requirements (net)</b>	<b>15 419.5</b>	<b>108 345.0</b>	<b>22 110.0</b>	<b>20.4</b>	<b>130 455.0</b>	<b>9 374.4</b>	<b>139 829.4</b>

Table 3  
Temporary post requirements

Category	2014-2015	Proposed changes	2016-2017
<b>Professional and higher</b>			
<b>Arusha branch</b>			
Under-Secretary-General	1	–	1
P-5	2	–	2
P-4/3	25	3	28
P-2/1	7	–	7
<b>Subtotal</b>	<b>35</b>	<b>3</b>	<b>38</b>
<b>Hague branch</b>			
P-5	4	–	4
P-4/3	21	(1)	20
P-2/1	6	1	7
<b>Subtotal</b>	<b>31</b>	<b>0</b>	<b>31</b>
<b>New York</b>			
P-4/3	–	1	1
<b>Subtotal</b>	<b>–</b>	<b>1</b>	<b>1</b>
<b>Total, Professional and higher</b>	<b>66</b>	<b>4</b>	<b>70</b>
<b>General Service and other</b>			
<b>Arusha branch</b>			
Security Service	1	31	32

<i>Category</i>	<i>2014-2015</i>	<i>Proposed changes</i>	<i>2016-2017</i>
Local level	12	2	14
Field Service	22	13	35
<b>Subtotal</b>	<b>35</b>	<b>46</b>	<b>81</b>
<b>Hague branch</b>			
Other level	25	1	26
<b>Subtotal</b>	<b>25</b>	<b>1</b>	<b>26</b>
<b>Total, General Service and other</b>	<b>60</b>	<b>47</b>	<b>107</b>
<b>Grand total</b>	<b>126</b>	<b>51</b>	<b>177</b>

## II. Programme of work and resource requirements

### A. Chambers

20. The Chambers are the organ exercising judicial authority over the residual functions assumed by the Mechanism. The Chambers comprise a roster of 25 judges who are elected by the General Assembly and one full-time President, who is appointed from the roster. The President shall appoint the judges from the roster to hear cases and consider requests as required. The main objective of the Chambers for the biennium 2016-2017 will be to carry out all residual activities, as needed, in the most expeditious manner possible.

21. The President is the highest authority of the Mechanism, acting as its institutional head, and is responsible for the overall implementation of its mandate. The President coordinates the work of the Chambers, presides over proceedings in the Appeals Chamber, supervises the enforcement of sentences, issues practice directions and supervises the activities of the Registry. The President represents the Mechanism before its parent body, the Security Council, and the General Assembly and performs other representational functions vis-à-vis heads of mission, embassies of Member States, the Secretary-General and other interlocutors. In addition, the President is responsible for carrying out all other judicial, quasi-judicial and administrative functions conferred on him or her by the statute and rules of procedure and evidence of the Mechanism, including the issuance of orders and decisions related to the enforcement of sentences, the review of administrative decisions and the assignment of judges for the other judicial activities described below.

22. The judicial and other activities to be carried out by the Chambers during the biennium 2016-2017 will include:

(a) The conduct of trial, retrial, appeal, review, and contempt of court and false testimony proceedings. In Arusha, this will include any pretrial proceedings, trials and interlocutory appeals in the event of the arrest of any of the three remaining fugitives from the International Criminal Tribunal for Rwanda (two are projected) and any retrials ordered by the Appeals Chamber of that Tribunal. In The Hague, this will include any appeals against judgements in the *Karadžić*, *Šešelj*,

*Hadžić* and *Mladić* cases and any pretrial proceedings, trials and interlocutory appeals in the event of any retrials ordered by the Appeals Chamber of the International Tribunal for the Former Yugoslavia. At either branch, it may also include first-instance and appellate proceedings resulting from requests for revocation of the referral of cases to national jurisdictions, compensation for violations of fair-trial rights, and the disclosure of exculpatory material;

- (b) The enforcement and the monitoring of the enforcement of sentences;
- (c) Judicial decisions related to assistance to national jurisdictions;
- (d) Judicial decisions concerning the protection of victims and witnesses, including decisions relating to the variation of protection measures;
- (e) Judicial decisions concerning access to the archives, including access to confidential material, changes in the classification of confidential material, and any declassification proceedings in accordance with rule 155 of the rules of procedure and evidence;
- (f) The monitoring of cases referred to national courts;
- (g) The coordination of the work of the Chambers;
- (h) Judicial decisions concerning administrative review;
- (i) Representational and coordinating activities of the President of the Mechanism concerning the supervision and administration of the Mechanism.

## Outputs

23. During the biennium 2016-2017, the following outputs related to the activities of the Chambers are expected to be delivered:

- (a) Courtroom activities: initial appearances, status conferences, pretrial conferences, trials, interlocutory appeals, the possible delivery of judgements, and other hearings in the cases of fugitives from the International Criminal Tribunal for Rwanda, in appeals related to the *Karadžić*, *Šešelj*, *Hadžić* and *Mladić* cases, and in the event of contempt of court or false testimony cases or a retrial;
- (b) Decisions relating to, inter alia, pretrial motions, motions during trial, retrial, interlocutory appeals, appeals and reviews, and requests for revocation of the referral of cases to national jurisdictions, compensation for violations of fair-trial rights and the disclosure of exculpatory material;
- (c) The drafting or preparation of judgements in the cases of the fugitives from the International Criminal Tribunal for Rwanda or any retrials, the drafting of the appeal preparatory documents in the *Karadžić*, *Šešelj*, *Hadžić* and *Mladić* cases, as applicable, and the drafting of judgements in contempt of court and false testimony cases at both trial and appeal;
- (d) Decisions and other activity related to the enforcement of sentences, including, inter alia, the designation of enforcement States for convicted persons, the determination of early release, the commutation of sentence and pardon, and supervision of the enforcement of sentences;



(e) Decisions related to assistance to national jurisdictions, including decisions concerning motions for access to confidential material for persons authorized by external judicial authorities;

(f) Decisions relating to witness protection, including the variation or rescission of existing protection orders;

(g) Decisions related to the management of the archives, including the designation of sensitive records and decisions to declassify sensitive records in accordance with rule 155 of the rules of procedure and evidence;

(h) Amendments to the rules of procedure and evidence;

(i) The issuance of and amendments to practice directions;

(j) Reports of the President of the Mechanism to the Security Council, as requested, on non-compliance by States with orders of the Mechanism;

(k) Annual reports to the General Assembly and biannual reports to the Security Council;

(l) Press releases on matters of importance to the Mechanism;

(m) Special events: the hosting of visiting dignitaries, usually at the level of ambassador or minister for foreign affairs, and Heads of State; and the establishment and maintenance of high-level contacts with Governments of Member States to facilitate and improve cooperation with the Mechanism;

(n) Participation in activities within the United Nations system: the annual statement by the President of the Mechanism to the General Assembly and the biannual statement to the Security Council;

(o) The review of decisions of the Registrar and supervision of the activities of the Registry;

(p) The coordination of the work of Chambers;

(q) Meetings of the Coordination Council and plenary meetings of judges of the Mechanism;

(r) Relations with non-governmental organizations, researchers and other interlocutors outside the Mechanism.

Table 4

**Resource requirements: Chambers**

Category	Resources (thousands of United States dollars)		Temporary posts	
	2014-2015	2016-2017 (before recosting)	2014-2015	2016-2017
<b>Arusha branch</b>				
Non-post	2 696.4	2 688.8	—	—
<b>Subtotal</b>	<b>2 696.4</b>	<b>2 688.8</b>	—	—

Category	Resources (thousands of United States dollars)		Temporary posts	
	2014-2015	2016-2017 (before recosting)	2014-2015	2016-2017
<b>Hague branch</b>				
Non-post	1 443.7	4 506.3	–	–
<b>Subtotal</b>	<b>1 443.7</b>	<b>4 506.3</b>	–	–
<b>Total</b>	<b>4 140.1</b>	<b>7 195.1</b>	–	–

24. The provision of \$7,195,100, before recosting, would cover the compensation for the judges, in accordance with the statute of the Mechanism, as well as their travel requirements. The increase of \$3,055,000 is attributable mainly to: (a) the increase in the number of appeals proceedings and the corresponding number of judges supporting the judicial activity projected in the Hague branch compared with the biennium 2014-2015; and (b) the inclusion of resources for honoraria of the President in the Hague branch, which were previously provided for under the budget of the International Tribunal for the Former Yugoslavia when its President was also the President of the Mechanism.

## B. Office of the Prosecutor

25. The Office of the Prosecutor is responsible for the investigation and prosecution of persons falling within the competence of the Mechanism as set out in article 1 of the statute of the Mechanism. In accordance with article 14 of the statute, there is one Prosecutor for both branches of the Mechanism, who is responsible for the residual functions of both of the Tribunals.

26. The primary responsibility of the Office of the Prosecutor of the Mechanism will be carrying out the work arising out of completed cases of the Tribunals, providing assistance to national authorities and international organizations, tracking the remaining fugitives from the International Criminal Tribunal for Rwanda and preparing those cases for trial in the event of an arrest, maintaining records and carrying out various diplomatic and external relations functions. In addition, administrative and managerial functions will be required for the operation of the Office at each branch.

27. The proposed structure and core staffing for the Office of the Prosecutor for the biennium 2016-2017 are based on its “continuous” activities, which must be carried out independently of trial and appeal activities. Resources are also proposed in support of ad hoc activities based on the projected judicial calendar. Should retrials be ordered in any cases by the Appeals Chamber of the International Tribunal for the Former Yugoslavia and/or the International Criminal Tribunal for Rwanda, which is not foreseen at present, additional resources will have to be requested, as such activities are not covered in the present document.

### Continuous functions

28. The Office of the Prosecutor is responsible for handling matters arising out of cases completed by the Tribunals at the corresponding branches. This work includes the following continuous functions:

- (a) Enforcement of sentences: the assessment of applications by convicted persons for early release;
- (b) Review of judgements: when applications for the review of judgements are filed, the Office will be required to respond to the application;
- (c) Witness protection: the Office has the ongoing responsibility to identify material that should be provided to national courts to facilitate their war crimes prosecutions. If such material is identified, appropriate steps must be taken to seek variation of the protective measures to enable disclosure to the third party or to apply for protective measures in the context of review proceedings, contempt cases and the fugitive trials;
- (d) Disclosure: the obligation of the prosecution to disclose exculpatory material relevant to convicted persons is ongoing;
- (e) Contempt: pursuant to article 1 (4) of the statute of the Mechanism, the Mechanism has the power to prosecute contempt arising out of cases of the Mechanism and the Tribunals. Consequently, some basic monitoring of possible contemptuous conduct relating to the completed cases will be required;
- (f) Assistance to national authorities and international organizations: the prosecution responds to external requests from national prosecution authorities seeking access to the evidentiary databases of the Office. During the biennium 2014-2015, the Office saw a doubling of incoming requests for assistance;
- (g) The tracking of fugitives: effective 1 July 2012, the Office assumed the responsibility for tracking the three remaining fugitives from the International Criminal Tribunal for Rwanda: Félicien Kabuga, Protais Mpiranya and Augustin Bizimana. The apprehension and trial of the remaining fugitives from the Tribunal will continue to be a significant focus for the Arusha branch;
- (h) Records management: the Office will continue to be required to manage its evidence and legal databases, both electronic and hard copy records.

### Ad hoc functions

29. The Mechanism is expected to be seized of four appeals at the Hague branch during the biennium 2016-2017. Two appeals, in connection with the judgment of the Trial Chambers of the International Tribunal for the Former Yugoslavia in the cases of *The Prosecutor v. Vojislav Šešelj*, projected to be delivered before the end of 2015, and *The Prosecutor v. Radovan Karadžić*, projected for December 2015, will be carried over from the biennium 2014-2015 and continue throughout the biennium 2016-2017.

30. In addition, it is anticipated that the Office will be responsible for prosecuting two appeals at the Hague branch, in the cases of *The Prosecutor v. Goran Hadžić* and *The Prosecutor v. Ratko Mladić*. The appeal in the Hadžić cases is expected to start in October 2016, with the appeals process in the Mladić case scheduled to start in November 2017.

Table 5

**Objectives for the biennium, expected accomplishments and indicators of achievement**

*Objective of the Mechanism:* To investigate and prosecute, in a timely and fair manner, persons falling within the areas of competence of the Mechanism, and to ensure that the requirements of the Security Council are fulfilled with regard to the implementation of the completion strategy

<i>Expected accomplishments</i>	<i>Indicators of achievement</i>
(a) Arrest of accused persons still at large	<p>(a) Number of arrests for the Arusha branch</p> <p><i>Performance measures</i></p> <p>Estimate 2014-2015: 2</p> <p>Target 2016-2017: 2</p>
(b) Provision of effective and timely assistance to national jurisdictions	<p>(b) Requests for judicial assistance from national jurisdictions addressed to the Prosecutor are dealt with to the satisfaction of the requiring party</p> <p><i>Performance measures</i></p> <p>Estimate 2014-2015: 70 per cent of requests for judicial assistance from national jurisdictions met within four-week turnaround period</p> <p>Target 2016-2017: receipt is acknowledged of requests for judicial assistance from national jurisdictions within two working days; 90 per cent of requests for certification of documents; and 75 per cent of requests involving searches of documents will be completed within four weeks</p>

**External factors**

31. The Office is expected to meet its objective and expected accomplishments on the assumption that:

- (a) Member States cooperate in the tracking, arrest and transfer of indicted persons and in the timely provision of information and compliance with requests for assistance;
- (b) The arrest of two of the fugitives from the Mechanism occurs during the biennium;
- (c) Member States continue to investigate and prosecute those accused of atrocities in Rwanda and the former Yugoslavia and to seek assistance at a similar rate and of a similar volume to that previously sought;
- (d) The referrals of cases already transferred to national jurisdictions are not revoked;

(e) There is normal functioning of judiciaries in the States of the former Yugoslavia so that cases may be tried at the domestic level;

(f) There are no delays in the appellate proceedings for reasons beyond the control of the Mechanism, such as illness of the accused, the disclosure of material, requests for the replacement of defence counsel, requests for the review of cases already tried, other motions affecting the proceedings and the availability of witnesses to certify statements and provide testimony;

(g) The Appeals Chambers of the Tribunals will not order retrials in any cases.

## **Outputs**

32. During the biennium 2016-2017, the following outputs will be delivered:

(a) Investigation outputs: the collection of witness statements, exhibits, massacre site maps and sketches, official government documents, informants and confidential sources, mission reports and records, and sensitive witness files;

(b) Prosecution outputs: indictments and supporting materials, legal opinions, motions, responses, pretrial briefs, oral and other evidence, transcripts, closing briefs, closing arguments, trial reports, judgments and sentences, contempt of court, the review of judgments;

(c) Diplomatic/external relations outputs: effective diplomatic outreach; bilateral and multilateral cooperation with States, other United Nations and non-United Nations entities (the International Criminal Police Organization, the North Atlantic Treaty Organization, the European Union Rule of Law Mission in Kosovo and the Executive Secretariat of the International Conference on the Great Lakes Region) in the tracking, arrest and transfer of indicted persons;

(d) Servicing requests for assistance outputs: the provision of effective and timely assistance to national investigating and prosecuting authorities and international organizations, search criteria, search results, analysis, advice and correspondence, motions for the variation of protective measures and responses, the provision of support to local officials regarding the transfer of dossiers, and the exchange of know-how and training;

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

(f) Outputs related to appeals: filings related to the prosecution of appeals, including motions, responses to defence motions, appeal briefs, response briefs, briefs in reply and miscellaneous applications for orders from judges or trial chambers; court exhibits; training courses, including on induction, legal issues and advocacy; and legal opinions on issues of international law;

(g) Information management outputs: indexes of evidentiary material and information sources, including witness statements, videotapes and audiotapes; 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; and training for all staff;

(h) Legacy outputs: engaging in coordination with the Registry and the Chambers in the preparation of the files and electronic data to be preserved and form part of the Tribunal's legacy.

Table 6  
**Resource requirements: Office of the Prosecutor**

*Assessed budget*

Category	Resources (thousands of United States dollars)		Temporary posts	
	2014-2015	2016-2017 (before recosting)	2014-2015	2016-2017
<b>Arusha branch</b>				
Post	3 774.8	4 288.9	18	18
Non-post	6 989.8	4 965.5	—	—
Staff assessment	873.8	768.8	—	—
<b>Subtotal</b>	<b>11 638.4</b>	<b>10 023.2</b>	<b>18</b>	<b>18</b>
<b>Hague branch</b>				
Post	1 791.5	1 791.5	10	10
Non-post	3 592.1	7 056.0	—	—
Staff assessment	729.3	1 264.1	—	—
<b>Subtotal</b>	<b>6 112.9</b>	<b>10 111.6</b>	<b>10</b>	<b>10</b>
<b>Total</b>	<b>17 751.3</b>	<b>20 134.8</b>	<b>28</b>	<b>28</b>

Table 7  
**Temporary post requirements: Office of the Prosecutor**

Category	2014-2015	Proposed changes	2016-2017
<b>Professional and higher</b>			
<b>Arusha branch</b>			
Under-Secretary-General	1	—	1
P-5	1	—	1
P-4/3	9	—	9
P-2/1	—	—	—
<b>Subtotal</b>	<b>11</b>	<b>—</b>	<b>11</b>
<b>Hague branch</b>			
P-5	1	—	1
P-4/3	5	—	5

<i>Category</i>	<i>2014-2015</i>	<i>Proposed changes</i>	<i>2016-2017</i>
P-2/1	—	—	—
<b>Subtotal</b>	<b>6</b>	<b>—</b>	<b>6</b>
<b>Total, Professional and higher</b>	<b>17</b>	<b>—</b>	<b>17</b>
<b>General Service and other</b>			
<b>Arusha branch</b>			
Security Service	—	—	—
Local level	2	—	2
Field Service	5	—	5
<b>Subtotal</b>	<b>7</b>	<b>—</b>	<b>7</b>
<b>Hague branch</b>			
Other level	4	—	4
<b>Subtotal</b>	<b>4</b>	<b>—</b>	<b>4</b>
<b>Total, General Service and other</b>	<b>11</b>	<b>—</b>	<b>11</b>
<b>Grand total</b>	<b>28</b>	<b>—</b>	<b>28</b>

33. Total resources under posts and staff assessment in the amounts of \$6,080,400 and \$2,032,900, respectively, would provide for the continuation of 28 temporary posts (18 at the Arusha branch and 10 at the Hague branch), as reflected in table 7. The increase of \$514,100 under posts (entirely under the Arusha branch) compared with 2014-2015 reflects the full provision for one Under-Secretary-General post in 2016-2017, compared with the three-month provision in 2014-2015, as that post was previously funded from the budget of the International Criminal Tribunal for Rwanda until 1 October 2015, when the Tribunal completed its judicial mandate.

34. The total non-post resources in the amount of \$12,021,500 for the two branches (\$4,965,500 for the Arusha branch and \$7,056,000 for the Hague branch) would provide for general temporary assistance, overtime, expert witnesses, the official travel of staff, contractual services, general operating expenses, and furniture and equipment. The increase of \$1,439,600 compared with 2014-2015 is the net result of a decrease of \$2,024,300 for the Arusha branch and an increase of \$3,463,900 for the Hague branch, due mainly to: (a) the additional judicial activity projected in The Hague for the biennium 2016-2017; and (b) the continuing transfer of substantive activities to the Mechanism in line with the completion of trials and appeals, offset in part by a reduction related to decreased appellate activity in Arusha compared with the biennium 2014-2015. No appeals on the merits are projected for the biennium 2016-2017, whereas the budget for 2014-2015 included a provision for support in connection with the *Ngirabatware* appeal.

### C. Registry

35. The Registry is responsible for the administration and servicing of the Mechanism at both branches, directly implementing mandated functions under the

Registrar's authority and supporting the Chambers and the Office of the Prosecutor in the fulfilment of their responsibilities through the provision of support services.

36. The Registry comprises the Registrar, an Officer-in-Charge for each branch and the legal and administrative staff of the Office of the Registrar, organized as an office at the Arusha branch and another office at the Hague branch. The Registrar will direct and draw support from both branches of the Mechanism. The Arusha office will generally perform work related to the activities of the Arusha branch, while the Hague office will generally perform work related to the activities of the Hague branch. However, the two branch offices are one unit, and, if and as necessary, each will undertake tasks relating to the Mechanism as a whole or assist the activities of the other branch office. This will provide the Office of the Registrar with additional flexibility and the capacity to respond to events.

37. The Registrar has the overall responsibility for directing and managing the Registry, including supervising the Registry and coordinating the management of the Mechanism with the Office of the President and the Office of the Prosecutor. The Registrar will also be responsible for exercising his or her legal role with respect to judicial activity as provided for in the statute and rules of procedure and evidence of the Mechanism and other governance documents, including issuing decisions on matters related to judicial proceedings, promulgating regulations with respect to matters falling under his or her authority and submitting briefs in proceedings. Finally, the Registrar will be responsible for directly implementing a number of Registry functions, including external relations and communication services, supervision of the enforcement of sentences, assistance to national jurisdictions, support for judicial activity and general legal support. In the absence of the Registrar from the branch in question, and unless otherwise delegated by the Registrar, the Officer-in-Charge will carry out the responsibilities set out above in respect of his or her branch.

38. Accordingly, the Office of the Registrar will engage in the following activities, inter alia: (a) supporting all functions transferred to the Mechanism; (b) coordinating and ensuring the provision of effective judicial and legal support services for judicial activities; (c) coordinating and ensuring the provision of administrative, logistical, financial and material support to the Chambers and the Office of the Prosecutor; (d) ensuring the prompt execution of orders, instructions, directives and decisions of the President and the Chambers of the Mechanism; (e) providing legal and policy advice on judicial, diplomatic and administrative issues; (f) carrying out functions related to the supervision of the enforcement of sentences; (g) addressing requests for cooperation from national jurisdictions; (h) communicating and coordinating with the Office of Legal Affairs and other departments at Headquarters; (i) communicating and engaging with Member States, international organizations and other stakeholders; and (j) disseminating information to the public.

39. The Registrar will perform the following continuous functions:

- (a) Direction and management;
- (b) Legal and policy support;
- (c) Support for judicial activity;
- (d) Administrative, legal and diplomatic aspects of supervision of the enforcement of sentences;



- (e) Protection of victims and witnesses;
- (f) Aspects of assistance to national jurisdictions;
- (g) Provision of legal advice in respect of the management of archives;
- (h) External relations and communication services.

40. In addition, in order to support the operations of the Mechanism, the Registry will carry out the following support functions during the biennium 2016-2017:

- (a) The management of legal aid and assistance to defence teams;
- (b) Court management;
- (c) The monitoring of referred cases;
- (d) Support for and the relocation of persons acquitted and released by the International Criminal Tribunal for Rwanda;
- (e) Legal and policy work arising out of the transfer of the United Nations Detention Facility;
- (f) Legal and administrative support for the continued establishment of the Mechanism;
- (g) Language services.

41. During the biennium 2016-2017, the Registry will focus on two principal objectives:

- (a) Ensuring the continued smooth operations of the Mechanism and, in particular, ensuring its capacity to fulfil its mandate as a stand-alone institution following the closure of both Tribunals;
- (b) Ensuring adequate support for the Mechanism's ad hoc judicial responsibilities, in particular, the hearing of appeals from the International Tribunal for the Former Yugoslavia and trials of fugitives from the International Criminal Tribunal for Rwanda.

Table 8

**Objectives for the biennium, expected accomplishments and indicators of achievement**

*Objective of the Mechanism:* the efficient administration and servicing of the Mechanism through the provision of judicial, administrative and legal support for the Chambers and the Office of the Prosecutor, in line with the statute of the Mechanism, the rules of procedure and evidence and United Nations regulations and rules, and with a view to supporting the Tribunals' completion strategies

<i>Expected accomplishments</i>	<i>Indicators of achievement</i>
(a) Full and effective support given by the Registry to the Mechanism's ad hoc judicial activity	<p>(a) No delays in the Mechanism's ad hoc judicial activity are attributable to the Registry, with smooth delivery of judicial support services</p> <p><i>Performance measures</i></p> <p>(Percentage of witness attendance compliant with trial schedule)</p> <p>Actual 2012-2013: not available</p> <p>Estimate 2014-2015: not available</p> <p>Target 2016-2017: 90</p> <p>(Percentage of factual findings of reviews of indigence claims for legal assistance accepted by the parties or found credible on review by the relevant Chamber or judge)</p> <p>Actual 2012-2013: 100</p> <p>Estimate 2014-2015: 100</p> <p>Target 2016-2017: 100</p> <p>(Percentage of translations of judicial documents that meet the agreed deadline, with quality and productivity maintained and translation output levels in accordance with United Nations norms)</p> <p>Actual 2012-2013: 100</p> <p>Estimate 2014-2015: 100</p> <p>Target 2016-2017: 90</p>

(b) Full online access to public judicial documents, including decisions

(b) All public judicial documents of the Mechanism, including filings of all Mechanism cases, available online in an accessible manner

*Performance measures*

(Percentage of public documents online within 24 working hours of their issuance by the Registry of the Mechanism)

Actual 2012-2013: 100

Estimate 2014-2015: 100

Target 2016-2017: 100

(c) Efficient discharge of functions relating to the supervision of the enforcement of sentences

(c) Relevant procedures for enabling the President's decision on early release are commenced within two weeks of the receipt of requests for information from the President in respect of applications for early release

*Performance measures*

(Percentage of relevant procedures commenced within two weeks of the receipt of requests for information from the President in respect of applications for early release)

Actual 2012-2013: 90

Estimate 2014-2015: 95

Target 2016-2017: 90

(d) Efficient provision of assistance to national jurisdictions

(d) Relevant procedures for responding to requests for assistance commenced within two weeks of receipt (for requests for unclassified documents) or judicial determination (for classified documents)

*Performance measures*

(Percentage of requests for assistance for which relevant procedures for responding are commenced within two weeks)

Actual 2012-2013: 90

Estimate 2014-2015: 100

Target 2016-2017: 100

(e) Effective provision of protection services to victims and witnesses	<p>(e) All mitigating actions recommended by threat assessments implemented</p> <p><i>Performance measures</i></p> <p>(Percentage of mitigating actions implemented)</p> <p>Actual 2012-2013: 100</p> <p>Estimate 2014-2015: 100</p> <p>Target 2016-2017: 100</p>
(f) Increased public awareness of the activities of the Mechanism	<p>(f) Number of page views of the Mechanism's website</p> <p><i>Performance measures</i></p> <p>Actual 2012-2013: 190,000</p> <p>Estimate 2014-2015: 400,000</p> <p>Target 2016-2017: 400,000</p>
(g) Timely finalization of monthly financial reports	<p>(g) Time between the end of the month and the issuance of financial reports</p> <p><i>Performance measures</i></p> <p>Actual 2012-2013: 8 working days</p> <p>Estimate 2014-2015: 8 working days</p> <p>Target 2016-2017: 8 working days</p>

---

### External factors

42. The Registry is expected to meet its expected accomplishments on the assumption that:

(a) Member States continue to cooperate in the enforcement of sentences pronounced by the Tribunals and the Mechanism and in other aspects of the mandate of the Mechanism;

(b) Member States continue to cooperate in the arrest and transfer of indicted persons and in the provision of information;

(c) There are no delays in the proceedings for reasons beyond the control of the Mechanism, including the illness of the accused, the unforeseen disclosure of material, requests for the replacement of defence counsel, the review of cases already tried and the availability of witnesses to certify statements and provide testimony.

### Outputs

43. During the biennium 2016-2017, the following outputs will be delivered by the Registry:

(a) Adoption and review of further policies, directives and guidelines with respect to Registry operations;

(b) Provision of legal advice, including researching legal issues, drafting legal decisions and correspondence, negotiating and drafting agreements, and providing legal advice to the Registrar and Mechanism staff on a wide range of issues, and, with respect to the management of the archives, ensuring the application of appropriate security classification levels, assisting with the judicial review of records, reviewing judicial orders related to confidentiality and declassification, and providing legal advice in relation to requests for access;

(c) Administration of the enforcement of sentences, including, *inter alia*, the negotiation of international agreements on the enforcement of sentences, the transfer of convicted persons to enforcement States, maintaining liaison with enforcement States, and advising the Office of the President and enforcement States in relation to pardon, commutation of sentence and early release;

(d) Provision of support and protection services to witnesses in completed cases of the Tribunals, including: providing support and administrative services for the temporary and permanent relocation of witnesses, conducting threat assessments, responding to queries from witnesses and transmitting information to and from witnesses, and reporting the results in connection with judicial procedures involving the variation of protective measures;

(e) Provision of assistance to national jurisdictions, including responding to all requests for cooperation received;

(f) Provision of public information, including: the publication of various information materials related to the work and mandate of the Mechanism, the issuance of press releases to the local, national and international press regarding Mechanism activities, and participation in public events related to the mandate and activities of the Mechanism;

(g) Liaison with external partners, including: liaison with the host countries on privileges and immunities of judges and staff, and liaison with Member States and other stakeholders, including other United Nations agencies, on matters related to the mandate and activities of the Mechanism;

(h) Management support, including the direction and supervision of the Registry's judicial support functions and legal and administrative activities; the provision of overall administrative support; the preparation of reports related to administrative functions; the preparation and implementation of budgetary provisions; the development of policies and directives on Mechanism management; the development and implementation of accountability measures; the development and maintenance of inter-agency cooperation, in particular regarding security issues; and the development and implementation of workforce performance strategies, including training, change management and capability development.

Table 9  
Resource requirements: Registry

*Assessed budget*

Category	Resources (thousands of United States dollars)		Temporary posts	
	2014-2015	2016-2017 (before recosting)	2014-2015	2016-2017
<b>Arusha branch</b>				
Post	7 454.2	17 918.7	41	90
Non-post	43 177.2	39 408.8	—	—
Staff assessment	2 878.5	3 670.0	—	—
<b>Subtotal</b>	<b>53 509.9</b>	<b>60 997.5</b>	<b>41</b>	<b>90</b>
<b>Hague branch</b>				
Post	5 206.2	6 034.0	35	36
Non-post	23 200.0	35 636.0	—	—
Staff assessment	2 187.9	4 206.5	—	—
<b>Subtotal</b>	<b>30 594.1</b>	<b>45 876.5</b>	<b>35</b>	<b>36</b>
<b>Mechanism support, New York</b>				
Post	—	327.2	—	1
Non-post	—	37.5	—	—
Staff assessment	—	33.6	—	—
<b>Subtotal</b>	<b>—</b>	<b>398.3</b>	<b>0</b>	<b>1</b>
<b>Total</b>	<b>84 104.0</b>	<b>107 272.3</b>	<b>76</b>	<b>127</b>

Table 10  
Temporary post requirements: Registry

Category	2014-2015	Proposed changes	2016-2017
<b>Professional and higher</b>			
<b>Arusha branch</b>			
Under-Secretary-General	—	—	—
P-5	1	—	1
P-4/3	12	3	15
P-2/1	5	—	5
<b>Subtotal</b>	<b>18</b>	<b>3</b>	<b>21</b>
<b>Hague branch</b>			
P-5	2	—	2
P-4/3	13	(1)	12

<i>Category</i>	<i>2014-2015</i>	<i>Proposed changes</i>	<i>2016-2017</i>
P-2/1	4	1	5
<b>Subtotal</b>	<b>19</b>	<b>–</b>	<b>19</b>
<b>New York</b>			
P-4/3	–	1	1
<b>Subtotal</b>	<b>–</b>	<b>1</b>	<b>1</b>
<b>Total, Professional and higher</b>	<b>37</b>	<b>4</b>	<b>41</b>
<b>General Service and other</b>			
<b>Arusha branch</b>			
Security Service	1	31	32
Local level	9	2	11
Field Service	13	13	26
<b>Subtotal</b>	<b>23</b>	<b>46</b>	<b>69</b>
<b>Hague branch</b>			
Other level	16	1	17
<b>Subtotal</b>	<b>16</b>	<b>1</b>	<b>17</b>
<b>Total, General Service and other</b>	<b>39</b>	<b>47</b>	<b>86</b>
<b>Grand total</b>	<b>76</b>	<b>51</b>	<b>127</b>

44. Total resources under posts and staff assessment in the amounts of \$24,279,900 and \$7,910,100, respectively, would provide for temporary posts as detailed below:

- (a) The continuation of 76 existing temporary posts (41 at the Arusha branch and 35 at the Hague branch);
- (b) The redeployment of one temporary post of Special Assistant (P-4) from the Hague branch to the Arusha branch, as that is the duty station where the post will be operationally needed in the biennium 2016-2017;
- (c) The reclassification of one post of Security Officer in the Witness Support and Protection Unit of the Arusha branch as a Field Service post, and of the one Field Service post in the Administration Division as a Local level post, to align the post distribution in Arusha with actual requirements;
- (d) The establishment of 48 new temporary posts (1 P-4, 1 P-3, 32 Security Service, 13 Field Service and 1 Local level) at the Arusha branch for continuous requirements, consisting of 41 posts in the Safety and Security Section, 4 posts in the General Services Section and 3 posts in the Medical Services Unit;
- (e) The establishment of two new temporary posts (1 P-2 and 1 General Service (Other level)) at the Hague branch, consisting of one post of Associate Legal Officer (P-2) in the Office of the Registrar and one post of Driver (General Service (Other level)) in the General Services Section;

(f) The establishment of one temporary P-3 post in the Programme Planning and Budget Division of the Office of Programme Planning, Budget and Accounts at Headquarters to augment the capacity to support the Mechanism and the International Tribunal for the Former Yugoslavia, given that existing extrabudgetary capacity would no longer be available.

45. The total non-post resources in the amount of \$75,082,300 for the two branches and Mechanism support at Headquarters (\$39,408,800 for the Arusha branch, \$35,636,000 for the Hague branch and \$37,500 for Mechanism support at Headquarters) would provide for general temporary assistance, consultants and expert witnesses for the defence, the travel of staff and witnesses, defence counsel fees and other contractual services, general operating expenses, hospitality, supplies and materials, furniture and equipment, the improvement of premises, and the Mechanism's share of United Nations field security, including charges for malicious act insurance.

46. The overall increase of \$23,168,300 compared with the 2014-2015 appropriation is attributable mainly to: (a) the increase in expected judicial activities at the Hague branch during the biennium 2016-2017; and (b) the increase in the Mechanism's share of overall requirements at the Arusha and Hague branches owing to the closure of the International Criminal Tribunal for Rwanda (which used to share costs with the Mechanism) and the projected downsizing of the International Tribunal for the Former Yugoslavia during the biennium 2016-2017, offset in part by a decrease of \$5,784,700 as a result of the discontinuation of the one-time provision in the biennium 2014-2015 for the construction of a new office facility at the Arusha branch.

## **D. Records management and archives**

47. The Mechanism Archives and Records Section forms part of the Registry. It is, however, separated in the present submission for presentation purposes only.

48. Pursuant to article 27 of its statute, the Mechanism is responsible for the management, including preservation and access, of the archives of the Tribunals and the Mechanism, which together constitute the Archives of the International Criminal Tribunals. After operations had commenced at both of its branches, the Mechanism assumed competence over and responsibility for the archives of the Tribunals. Those archives are co-located at the corresponding branches of the Mechanism.

49. The management of the Archives is a continuous function of the Mechanism throughout its mandate. The effective management of the Archives is critical to the performance of the Mechanism's other functions, including any trial or appeal activity and assistance to national jurisdictions.

50. The Archives consist of judicial records and other substantive and administrative records of the Tribunals and the Mechanism, in all media and formats.

51. The Archives are managed by the Mechanism Archives and Records Section, which is part of the Registry. As the Archives are co-located at the corresponding branches of the Mechanism, the Section has staff in Arusha and in The Hague.



52. The Section is responsible for developing and implementing strategies, policies and procedures to ensure the preservation of the Archives and the provision of appropriate access to them. This includes the management of the physical and digital records generated by the Tribunals. The Section is also responsible for ensuring that the Mechanism can gain access to the Archives as necessary and when required for the performance of its functions. In addition, the Section is responsible for developing and implementing strategies to enhance the availability of the Archives to the public, by facilitating access to appropriate materials through the Internet, operating research facilities and coordinating with information centres.

53. It is anticipated that the transfer of all records of the International Criminal Tribunal for Rwanda, with the exception of those generated during its liquidation phase, will be completed by the end of 2015, whereupon the focus in Arusha will shift from accessioning to the preservation, arrangement and description of archival materials as well as the enhancement of their accessibility. The Section continues to provide advice and guidance to the International Tribunal for the Former Yugoslavia regarding the preparation and transfer of its archives.

54. The Section also continues to prepare specifications for new physical and digital repositories for the Archives and to work on plans for the systematic transfer of records to those repositories.

55. In addition, the Section is responsible for the management of all records generated by the Mechanism itself. This includes developing and implementing strategies, policies and procedures for the creation, organization, appraisal, storage and disposition of those records. It also includes managing confidential information and providing access to the records, in accordance with established procedures. The Section has continued to develop key records management policies and guidelines.

56. The Section will engage in the following activities during the biennium 2016-2017:

(a) Supporting the International Tribunal for the Former Yugoslavia in the preparation and transfer of its archives in accordance with Section standards, including the implementation of records retention policies;

(b) Taking custody of archives of the International Tribunal for the Former Yugoslavia and planning their transfer to new physical and digital repositories in The Hague;

(c) Further developing strategies, policies and procedures for the management of the Archives and the provision of access to them, and monitoring the public use of records and archives to prevent the unauthorized disclosure of confidential information;

(d) Overseeing the implementation of the information security regime, including the implementation of judicial orders related to the confidentiality and declassification of judicial records;

(e) Facilitating access to the Archives by providing research facilities and assistance and finding aids;

(f) Completing the implementation of the digital preservation programme and migrating digital records of the Tribunals and the Mechanism to the digital preservation system;

(g) Coordinating with information centres and other institutions interested in the Archives, and providing the widest possible access to that key component of the Tribunals' legacies;

(h) Completing the move of the archives managed by the Arusha branch to the new Arusha facility.

Table 11

**Objectives for the biennium, expected accomplishments and indicators of achievement**

*Objective of the Mechanism:* The efficient and effective management of the records and archives of the International Criminal Tribunal for Rwanda, the International Tribunal for the Former Yugoslavia and the Mechanism, in line with the rules of procedure and evidence of the respective Tribunals and the Mechanism, United Nations policies and standards and international standards and best practices

<i>Expected accomplishments</i>	<i>Indicators of achievement</i>
(a) Effective preservation of records and archives, and protection of confidential information	<p>(a) (i) Compliance with standards for the preservation of records and archives</p> <p><i>Performance measures</i></p> <p>(Percentage of loss due to deterioration, damage or destruction)</p> <p>Actual 2012-2013: 0</p> <p>Estimate 2014-2015: 0</p> <p>Target 2016-2017: 0</p> <p>(ii) Compliance with security and access policy</p> <p><i>Performance measures</i></p> <p>(Percentage of compliance with regard to accessed records and archives)</p> <p>Actual 2012-2013: 100</p> <p>Estimate 2014-2015: 100</p> <p>Target 2016-2017: 100</p>

---

	<p>(iii) Implementation of standards for the preparation of records and archives of the Mechanism Archives and Records Section</p> <p><i>Performance measures</i></p> <p>(Percentage of estimated targets met for transfer of records from the Tribunals)</p> <p>Actual 2012-2013: 90</p> <p>Estimate 2014-2015: 100</p> <p>Target 2016-2017: 100</p>
(b) Efficient maintenance of records and archives in accordance with the agreed accession and retention policies	<p>(b) (i) No records retained more than three months beyond the agreed retention period</p> <p><i>Performance measures</i></p> <p>(Percentage of records disposed of within three months)</p> <p>Actual 2012-2013: 90</p> <p>Estimate 2014-2015: 90</p> <p>Target 2016-2017: 90</p> <p>(ii) No records waiting more than three months for accession</p> <p><i>Performance measures</i></p> <p>(Percentage of accession of records within three months of their designation as archives)</p> <p>Actual 2012-2013: 100</p> <p>Estimate 2014-2015: 100</p> <p>Target 2016-2017: 90</p>
(c) Timely provision of access to records and archives to external users, including the preparation of finding aids for the Archives of the International Criminal Tribunals	<p>(c) External access requests acknowledged within three days, and final decision on provision of access within 30 working days</p> <p><i>Performance measures</i></p> <p>(Percentage of requests acknowledged and decision taken within time frames pursuant to relevant policies)</p> <p>Actual 2012-2013: 90</p> <p>Estimate 2014-2015: 90</p> <p>Target 2016-2017: 90</p>

---

## External factors

57. The Mechanism Archives and Records Section is expected to meet its objectives and expected accomplishments on the assumption that appropriate archive facilities that will ensure the preservation and safety of records in accordance with appropriate standards are available at both branches.

## Outputs

58. During the biennium 2016-2017, the following outputs will be delivered:

(a) Formulation and implementation of projects (such as online exhibits, documentaries and special online features) to ensure public access to the archives of the Tribunals, including the online provision of public court records;

(b) Provision of technical advice on active record-keeping for the Mechanism and the International Tribunal for the Former Yugoslavia, including on active judicial record-keeping support for current trials, appeals or other hearings before the Tribunal or the Mechanism;

(c) Technical management of the archives of the Tribunals, including the management of access to records and archives.

Table 12

### Resource requirements: records management and archives

#### Assessed budget

Category	Resources (thousands of United States dollars)		Temporary posts	
	2014-2015	2016-2017 (before recosting)	2014-2015	2016-2017
<b>Arusha branch</b>				
Post	2 283.7	2 283.7	11	11
Non-post	1 795.7	678.3	–	–
Staff assessment	212.4	212.4	–	–
<b>Subtotal</b>	<b>4 291.8</b>	<b>3 174.4</b>	<b>11</b>	<b>11</b>
<b>Hague branch</b>				
Post	1 800.7	1 800.7	11	11
Non-post	3 139.0	1 033.1	–	–
Staff assessment	294.9	294.9	–	–
<b>Subtotal</b>	<b>5 234.6</b>	<b>3 128.7</b>	<b>11</b>	<b>11</b>
<b>Total</b>	<b>9 526.4</b>	<b>6 303.1</b>	<b>22</b>	<b>22</b>

Table 13  
**Temporary post requirements: records management and archives**

<i>Category</i>	<i>2014-2015</i>	<i>Proposed changes</i>	<i>2016-2017</i>
<b>Professional and higher</b>			
<b>Arusha branch</b>			
P-4/3	4	—	4
P-2/1	2	—	2
<b>Subtotal</b>	<b>6</b>	<b>—</b>	<b>6</b>
<b>Hague branch</b>			
P-5	1	—	1
P-4/3	3	—	3
P-2/1	2	—	2
<b>Subtotal</b>	<b>6</b>	<b>—</b>	<b>6</b>
<b>Total, Professional and higher</b>	<b>12</b>	<b>—</b>	<b>12</b>
<b>General Service and other</b>			
<b>Arusha branch</b>			
Local level	1	—	1
Field Service	4	—	4
<b>Subtotal</b>	<b>5</b>	<b>—</b>	<b>5</b>
<b>Hague branch</b>			
Other level	5	—	5
<b>Total, General Service and other</b>	<b>10</b>	<b>—</b>	<b>10</b>
<b>Grand total</b>	<b>22</b>	<b>—</b>	<b>22</b>

59. Total resources under posts and staff assessment in the amounts of \$4,084,400 and \$507,300, respectively, would provide for:

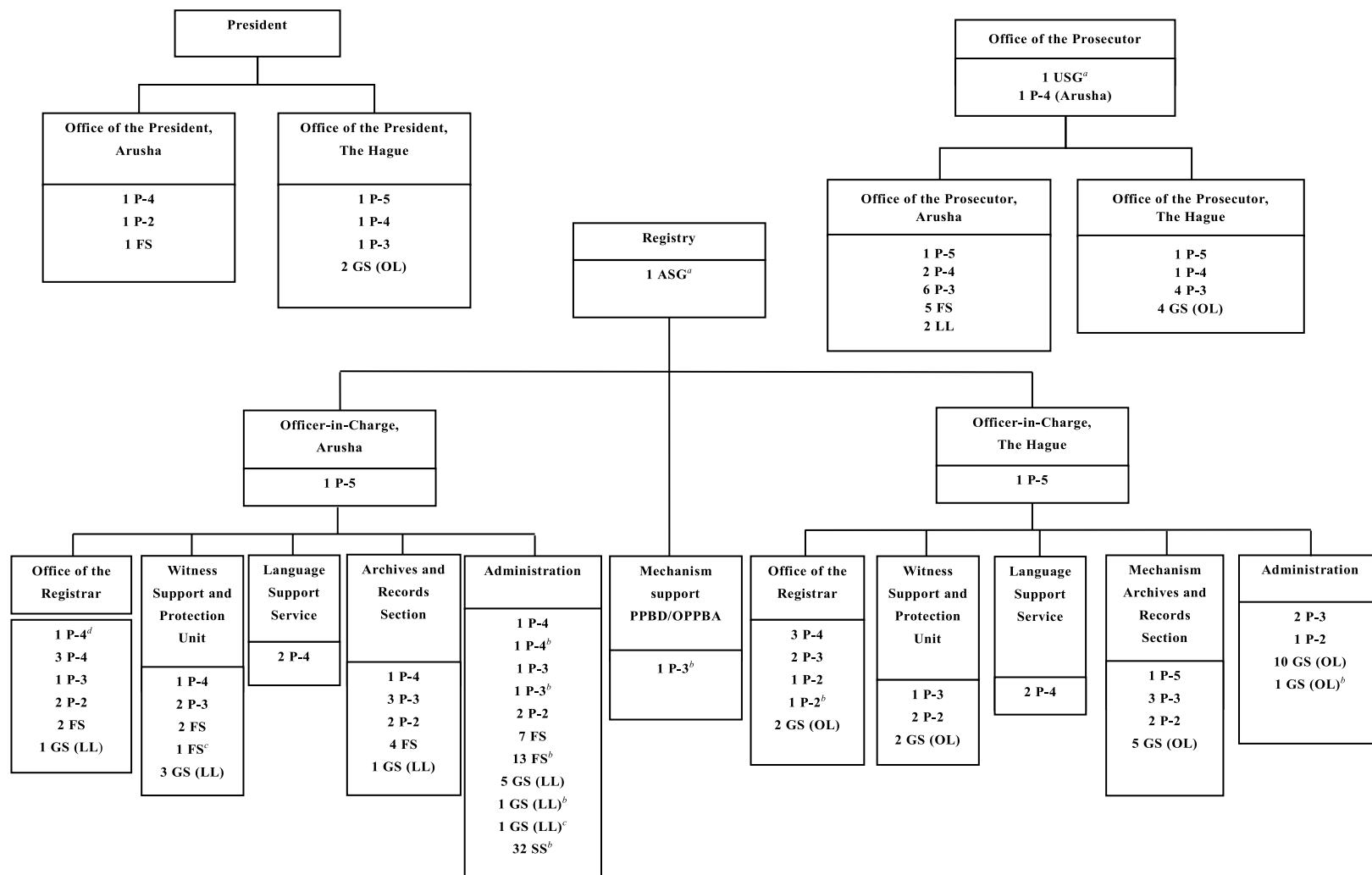
(a) The continuation of 11 temporary posts at the Arusha branch (1 P-4, 3 P-3, 2 P-2, 4 Field Service and 1 Local level);

(b) The continuation of 11 temporary posts at the Hague branch (1 P-5, 3 P-3, 2 P-2 and 5 General Service (Other level)).

60. Total non-post resources in the amount of \$1,711,400 for the two branches (\$678,300 for the Arusha branch and \$1,033,100 for the Hague branch) would provide for overtime, the travel of staff, contractual services, general operating expenses, supplies and materials, furniture and equipment and the improvement of premises. The decrease of \$3,223,300 compared with 2014-2015 is the result of decreases of \$1,117,400 for the Arusha branch and \$2,105,900 for the Hague branch, attributable mainly to the discontinuation of one-time provisions made in the biennium 2014-2015 for the acquisition of the digital preservation system for archives.

## Annex I

## Organization chart



*Abbreviations:* USG, Under-Secretary-General; ASG, Assistant Secretary-General; FS, Field Service; GS, General Service, LL, Local level; OL, Other level; OPPBA, Office of Programme Planning, Budget and Accounts; PPBD, Programme Planning and Budget Division; SS, Security Service.

<sup>a</sup> Functions performed through the double-hatting arrangement by incumbents of posts funded by the Tribunals.

<sup>b</sup> New post.

<sup>c</sup> Reclassified post.

<sup>d</sup> Redeployed from The Hague.

## Annex II

### Summary of follow-up action taken to implement relevant recommendations of the Advisory Committee on Administrative and Budgetary Questions and the Board of Auditors

---

*Brief description of the recommendation*

*Action taken or to be taken to implement the recommendation*

---

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

The Committee notes with concern that the duration of the construction project has not been shortened further as requested by the General Assembly, and recommends that the General Assembly request the Secretary-General to make all efforts to expedite the completion of the construction project (para. 53).

A report ([A/68/724](#)) was submitted to the General Assembly at the first part of the resumed sixty-eighth session, and another report ([A/69/734](#)) was submitted to the Assembly at the first part of the resumed sixty-ninth session, to provide updates on the status of the construction project.

---