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Proposed programme budget for 2021

Programme planning

Proposed programme budget for 2021

Part III

International justice and law

Section 7

International Court of Justice

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* [A/75/50](#).

** The part consisting of the proposed programme plan for 2021 is submitted for the consideration of the General Assembly in accordance with the established budgetary procedures and practices reaffirmed in paragraph 13 of resolution [72/266 A](#).

*** In keeping with paragraph 11 of resolution [72/266 A](#), the part consisting of the post and non-post resource requirements is submitted through the Advisory Committee on Administrative and Budgetary Questions for the consideration of the General Assembly.



Foreword

The International Court of Justice is one of the six main organs of the United Nations, and its principal judicial organ. Its mission and activities are governed by the Charter of the United Nations and by its Statute, which forms an integral part of the Charter.

As the only judicial institution of a universal character with general jurisdiction, the Court is seized of disputes involving States from all regions of the world and relating to a wide variety of issues, ranging from territorial and maritime claims to diplomatic and consular rights, human rights, international responsibility, the use of force, the interpretation and application of international treaties and conventions and the protection of the environment.

Over the years, the Court has proved itself capable of responding to the aspirations of States for a universal, independent and impartial judicial forum, permanently available to settle their disputes in accordance with international law. Furthermore, by giving advisory opinions on legal questions referred to it by authorized United Nations organs and specialized agencies, the Court assists them in the exercise of their functions and fulfils an essential role for the proper functioning of the United Nations system and the development of international law.

In the past two decades, the Court's workload has grown considerably. This is due not only to the high number of cases pending before it, but also to the procedural and substantive complexity of those cases. Some cases recently submitted to the Court have involved abundant technical or scientific factual data, for which the Court has required the assistance of experts. Moreover, in recent years, the Court has been seized of an increasing number of incidental proceedings, such as requests for the indication of provisional measures of protection, which call for its urgent attention. In preparing its budgetary proposals for 2021, the Court has focused on the financial resources that are essential for the discharge of its judicial functions, in particular costs directly linked to the organization and management of oral and written proceedings in cases submitted to it.

In line with the trend observed in recent years, the Court's docket has remained full in 2019, with 17 pending cases before the Court as at 31 December 2019. This shows the dynamism of the institution and the confidence that States place in the Court for the peaceful settlement of their disputes. This confidence is further illustrated by the increase in the number of States having deposited a declaration recognizing the jurisdiction of the Court as compulsory, pursuant to Article 36, paragraph 2, of the Court's Statute. In September 2019, the Registry of the Court received a depositary notification concerning the declaration of Latvia accepting the jurisdiction of the Court as compulsory, making it the seventy-fourth State to have made such a declaration.

As it is about to celebrate its seventy-fifth anniversary in 2021, the Court remains committed to fulfilling the important mandate entrusted to it under the Charter with the utmost efficiency. To this end, the Court sets itself a demanding schedule of hearings and deliberations, enabling it to consider several cases simultaneously – both with regard to the merits stage and incidental proceedings – as promptly as possible. Despite its heavy caseload, the Court also continues to review its working methods in order to carry out its judicial work in an efficient and orderly manner. For instance, in 2019, the Court amended its Rules to clarify certain provisions relating to incidental proceedings.

While the Court strives to meet the challenges of its increased workload, it is also concerned with preserving the autonomy and integrity of its judicial functions to ensure the sound administration of justice in the service of the international community. In this regard, it must be recalled that, considering its high level of activity and its key role in the system established by the Charter for maintaining international peace and security, the Court undoubtedly constitutes an extremely cost-effective means of settling disputes peacefully.

(Signed) Philippe **Gautier**
Registrar

A. Proposed programme plan for 2021 and programme performance for 2019

Overall orientation

Mandates and background

- 7.1 The International Court of Justice is responsible for settling, in accordance with international law, legal disputes that are submitted to it by States and to give advisory opinions on legal questions referred to it by bodies authorized to do so under the terms of the Charter of the United Nations. It is composed of 15 judges elected by the General Assembly and the Security Council and is one of six principal organs of the United Nations and the principal judicial organ of the Organization. It functions in accordance with its Statute, which is an integral part of the Charter. All 193 States Members of the United Nations are parties to the Statute, and 74 of them have recognized the Court's jurisdiction as compulsory, in line with Article 36, paragraph 2, of its Statute. In addition, more than 300 bilateral and multilateral treaties grant the Court compulsory jurisdiction in the resolution of various types of disputes. States that are not members of the United Nations may become parties to the Statute on conditions to be determined in each case by the Assembly upon the recommendation of the Council. The Court may also be open to States not parties to its Statute, subject to the conditions laid down by the Council and currently set out in its resolution [9 \(1946\)](#), adopted on 15 October 1946. The Court submits annual reports to the Assembly, the most recent of which is contained in document [A/74/4](#). Under the terms of regulation 2.14 of the Financial Regulations and Rules of the United Nations, the programme budget proposals of the Court are prepared by the Court, in consultation with the Secretary-General, and are submitted to the Assembly by the Secretary-General, together with such observations as he or she may deem desirable.
- 7.2 The activities of the Court are not covered in the programme plan and programme performance information for 2021. Although the Court cannot forecast its main workload indicators (e.g., the number of cases that will be pending before the Court in 2021 and the number of new proceedings that will be instituted, including incidental proceedings in pending cases), it has made every effort to assess its requirements for 2021 against the background of the Court's workload for the current and previous budgetary periods.
- 7.3 The Court has no control over the volume of its activities, which depend in large part on the number of proceedings that will be instituted before it. However, the Court must at all times be able to exercise the functions entrusted to it under the Charter. New cases are brought before the Court by States, and advisory opinions are requested of the Court by authorized organs of the United Nations and specialized agencies, all of whom may seize the Court at any time, without prior notice. When a case is pending before the Court, it is not possible to anticipate whether and when recourse will be made to incidental proceedings (requests for provisional measures, preliminary objections, counter-claims and requests to intervene). Historically, there have been significant variations in the number of new proceedings commenced in a given year, although in recent times there has been an upward trend in the Court's caseload. This upward trend continues in 2020 and is also expected to continue in 2021. The Court now routinely considers two to three cases simultaneously. The workload represented by each decision of the Court is particularly high. In principle, the parties (which are sovereign States) to cases brought before the Court each submit one set of written pleadings to the Court: a memorial and a counter-memorial. The Court may authorize them to submit a further set of pleadings, namely, a reply and a rejoinder; it may also itself require these pleadings, if it considers this necessary. In practice, these additional pleadings are almost always submitted. The pleadings are tending to become increasingly voluminous, notwithstanding the Court's appeals to the parties not to repeat arguments already exposed. Hearings can also be long and complex, depending on the

nature of the case. In cases involving difficult factual issues (e.g., of a highly technical character), the presentation of witnesses and experts will be likely. The Court then does everything in its power to deliver a judgment within as short a time as possible, allowing for the complexity of the case. The entire proceedings must be conducted simultaneously in both of the Court's official languages, both at the written and oral stages and during deliberations.

- 7.4 In deciding the cases submitted to it, the Court renders decisions that serve as guidelines for avoiding and resolving disputes that may subsequently arise between other States. In addition, in giving advisory opinions in response to the requests of duly authorized organs and specialized agencies of the United Nations, the Court contributes to the proper functioning of the United Nations system, as well as to preventive diplomacy and the development of international law.
- 7.5 Given that the Court is both a judicial body and an international institution that is administratively independent from the Secretariat, its Registry must take on the dual role of providing assistance to the Court in the exercise of its judicial functions and managing the administrative and budgetary matters of an international secretariat. The Registry will continue to be guided by the Statute, the Rules of the Court and the Instructions for the Registry. It is responsible for administrative, conference, computerization, archival, distribution and documentary and library services, and acts as the regular channel for communications to and from the Court. The Registry provides legal, diplomatic, linguistic and technical support to the Court. Pursuant to Article 21, paragraph 2, of the Statute and article 22 of the Rules of the Court, the Registrar is elected by the Court for a term of seven years and may be re-elected. In accordance with Article 21, paragraph 2, of the Statute, the staff of the Registry are appointed by the Court. Article 23 of the Rules of the Court provides for the election of a Deputy-Registrar following the same procedure as that of the election of the Registrar. The Court adopts its own staff regulations.

Programme of work

Registry

Objective

- 7.6 The objective, to which the Registry contributes, is to ensure that the needs of the Court are met in an efficient and effective manner for the sound administration of international justice and the fulfilment by the Court of its mandate under the Charter.

Strategy

- 7.7 To contribute to ensuring that the needs of the Court are met in an efficient and effective manner for the sound administration of international justice and the fulfilment by the Court of its mandate under the Charter, the Registry will continue to respond to the needs of the Court to enable it to carry out its judicial activities in an effective and efficient manner in 2021. While the specific needs of the Court are, in general, unforeseeable, the Registry will continue to ensure the timely provision of substantive, conference, secretariat and documentation services and legal, diplomatic, linguistic and technical support in cases pending before the Court. This work is expected to result in the needs of the Court being met in an effective and efficient manner in 2021. Past results in this area include the timely provision by the Registry to the Court of such support and services in cases pending before the Court in previous years. Furthermore, as part of the Registry's recent efforts to use modern technology to provide information about the Court, the Court launched a mobile application in May 2019. The free application, called "CIJ-ICJ", allows users to keep abreast of developments at the

Court in its two official languages, French and English, by providing essential information on the Court and its activities, including on pending and concluded cases, decisions, press releases and the Court's judicial calendar.

External factors for 2021

- 7.8 With regard to the external factors, the overall plan for 2021 is based on the planning assumption that the Court's judicial activities in 2021 will involve a similar level of work as in 2020.
- 7.9 With regard to cooperation with other United Nations partners, the Registry of the Court cooperates closely with, among others, the International Residual Mechanism for Criminal Tribunals, the Office of Legal Affairs and the International Criminal Court in The Hague. In 2019, the Residual Mechanism helped in arranging training sessions in graphic design for staff members of the Department of Press and Information and the Text Processing and Reproduction Division of the Court. Moreover, the International Criminal Court provided, on a cost-reimbursable basis, the assistance of proofreaders during hearings of the International Court of Justice. Furthermore, the International Court of Justice provided administrative assistance to the Office of Legal Affairs during its annual six-week fellowship programme on public international law, held at the Peace Palace in The Hague.

Programme performance in 2019 against planned result

- 7.10 A planned result for 2019, which is availability of effective visitors' services, as referred to in the proposed programme budget for the biennium 2018–2019, was achieved, as evidenced by the increased number of visitors to the Court (university professors and students, members of law societies, diplomatic community, etc.). In 2019, the Court had 3,150 visitors, for a total of 6,200 in the biennium 2018–2019, against a biennial target of 6,000.

Programme performance in 2019: sustained level of the Court's judicial activity

- 7.11 In 2019, the Court experienced a high level of judicial activity. The Registry provided to the Court substantive, conference, secretariat and documentation services and legal, diplomatic, linguistic and technical support in cases pending before the Court, enabling it to carry out all of its judicial activities in 2019. During that period, the Court delivered three judgments in contentious proceedings, one advisory opinion, one order on a request for the indication of provisional measures and a number of other orders directing the proceedings in the cases pending before it. As at 31 December 2019, there were 17 contentious cases pending before the Court.
- 7.12 Of the three judgments rendered by the Court in 2019, one dealt with the merits of the claims submitted by India in the *Jadhav (India v. Pakistan)* case, while the other two settled preliminary objections relating to jurisdiction or admissibility in the cases concerning *Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation)* and *Certain Iranian Assets (Islamic Republic of Iran v. United States of America)*. The Court also gave an advisory opinion on *Legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965*, in response to a request by the General Assembly.
- 7.13 During the same period, the Court held public hearings on the merits or on incidental proceedings in six contentious cases. In addition to the hearings held on the merits of the *Jadhav*

(*India v. Pakistan*) case, the Court held hearings on the merits in the cases concerning *Appeal Relating to the Jurisdiction of the ICAO Council under Article 84 of the Convention on International Civil Aviation (Bahrain, Egypt, Saudi Arabia and United Arab Emirates v. Qatar)* and *Appeal Relating to the Jurisdiction of the ICAO Council under Article II, Section 2, of the 1944 International Air Services Transit Agreement (Bahrain, Egypt and United Arab Emirates v. Qatar)*. For the latter two cases, the Court decided, after consultations with the parties, to hold combined hearings, in the light of the similarity of the arguments contained in the applications and the written pleadings submitted by the parties. In 2019, the Court also held hearings on the preliminary objections raised by the Russian Federation in the case concerning *Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation)*. Lastly, the Court held hearings on the requests for the indication of provisional measures submitted by the United Arab Emirates in the case concerning *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates)* and by the Gambia in the case concerning *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar)*.

- 7.14 In 2019, the Court was also seized of two new contentious cases, concerning, respectively, *Guatemala's Territorial, Insular and Maritime Claim (Guatemala/Belize)* and *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar)*.
- 7.15 In addition, the Court had to postpone two sets of public hearings that had been due to take place in November 2019, in the cases concerning *Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda)* and *Maritime Delimitation in the Indian Ocean (Somalia v. Kenya)*. In the first case, the Court made its decision taking into consideration the joint request for postponement submitted by the parties. In the second case, the Court decided to postpone the hearings having duly considered the views and arguments of the parties to the case regarding a request of Kenya to postpone the hearings.

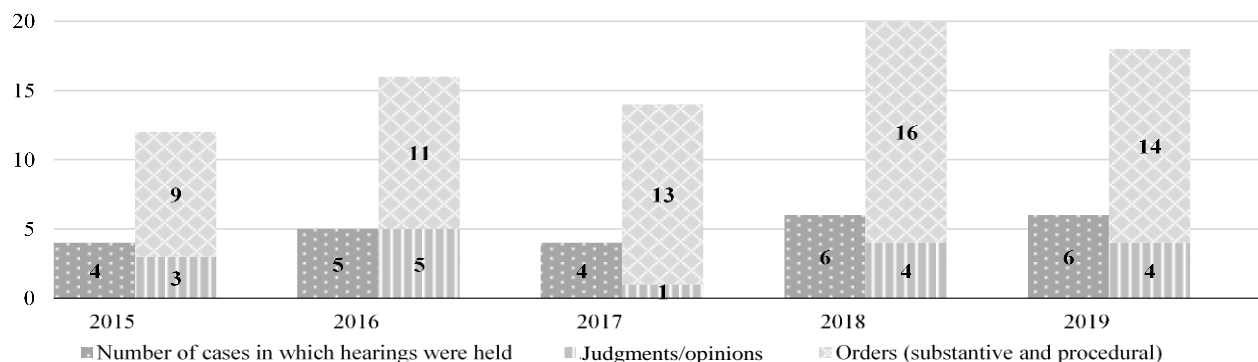
Progress towards the attainment of the objective, and performance measure

- 7.16 This work contributed to ensuring that the needs of the Court are met in an efficient and effective manner for the sound administration of international justice and the fulfilment by the Court of its mandate under the Charter, as demonstrated by the timely provision by the Registry of services to the Court in pending cases.

Figure 7.I

Performance measure: timely provision by the Registry of services to the Court in pending cases

(Number of cases in which hearings were held and number of decisions rendered)



Planned results for 2021

Result 1: continuation of the Court's sustained level of activity (result carried over from 2020)

- 7.17 The Registry will continue the work related to the Court's judicial proceedings, in line with its mandate, and will provide timely services for smooth proceedings in pending cases, which is expected to be demonstrated by the performance measure for 2021 below. The performance measure for 2020 reflects the target performance proposed for 2020, as contained in [A/74/6 \(Sect. 7\)](#).

Table 7.1

Performance measure

2017	2018	2019	2020	2021
N/A	Timely provision by the Registry of services to the Court in pending cases	Timely provision by the Registry of services to the Court in pending cases	Timely provision by the Registry of services to the Court in pending cases	Timely provision by the Registry of services to the Court in pending cases

Abbreviation: N/A, not applicable.

Result 2: meeting the Court's sustained workload (new result)

- 7.18 In 2019, the Court disposed of two cases on the merits and rendered two judgments on preliminary objections. During the same period, preliminary objections or objections to jurisdiction and/or to the admissibility of the application were raised in two cases, and requests for the indication of provisional measures were submitted in two cases. Such incidental proceedings, often characterized as "cases within cases", generate a similar workload for the Court as that flowing from the examination of a case on the merits. This additional workload is not reflected in the number of cases pending before the Court at any given time. As at 31 December 2019, there were 17 contentious cases pending before the Court.

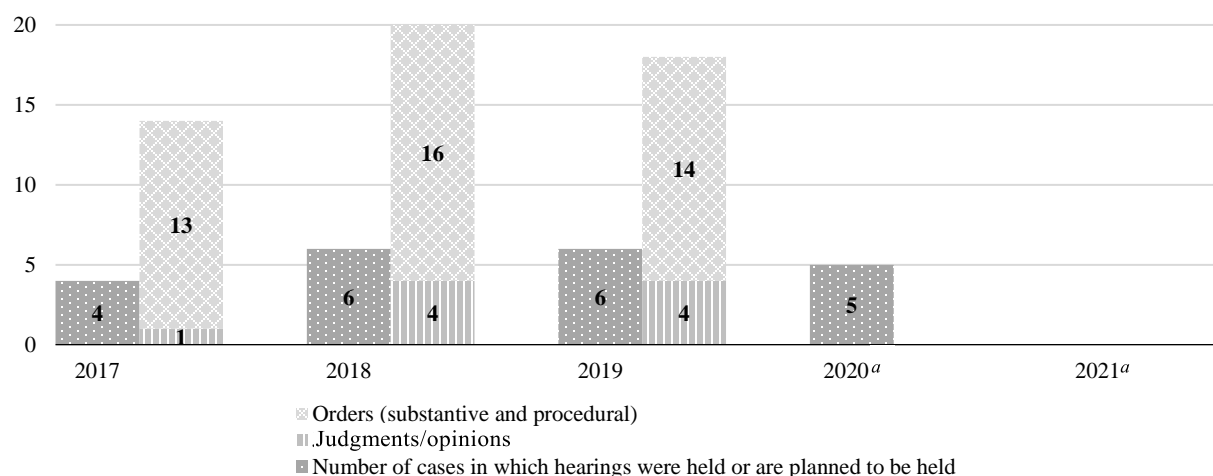
Internal challenge and response

- 7.19 The challenge for the Registry was to ensure that the Court's needs were met while the Court experienced a high level of activity, as described above. In response, for 2021, while specific needs are, in general, unforeseeable, the Registry will respond to the needs of the Court, including through the timely provision of substantive, conference, secretariat and documentation services in cases that will be pending before the Court and the provision of legal, diplomatic, linguistic and technical support to the Court in its judicial activities.

Expected progress towards the attainment of the objective, and performance measure

- 7.20 This work is expected to contribute to ensuring that the needs of the Court are met in an efficient and effective manner for the sound administration of international justice and the fulfilment by the Court of its mandate under the Charter, which would be demonstrated by the timely provision by the Registry of services to the Court in pending cases. While the number of cases that will be submitted to the Court in 2021 cannot be foreseen, it is expected that the Court will continue to deal with several cases simultaneously, considering the number of cases currently pending on its docket.

Figure 7.II

Performance measure: timely provision by the Registry of services to the Court in pending cases, 2017-2021(Number of cases in which hearings were held or are planned to be held and number of decisions rendered or planned to be rendered)^a

^a The number of cases in which hearings will be held and the number of decisions that will be rendered are unforeseeable for 2020 and 2021. For 2020, the Court has set tentative dates for hearings in five cases.

Legislative mandates

- 7.21 The International Court of Justice is the principal judicial organ of the United Nations. Its activities are governed by the Charter of the United Nations and by its Statute, which forms an integral part of the Charter.

Deliverables

- 7.22 Table 7.2 lists all deliverables, by category and subcategory, for the period 2019–2021 that contributed and are expected to contribute to the attainment of the objective stated above.

Table 7.2

Registry: deliverables for the period 2019–2021, by category and subcategory

Category and subcategory	2019 planned	2019 actual	2020 planned	2021 planned
A. Facilitation of the intergovernmental process and expert bodies				
Parliamentary documentation (number of documents)	1	1	1	1
1. Annual report of the Court to the General Assembly	1	1	1	1
Judicial documentation (number of judgments, advisory opinions and orders)	Unforeseeable ^a	18	Unforeseeable ^a	Unforeseeable ^a
2. Judgments, advisory opinions and orders	Unforeseeable ^a	18	Unforeseeable ^a	Unforeseeable ^a
Substantive services for judicial proceedings (number of documents)	1 685	1 483	1 685	1 685
3. Preparation of documents (minutes of private meetings of the Court, case-related letters and distributions prepared, memorandums, speeches, etc.)	1 685	1 483	1 685	1 685

Part III International justice and law

<i>Category and subcategory</i>	<i>2019 planned</i>	<i>2019 actual</i>	<i>2020 planned</i>	<i>2021 planned</i>
Conference and secretariat services for judicial proceedings (number of three-hour sittings)	133	152	133	149
4. Interpretation at private meetings and public hearings of the Court	133	152	133	149
Substantive services for meetings (number of three-hour meetings)	2	2	2	2
5. Meetings of the Advisory Committee on Administrative and Budgetary Questions	1	1	1	1
6. Meetings of the Fifth Committee	1	1	1	1
Documentation services for judicial proceedings (thousands of words)	26 460	25 807	26 460	27 660
7. Translation of documents related to the Court's judicial activities	7 660	6 204	7 660	7 660
8. Processing (editing and proofreading) of documents related to the Court's judicial activities	18 800	19 603	18 800	20 000
B. Generation and transfer of knowledge				
Publications of the Court (number of publications)	33	28	33	28
9. Applications/special agreements (including annexes)	6	3	6	Unforeseeable ^a
10. <i>ICJ Reports</i> : bound volumes of judgments, advisory opinions and orders of the Court	2	2	2	2
11. Relevant chapter in <i>Yearbook of the United Nations</i>	1	1	1	1
12. Pleadings series volumes	20	20	20	20
13. <i>International Court of Justice Annuaire/Yearbook</i>	1	1	1	1
14. Other publications of the Court (non-recurrent, reprints, publications for special occasions (illustrated books, handbooks, etc.))	3	1	3	4
D. Communication deliverables				
Outreach programmes, special events and information materials: organization of exhibits, lectures and guided tours for legal and academic visitors, the diplomatic community, students and journalists; and distribution of leaflets, fact sheets and flyers on the Court.				
External and media relations: press releases; and summaries of decisions.				
Digital platforms and multimedia content: updating and maintenance of the website and social media platforms of the Court; and provision of updated content related to the celebration of the seventy-fifth anniversary of the Court.				

^a It is inherently impossible to forecast the number of cases that will be pending before the Court and the number of new proceedings that will be instituted, including incidental proceedings in pending cases.

B. Proposed post and non-post resource requirements for 2021

Overview

- 7.23 The proposed regular budget resources for 2021, including the breakdown of resource changes, as applicable, are reflected in tables 7.3 to 7.5.

Table 7.3

Financial resources

(Thousands of United States dollars)

	2019 expenditure	2020 appropriation	Changes					2021 estimate (before recosting)	Recosting	2021 estimate (after recosting)
			Technical adjustments	New/ expanded mandates	Other	Total	Percentage			
Posts	13 786.9	15 138.3	–	–	122.7	122.7	0.8	15 261.0	235.1	15 496.1
Other staff costs	1 120.1	1 284.8	–	–	246.6	246.6	19.2	1 531.4	26.1	1 557.5
Non-staff compensation	7 217.8	7 357.7	–	–	234.7	234.7	3.2	7 592.4	170.7	7 763.1
Consultants	164.0	68.3	–	–	(49.3)	(49.3)	(72.2)	19.0	0.3	19.3
Experts	–	–	–	–	100.0	100.0	–	100.0	1.7	101.7
Travel of staff	35.6	59.3	–	–	3.1	3.1	5.2	62.4	1.2	63.6
Contractual services	1 358.8	1 380.0	(112.4)	–	141.2	28.8	2.1	1 408.8	24.0	1 432.8
General operating expenses	2 013.3	1 994.1	–	–	37.3	37.3	1.9	2 031.4	109.4	2 140.8
Hospitality	7.5	11.3	–	–	16.5	16.5	146.0	27.8	0.5	28.3
Supplies and materials	237.0	326.2	–	–	61.0	61.0	18.7	387.2	6.7	393.9
Furniture and equipment	456.9	401.0	(345.3)	–	174.1	(171.2)	(42.7)	229.8	3.9	233.7
Fellowships, grants and contributions	–	124.5	–	–	17.9	17.9	14.4	142.4	2.4	144.8
Total	26 397.8	28 145.5	(457.7)	–	1 105.8	648.1	2.3	28 793.6	582.0	29 375.6

Table 7.4

Post changes^a

	Number	Level
Approved for 2020	116	1 ASG, 1 D-2, 1 D-1, 4 P-5, 15 P-4, 18 P-3, 20 P-2/1, 6 GS (PL), 50 GS (OL)
Establishment	1	1 P-4 under the Registry
Reclassification	–	Upward reclassification of 1 P-3 to 1 P-4 under the Registry
Proposed for 2021	117	1 ASG, 1 D-2, 1 D-1, 4 P-5, 17 P-4, 17 P-3, 20 P-2/1, 6 GS (PL), 50 GS (OL)

^a Details on justifications for post changes are reflected in annex III.

Note: The following abbreviations are used in tables and figures: ASG, Assistant Secretary-General; GS (OL), General Service (Other level); GS (PL), General Service (Principal level).

Table 7.5
Post resources

Category	2020 approved	Changes				2021 proposed
		Technical adjustments	New/expanded mandates	Other	Total	
Professional and higher						
ASG	1	—	—	—	—	1
D-2	1	—	—	—	—	1
D-1	1	—	—	—	—	1
P-5	4	—	—	—	—	4
P-4	15	—	—	2	2	17
P-3	18	—	—	(1)	(1)	17
P-2/1	20	—	—	—	—	20
Subtotal	60	—	—	1	1	61
General Service						
Principal level	6	—	—	—	—	6
Other level	50	—	—	—	—	50
Subtotal	56	—	—	—	—	56
Total	116	—	—	1	1	117

7.24 Additional details on the distribution of the proposed resources for 2021 are reflected in tables 7.6 to 7.8 and figure 7.III.

7.25 As reflected in tables 7.6 and 7.7, the overall resources proposed for 2021 amount to \$28,793,600 before recosting, reflecting a net increase of \$648,100 (or 2.3 per cent) compared with the appropriation for 2020. Resource changes result from two factors, namely: (a) technical adjustments relating to the removal of non-recurrent requirements in 2020; and (b) other resource changes. The proposed level of resources provides for the full, efficient and effective implementation of mandates.

Table 7.6
Evolution of financial resources by component

(Thousands of United States dollars)

Regular budget

	2019 expenditure	2020 appropriation	Changes					2021 estimate (before recosting)	Recosting	2021 estimate (after recosting)
			Technical adjustments	New/ expanded mandates	Other	Total	Percentage			
Members of the Court	7 237.3	7 381.4	—	—	337.4	337.4	4.6	7 718.8	172.9	7 891.7
Registry	15 182.8	16 766.7	—	—	366.3	366.3	2.2	17 133.0	267.1	17 400.1
Programme support	3 977.7	3 997.4	(457.7)	—	402.1	(55.6)	(1.4)	3 941.8	142.0	4 083.8
Total	26 397.8	28 145.5	(457.7)	—	1 105.8	648.1	2.3	28 793.6	582.0	29 375.6

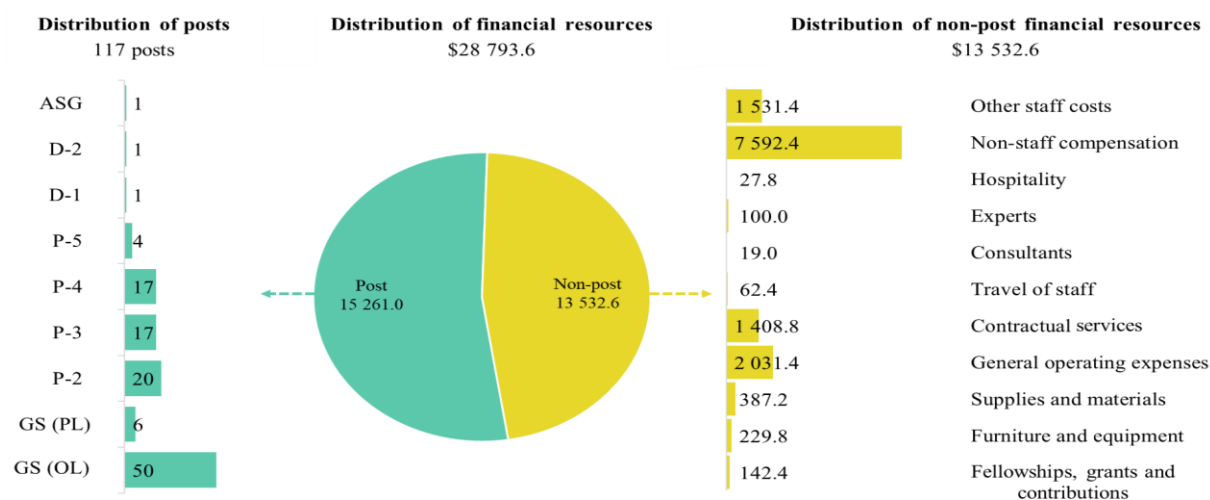
Table 7.7
Evolution of post resources by component
Regular budget

	2020 approved	Changes				2021 proposed
		Technical adjustments	New/expanded mandates	Other	Total	
Registry	116	–	–	1	1	117
Total	116	–	–	1	1	117

Table 7.8
Evolution of financial and post resources by category
(Thousands of United States dollars/number of posts)

	2019 expenditure	2020 appropriation	Changes					2021 estimate (before recosting)
			Technical adjustments	New/ expanded mandates	Other	Total	Percentage	
Financial resources by main category of expenditure								
Post	13 786.9	15 138.3	–	–	122.7	122.7	0.8	15 261.0
Non-post	12 610.9	13 007.2	(457.7)	–	983.1	525.4	4.0	13 532.6
Total	26 397.8	28 145.5	(457.7)	–	1 105.8	648.1	2.3	28 793.6
Post resources by category								
Professional and higher		60	–	–	1	1	1.7	61
General Service and related		56	–	–	–	–	–	56
Total		116	–	–	1	1	0.9	117

Figure 7.III
Distribution of proposed resources for 2021 (before recosting)
(Number of posts/thousands of United States dollars)



Variance analysis by component

Overall resource changes

Technical adjustments

- 7.26 As reflected in table 7.6, resource changes reflect a decrease of \$457,700 under the programme support component, as follows: (a) a decrease of \$112,400 under contractual services, reflecting the removal of a one-time requirement in 2020 for the publication of a themed booklet for the seventy-fifth anniversary of the International Court of Justice and reprints of bound volumes of the reports of the Permanent Court of International Justice, the predecessor of the International Court of Justice, to celebrate the 100th anniversary of the creation of the Permanent Court of Justice; and (b) a decrease of \$345,300 under furniture and equipment, reflecting the removal of a one-time requirement in 2020 for the procurement of hardware for a secondary (off-site) server room, encryption device connection to the secondary data centre and additional processor and storage capacity.

Other changes

- 7.27 As reflected in tables 7.6 and 7.7, resource changes reflect an increase of \$1,105,800 under the members of the Court, Registry and programme support components, as follows:

- (a) **Members of the Court.** The increase of \$337,400 relates to:
- (i) Increased requirements of \$234,700 under non-staff compensation, attributable to the increase in requirements in connection with the repatriation and installation costs with respect to five judges whose terms of office will come to an end in February 2021, and increased requirements for pensions for former judges and widowed spouses, reflecting the actual cost of pensions for former judges and widowed spouses, as from the beginning of 2020. Subject to the results of the election that is due to take place during the seventy-fifth session of the General Assembly, it is assumed in the budget estimates that the new judges will opt for non-resident status. The increase takes into account the reduction in resource requirements under travel to Court sessions as a result of the change from first class to business class tickets pursuant to General Assembly resolution [74/262](#);
 - (ii) Increased requirements of \$100,000 under experts for the hiring of two Court-appointed experts for a period of seven weeks to work on cases that are currently on the Court's docket and that could be dealt with by the Court in 2021. Pursuant to Article 50 of its Statute, the Court may arrange for an expert opinion, when it deems it necessary to settle a particular dispute before it, on the basis of the relevant case file and the arguments put forward by the parties in support of their respective positions. The purpose of arranging for expert opinions is to assist the Court in establishing the facts in an objective and independent way and to provide the Court with specialized knowledge in technical or scientific matters;
 - (iii) Increased requirements of \$2,700 under travel of staff, mainly to cover four additional days of daily subsistence allowance for the President of the Court to attend events in New York commemorating the seventy-fifth anniversary of the Court, in combination with his visit to address the General Assembly and the Security Council;
- (b) **Registry.** The net increase of \$366,300 relates to:
- (i) Increased requirements of \$122,700 under posts as a result of the proposed establishment of a new post of Translator/Reviser, French (P-4) in the Department of Linguistic Matters, and the proposed reclassification of a post of Legal Officer (P-3) as a P-4 post in the Department of Legal Matters, as follows:
 - a. It is proposed that one new post of Translator/Reviser, French (P-4) be established in the Department of Linguistic Matters. The sustained level of judicial activity of the Court over the past few years has had a significant impact on the Department, which

has faced increasing difficulties in meeting the needs of the Court and maintaining the high linguistic standards expected of the principal judicial organ of the United Nations. As a result, in 2018, steps were taken on a provisional basis to deal with the heavy workload of the Department. For example, it was decided to no longer translate and revise statements given in English during hearings. Since then, the Department has provided members of the Court with only a transcript of the interpretation into French. The Department has also made substantial cuts in the number of annexes to written pleadings that it translates (in this regard, the recent increase in the Court's caseload has been accompanied by a significant increase in the number of documents cited as annexes, from 561 documents cited in 2013 to a high of 3,210 in 2018, and 2,586 in 2019). While the above-mentioned measures were taken to temporarily alleviate the workload of the Department, they are not sustainable and cannot be maintained without hampering the Court's ability to fulfil its statutory mission to work in both English and French. The Department reviewed other solutions, which were not entirely satisfactory. For instance, while the increasing recourse to temporary assistance has helped to relieve the pressure placed on the Department, it is not sustainable in the long term, as it entails the need to continuously train new staff in the use of highly specialized terminology and does not help to strengthen the pool of in-house expertise. The Department has been searching for ways to improve efficiency and is currently exploring a number of information technology solutions to put in place in the near future (a workflow management system and a computer-assisted translation tool). However, those solutions alone do not suffice to solve the current situation. As part of a long-term and sustainable solution, it is therefore proposed that one new post of Translator/Reviser, French (P-4) be established in the Department of Linguistic Matters;

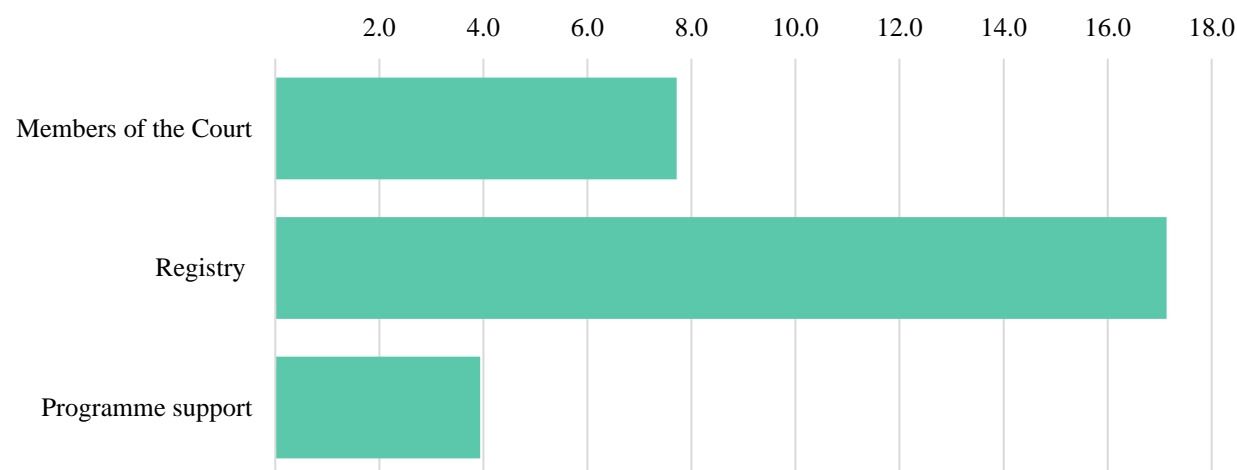
- b. It is proposed that one post of Legal Officer (P-3) be reclassified as a P-4 post (Legal Officer/Secretary of the Court) in the Department of Legal Matters. The reclassification will enable the Department to continue to meet the greater demands placed upon it as a result of the increased workload of the Court observed in recent years. The Court now routinely considers multiple cases in parallel in order to promptly deal with the cases on its docket, and therefore the volume of tasks carried out by the members of the Department has increased considerably, in direct correlation with the number of cases simultaneously under consideration by the Court. In this context, the Department needs to be able to rely on a senior legal officer whose functions include a number of duties and responsibilities of greater complexity than those expected at the P-3 level, such as providing comprehensive support to the plenary of the Court in relation to its judicial activity and providing senior-level assistance to drafting committees for the Court's judgments and advisory opinions. The incumbent is expected to review the case-related work of other departments (for example, press releases in liaison with the Department of Press and Information, translations of draft judgments and other decisions in liaison with the Department of Linguistic Matters, and publications relating to the Court in liaison with the Publications Division), a task requiring a high degree of decision-making authority. In addition, the incumbent is expected to provide legal assistance on issues of administrative law and staff-related matters, in particular with respect to the review of complaints submitted by staff members and proceedings in the United Nations justice system;
- (ii) Increased requirements of \$246,600 under other staff costs, relating mainly to general temporary assistance for meetings in order to deal with the greater volume of work during Court sessions. While it is impossible to predict the Court's future workload both in terms of the number of cases before it and the associated written and oral proceedings, it is expected that the upward trend observed in recent years will continue in 2021;

- (iii) Reduced requirements of \$49,300 for consultants, mainly in relation to the preparation of an off-site secondary equipment room and the migration of selected electronic systems;
 - (iv) Increased requirements of \$17,900 under fellowships, grants and contributions, reflecting the current estimated costs for services provided by the United Nations system of administration of justice;
 - (v) Increased non-recurrent resources of \$16,500 under hospitality, relating to the organization of events on the occasion of the celebration of the seventy-fifth anniversary of the Court in 2021, including a reception after the solemn sitting in The Hague in April 2021 and a reception and a lunch in conjunction with an event that will be organized in New York in October 2021;
 - (vi) Increased requirements of \$11,500 under contractual services, reflecting the resources for mandatory training to renew staff certifications in the areas of security and cybersecurity;
 - (vii) Increased resources of \$400 under travel of staff, reflecting current airfare and daily subsistence allowance rates;
- (c) **Programme support.** The increase of \$402,100 relates to:
- (i) Increased net requirements of \$129,700 under contractual services for software licences and the costs of outsourced services provided by the United Nations International Computing Centre and information technology network security improvements to be put in place to prevent cyberattacks and secure the Court's data. The increase is offset in part by a decrease under contractual services for external translation, owing to the reduced number of documents that can be sent out for translation, for reasons of confidentiality, and to the fact that an additional post has been proposed for the Department of Linguistic Matters;
 - (ii) Increased requirements of \$37,300 under general operating expenses, owing to requirements for the rental and maintenance of furniture and equipment, including non-recurrent requirements of \$7,500 for the rental of audiovisual equipment in connection with the seventy-fifth anniversary of the Court in 2021;
 - (iii) Increased requirements of \$61,000 under supplies and materials, attributable mainly to non-recurrent requirements of \$60,000 to cover the celebration of the seventy-fifth anniversary of the Court (photographs, videos, mobile exhibition and memorabilia);
 - (iv) Increased requirements of \$174,100 under furniture and equipment, mainly for the replacement of the audiovisual equipment in the Great Hall of Justice, which is nine years old and has malfunctioned during hearings. The equipment is uneconomical to repair, considering its current age and condition. The replacement of the audiovisual equipment in the Great Hall of Justice will be spread equally over two budget periods. The increased requirements also include the acquisition and replacement of furniture and office automation equipment, including non-recurrent requirements of \$12,000.

7.28 The distribution of resources by component is reflected in figure 7.IV.

Figure 7.IV
Distribution of proposed resources for 2021 by component

(Millions of United States dollars)



Members of the Court

7.29 The International Court of Justice is composed of 15 judges (“members of the Court”), who are elected to nine-year terms of office by the General Assembly and the Security Council. Every three years, one third of the Court is elected, the sitting judges being eligible for re-election. The Court, as the principal judicial organ of the United Nations, is a universal body, within which the principal legal systems of the world and the main forms of civilization have to be represented in a balanced way (Article 9 of the Statute). It is, as an institution composed in this broad-based way, that the Court has to settle legal disputes submitted to it by States and give advisory opinions on legal questions referred to it by authorized United Nations organs and specialized agencies. All the members of the Court are, in principle, required to participate in every case before it (Article 25 of the Statute). In accordance with Article 31 of the Court’s Statute, a State party to a case may choose a judge ad hoc if the Court includes upon the Bench no judge of the nationality of the parties or a judge of the nationality of another party. Judges ad hoc take part in the decisions of the Court on terms of complete equality with the members of the Court.

7.30 The proposed regular budget resources for 2021 amount to \$7,718,800 and reflect an increase of \$337,400 compared with the appropriation for 2020. The proposed increase of \$337,400 is explained in paragraph 7.27 (a) above. Additional details on the distribution of the proposed resources for 2021 are reflected in table 7.9 and figure 7.V.

Table 7.9
Members of the Court: evolution of financial resources

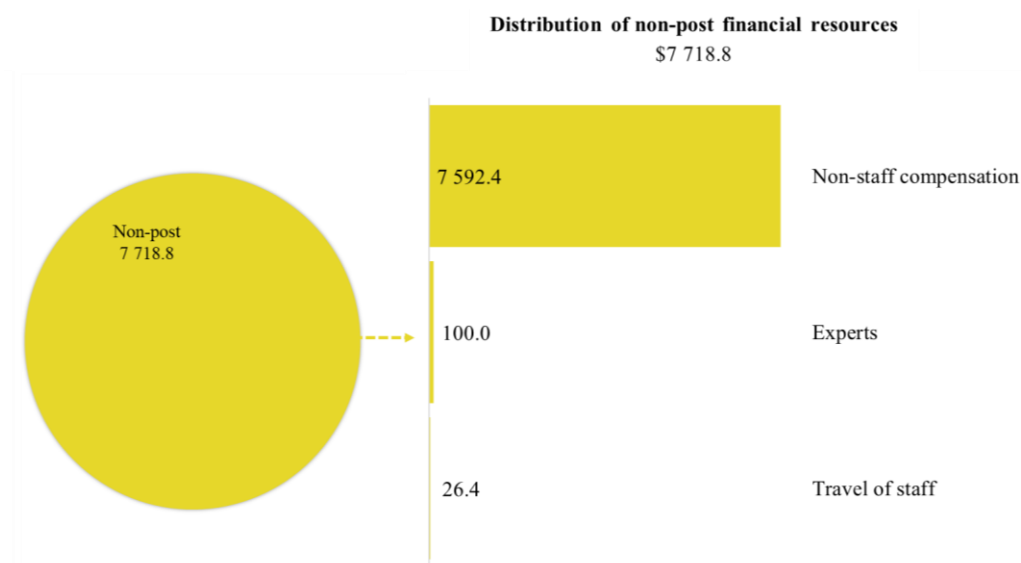
(Thousands of United States dollars)

	Changes							2021 estimate (before recosting)
	2019 expenditure	2020 appropriation	Technical adjustments	New/ expanded mandates	Other	Total	Percentage	
Financial resources by main category of expenditure								
Non-post	7 237.3	7 381.4	–	–	337.4	337.4	4.6	7 718.8
Total	7 237.3	7 381.4	–	–	337.4	337.4	4.6	7 718.8

Figure 7.V

Members of the Court: distribution of proposed resources for 2021 (before recosting)

(Thousands of United States dollars)

**Registry**

7.31 Given that the Court is both a judicial body and an international institution that is administratively independent from the Secretariat, its Registry must take on the dual role of an *auxiliaire de la justice* and an international secretariat. The Registry provides legal, diplomatic, linguistic and technical support to the Court. It is responsible for administrative, conference, computerization, archival, distribution and documentary and library services, and acts as the regular channel for communications to and from the Court.

7.32 Information on compliance with regard to the timely submission of documentation and advance booking for air travel is reflected in table 7.10.

Table 7.10

Compliance rate

(Percentage)

	<i>Planned 2019</i>	<i>Actual 2019</i>	<i>Planned 2020</i>	<i>Planned 2021</i>
Timely submission of documentation	100	100	100	100
Air tickets purchased at least 2 weeks before the commencement of travel	100	100	100	100

7.33 The proposed regular budget resources for 2021 amount to \$17,133,000 and reflect a net increase of \$366,300 compared with the appropriation for 2020. The proposed net increase of \$366,300 is explained in paragraph 7.27 (b) above. Additional details are reflected in table 7.11 and figure 7.VI.

Table 7.11

Registry: evolution of financial and post resources

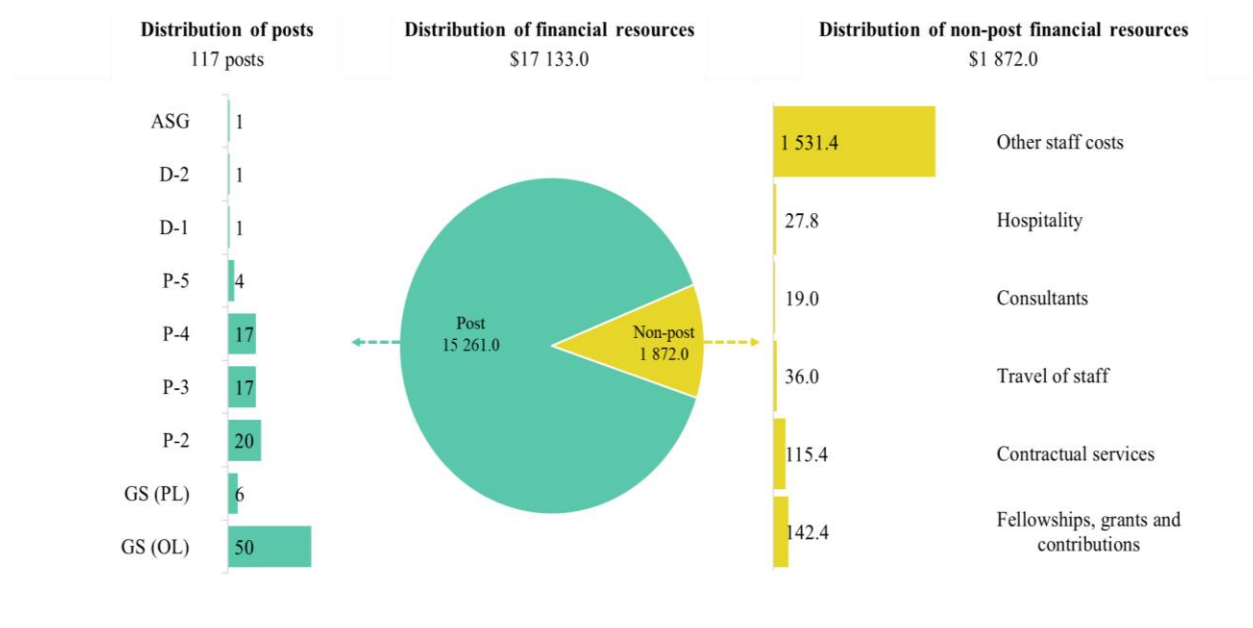
(Thousands of United States dollars/number of posts)

	Changes							2021 estimate (before recosting)
	2019 expenditure	2020 appropriation	Technical adjustments	New/ expanded mandates	Other	Total	Percentage	
Financial resources by main category of expenditure								
Post	13 786.9	15 138.3	—	—	122.7	122.7	0.8	15 261.0
Non-post	1 395.9	1 628.4	—	—	243.6	243.6	15.0	1 872.0
Total	15 182.8	16 766.7	—	—	366.3	366.3	2.2	17 133.0
Post resources by category								
Professional and higher		60	—	—	1	1	1.7	61
General Service and related		56	—	—	—	—	—	56
Total		116	—	—	1	1	0.9	117

Figure 7.VI

Registry: distribution of proposed resources for 2021 (before recosting)

(Number of posts/thousands of United States dollars)

**Programme support**

- 7.34 The provisions under programme support relate to the common service requirements of the Court and its Registry, including the contribution of the United Nations to the Carnegie Foundation for the use of the Peace Palace at The Hague.
- 7.35 The proposed regular budget resources for 2021 amount to \$3,941,800 and reflect a net decrease of \$55,600 compared with the appropriation for 2020. The proposed net decrease of \$55,600 is explained in paragraphs 7.26 and 7.27 (c) above. Additional details are reflected in table 7.12 and figure 7.VII.

Table 7.12

Programme support: evolution of financial resources

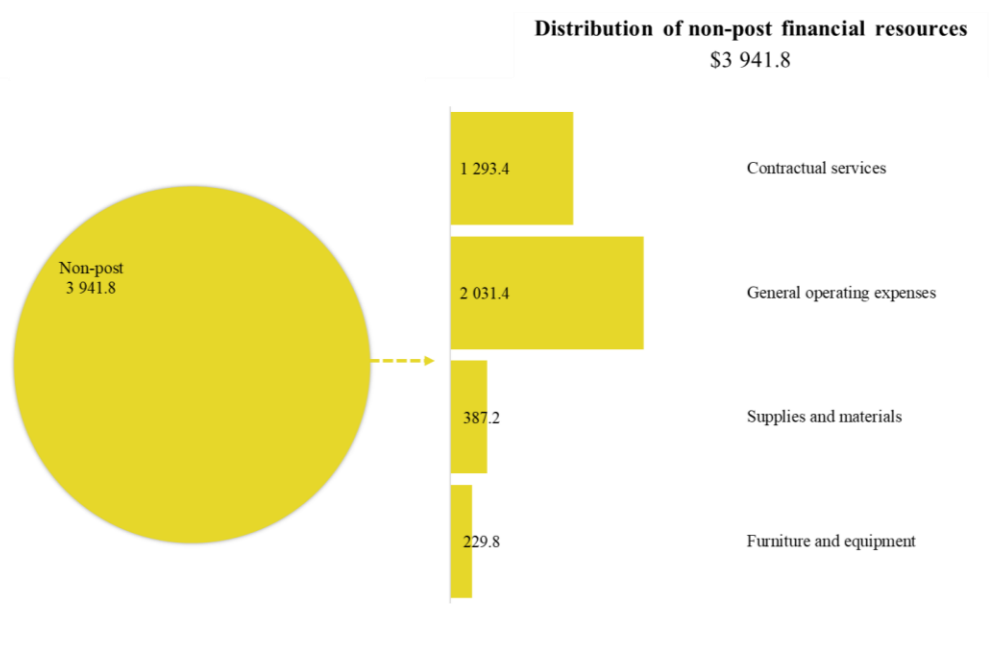
(Thousands of United States dollars)

	2019 expenditure	2020 appropriation	Technical adjustments	Changes				2021 estimate (before recosting)
				New/ expanded mandates	Other	Total	Percentage	
Financial resources by main category of expenditure								
Non-post	3 977.7	3 997.4	(457.7)	–	402.1	(55.6)	(1.4)	3 941.8
Total	3 977.7	3 997.4	(457.7)	–	402.1	(55.6)	(1.4)	3 941.8

Figure 7.VII

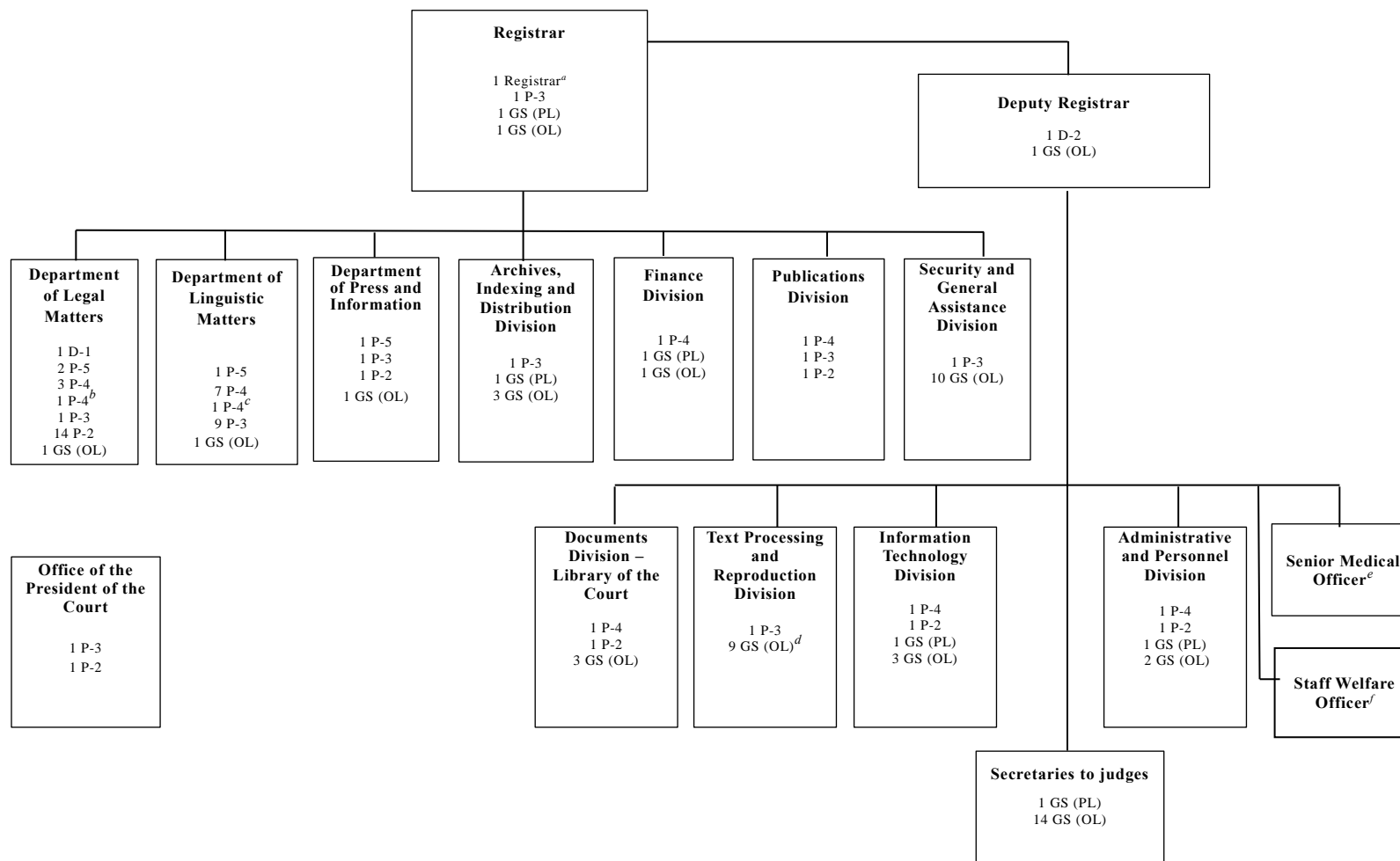
Programme support: distribution of proposed resources for 2021 (before recosting)

(Thousands of United States dollars)



Annex I

Organizational structure and post distribution for 2021



Abbreviations: GS (OL), General Service (Other level); GS (PL), General Service (Principal level).

^a In accordance with Articles 21 and 32 of the Statute of the Court, the Registrar is appointed by the Court and his salary is fixed by the General Assembly upon the proposal of the Court. The Registrar is budgeted at the Assistant Secretary-General level.

^b Reclassification.

^c Establishment (new post).

^d In addition, the Division will have two general temporary assistance positions to support the work of the office.

^e One 25 per cent part-time general temporary assistance position (P-5).

^f One 25 per cent part-time general temporary assistance position (P-3).

Annex II

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

Brief description of the recommendation

Action taken to implement the recommendation

Advisory Committee on Administrative and Budgetary Questions (A/74/7)

The Advisory Committee expects that the process for the recruitment of the post of Assistant to the President (G-6) will be completed without further delay and in accordance with the Staff Regulations and Rules of the United Nations (para. III.6).

The Advisory Committee notes the decision of the Court to adopt Umoja and trusts that every effort will be made to ensure the smooth implementation of this system in a timely manner with the full realization of the system's benefits (para. III.10).

At the International Court of Justice, each judge is assigned one secretary to assist him/her to discharge his/her duties. The secretaries to members of the Court are classified at the G-5 level, while the secretaries to the President and Vice-President are at the G-6 level. According to Article 21 of the Statute of the Court, the Court shall elect its President and Vice-President for three years; they may be re-elected. When a judge is elected as President or Vice-President of the Court, it is the practice that his/her secretary will continue assisting him/her during his/her term as President or Vice-President. The secretarial functions with respect to the President and Vice-President are at a higher level (G-6), but they are limited in time (three years). At the end of the term of office of the President or Vice-President, the payment of the special post allowance to his/her secretary is stopped. The Registry is currently exploring ways to put into place a system with similar effects (e.g., temporary promotion) without having recourse to the special post allowance.

In 2019, the Court continued the preparatory work needed for the implementation of Umoja, which included improvement of the information technology infrastructure at the Court in order to meet the Umoja requirements; training and sensitization of staff members to Umoja; and addressing institutional and business process gaps. Owing to the financial uncertainty as a result of the liquidity problems experienced by the United Nations in 2019, the Court had to postpone some expenditures relating, inter alia, to information technology infrastructure and the training of staff. This delayed the entry into force of Umoja, which had been scheduled for the fourth quarter of 2019. In addition, the Registry had to address certain outstanding technical matters identified during the preparatory phase that could impact the functioning of the Court as an autonomous judicial institution and that required resolution prior to the roll-out of Umoja.

Section 7 International Court of Justice

Brief description of the recommendation

The Advisory Committee welcomes the cooperation between the Registry of the International Court of Justice and the Office of Legal Affairs as a means to avoid duplication and maximize organizational efficiency and trusts that appropriate cost-sharing arrangements are put in place to ensure that all services provided are properly accounted for (para. III.13).

Action taken to implement the recommendation

The cooperation and mutual assistance between the Registry of the Court and the Office of Legal Affairs has continued, and arrangements to provide each other with administrative and logistical support have been maintained with respect to specific activities, such as the six-week United Nations International Law Fellowship Programme, held at the Peace Palace in The Hague every year, and the annual visit of the Court's delegation to United Nations Headquarters.

Annex III

Summary of proposed changes in established and temporary posts, by component

	<i>Posts</i>	<i>Level</i>	<i>Description</i>	<i>Reason for change</i>
Registry	1	P-4	Establishment of 1 post of Translator/Reviser, French (P-4) in the Department of Linguistic Matters	To meet the greater demand for services of the Department of Linguistic Matters as a result of the increased workload of the Court observed in recent years, and to ensure that the Court has the ability to fulfil its statutory mission to work in both English and French, since in its current configuration the Department is not in a position to respond fully to the needs of the Court
Registry	(1) 1	P-3 P-4	Reclassification of 1 post of Legal Officer (P-3) as Legal Officer/Secretary of the Court (P-4)	To meet the greater demand for services of the Department of Legal Matters as a result of the increased workload of the Court observed in recent years, reflecting the need for a senior legal officer whose functions include duties and responsibilities of greater complexity than those expected at the P-3 level, such as providing comprehensive support to the plenary of the Court in relation to its judicial activity and providing senior-level assistance to drafting committees for the Court's judgments and advisory opinions