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

## Proposed budget for the International Residual Mechanism for Criminal Tribunals for 2022

### Report of the Secretary-General

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## Foreword

The International Residual Mechanism for Criminal Tribunals is mandated to continue the jurisdictions, rights and obligations, and essential functions of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia. In so doing, the Mechanism has concomitantly carried out continuous and ad hoc activities across its two branches in Arusha, United Republic of Tanzania, and The Hague, Netherlands.

Following the conclusion of key trial activity in 2021, notwithstanding the coronavirus disease (COVID-19) pandemic, including the conclusion of the *Stanišić and Simatović* retrial, the conclusion of the *Nzabonimpa et al.* trial (formerly known as *Turinabo et al.*) and the conclusion of the appeals proceedings in the *Mladić* case, the year 2022 will see continued judicial activity at both branches of the Mechanism. The conduct of trial proceedings in the case against Félicien Kabuga, as well as potential appeals proceedings in the *Stanišić and Simatović* and the *Nzabonimpa et al.* cases, are expected to continue into 2022. Working towards the timely completion of these cases is one of the Mechanism's main priorities for 2022. In addition, the Mechanism will continue to track the remaining fugitives with the aim of bringing this work to an end as quickly as possible.

At the same time, the Mechanism will carry out its numerous core continuous functions to ensure the fulfilment of its mandate, including the provision of witness protection and support services to over 8,000 witnesses, as well as judicial, logistical and administrative support in the enforcement of sentences of, to date, 20 convicted persons in 12 European countries and 28 convicted persons in 3 African countries. The Mechanism will also continue to assist domestic jurisdictions in their important task of prosecuting individuals responsible for crimes committed during the conflicts in the former Yugoslavia and the 1994 genocide against the Tutsi in Rwanda. In addition, the Mechanism expects to continue the monitoring of two cases referred to Rwanda and France. Finally, the preservation of the unique archives and records of the International Criminal Tribunal for Rwanda, the International Tribunal for the Former Yugoslavia and the Mechanism will remain a priority.

2022 will be a year in which the Mechanism will strive to further maximize efficiencies, build on lessons learned and achieve significant milestones towards the completion of its remaining major ad hoc judicial activities, while continuing to carry out other residual and essential continuous functions of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia. It remains guided in this endeavour by Security Council resolution 1966 (2010) and by the Council's expressed vision of the Mechanism as a small, temporary and efficient structure, whose functions and size will diminish over time, with a small number of staff commensurate with its reduced functions.

(Signed) Abubacarr **Tambadou**  
Registrar of the International Residual Mechanism  
for Criminal Tribunals

## A. Proposed programme plan for 2022 and programme performance for 2020

### Overall orientation

#### Mandates and background

1. The International Residual Mechanism for Criminal Tribunals is responsible for the tracking and prosecution of the remaining fugitives indicted by the International Criminal Tribunal for Rwanda, the conduct of trial proceedings, appeals proceedings, review proceedings, retrials, if ordered by the Appeals Chamber, and trials and appeals proceedings for contempt of court and false testimony, the protection of witnesses, the supervision of the enforcement of sentences, the provision of assistance to national jurisdictions, particularly those in the countries of the former Yugoslavia and Rwanda, the preservation and management of the archives of the Mechanism and the predecessor tribunals for the former Yugoslavia and Rwanda and the monitoring of cases referred by the two ad hoc Tribunals to national jurisdictions. The Mechanism continues the jurisdiction, as well as the rights and obligations of the ad hoc Tribunals. The mandate is based on relevant Security Council resolutions, in particular resolution 1966 (2010).

#### Strategy and external factors for 2022

2. The Mechanism continues to strive for the maintenance of peace by combating impunity for those responsible for serious violations of international humanitarian law and ensuring that all persons indicted by the International Tribunal for the Former Yugoslavia and International Criminal Tribunal for Rwanda are brought to justice. The year 2021 saw the completion of key judicial activity, despite challenges resulting from the COVID-19 pandemic.

3. At the branch in The Hague, this judicial activity included the issuance of the judgment in the *Mladić* appeal case and the oral rendering and issuance of the written trial judgment in the *Stanišić and Simatović* retrial. Pre-appeal proceedings in the *Stanišić and Simatović* case have commenced and are expected to last throughout 2022. In the *Jojić and Radeta* contempt case, the single judge ordered the preservation of evidence by special deposition procedure for the witnesses whose evidence the amicus curiae assigned to the case seeks to preserve and who will be called to provide their testimony before the Mechanism in 2022.

4. In Arusha, the multi-accused *Nzabonimpa et al.* contempt case came to a close with the oral pronouncement of the trial judgment followed by the issuance of the written judgment in September 2021. The pre-appeal phase of the case has commenced, with an appeal judgment expected in the first half of 2022. Before the issuance of the written judgment, the single judge referred a potential related contempt matter to the President, and a single judge is expected to be assigned to consider the matter. Furthermore, both branches of the Mechanism continued to support the pretrial proceedings in the case against Félicien Kabuga, with in-person status conferences held in June and October 2021. The trial in this case is expected to last throughout 2022.

5. The strategy for 2022 includes the following:

(a) The Mechanism's programme of work will consist of mandated continuous activities, including ongoing judicial and administrative work related to the protection of witnesses; the supervision of the enforcement of sentences; the provision of

assistance to national jurisdictions by providing material or information in relation to the domestic investigation, prosecution and trial of those allegedly responsible for serious violations of international humanitarian law in the countries of the former Yugoslavia and Rwanda; and the management of the archives;

(b) The commencement of trial proceedings against Mr. Kabuga, who was arrested in France in May 2020 and transferred to the custody of the Mechanism in October of the same year; the conduct of possible appeal proceedings in the *Nzabonimpa et al.* contempt case and the conduct of pre-appeal proceedings in the *Stanišić and Simatović* case; the tracking of the remaining fugitives; and the monitoring of cases referred to national jurisdictions. The Arusha branch of the Mechanism may also see a trial of the remaining fugitives slated for the Mechanism, if apprehended;

(c) Judicial and administrative support to ad hoc judicial activities commensurate with the conclusion of trial, retrial and appeal proceedings in various cases at both branches of the Mechanism.

6. With regard to cooperation with other entities at the global, regional, national and local levels, the Mechanism will continue to rely on cooperation with national authorities in Rwanda, countries of the former Yugoslavia and elsewhere to carry out its functions, including the search for fugitives, trials and appeals, witness protection, the enforcement of sentences and the monitoring of cases referred to national jurisdictions. The Mechanism will also continue to cooperate with national authorities in Rwanda and countries of the former Yugoslavia, as well as other States, to respond to requests for assistance on domestic investigations and trials for serious violations of international humanitarian law and related judicial proceedings.

7. With regard to inter-agency coordination and liaison, the Mechanism will continue to work collaboratively with other United Nations entities and administrative service centres to address security issues and the development and implementation of workforce performance strategies, including administrative support, training, change management and capability development. Such entities include the Department of Safety and Security of the Secretariat, with whom the Mechanism has an ongoing relationship that includes the sharing of staff to meet short-term resource needs and the provision of up-to-date security information for the Mechanism's offices in Africa and the Balkans; the United Nations Development Programme in Benin, Mali and Senegal, with whom the Mechanism has formal memorandums of understanding to cooperate in the enforcement of sentences; and the World Health Organization, which provides ongoing support with regard to medical information and best practices, in particular on COVID-19. In The Hague, the Mechanism's premises are shared with the Residual Special Court for Sierra Leone, and limited support is provided on a cost-reimbursable basis.

8. With regard to the external factors, the overall plan for 2022 is based on the following planning assumptions:

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

(b) Member States continue to investigate and prosecute serious violations of international humanitarian law committed in the former Yugoslavia and Rwanda and request the assistance of the Mechanism;

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

(d) There are no delays in the proceedings for reasons beyond the control of the Mechanism, including the illness of an accused, the replacement of judges, the

unforeseen disclosure of material, requests for the replacement of defence counsel, the review of concluded cases and the availability of witnesses to certify statements and provide testimony.

9. With regard to the COVID-19 pandemic, the proposed programme plan is based on the assumption that the proposed deliverables and activities for 2022 will be feasible to implement. However, if the pandemic were to further have an impact on the planned deliverables and activities, they would be adjusted during 2022 within the scope of the overall objectives, strategies and mandates. Any such adjustments would be reported as part of the programme performance information.

10. The Mechanism integrates a gender perspective in its operational activities, deliverables and results, as appropriate. The Witness Support and Protection Unit's witness management operations incorporate gender-sensitive and gender-appropriate approaches, as set out in the guidelines entitled "Practice direction on the provision of support and protection services to victims and witnesses", which continue to guide its work. The Unit will continue to maintain a gender-balanced representation in its staffing, which is crucial to its main operational activity of protection of victims and witnesses, who, as beneficiaries of this service, are in many contexts sensitive to the gender denomination of staff providing the protection services. The Office of the Prosecutor will also continue to maintain a gender-balanced representation in its staffing to ensure, for example, that investigations into sexual and gender-based violence crimes are conducted with the necessary sensitivity to victims of such crimes. Investigations are part of the main operational activities of the Office and the incorporation of a gender perspective in those activities is expected to support balanced results. Furthermore, the Mechanism ensures that all boards, committees and review bodies have equal gender representation to allow for the inclusion of gender perspectives in all deliberations and decisions.

11. The Mechanism integrates disability inclusion in its operational activities, deliverables and results, as appropriate. Through the work of its components, including focal points for staff, the Mechanism plans to provide training to staff on unconscious bias, including with regard to disabilities, to raise sensitivity among staff on the issue and its impact on individuals. In addition, the component will hold ongoing awareness-raising campaigns, with questionnaires measuring the perception of staff regarding disability and accessibility issues in the working environment. These efforts will help to identify barriers that staff members encounter and contribute to the Mechanism's overall policy and service development.

## **Programme performance in 2020**

### **Impact of COVID-19 on programme delivery**

12. During 2020, the COVID-19 pandemic had an impact on the planned deliverables and activities of the Mechanism. The impact included a temporary suspension of court proceedings, resulting in the postponement of the completion of the presentation of evidence from March to September 2020 in the *Stanišić and Simatović* case. In addition, the appeal proceedings in the *Mladić* case had to be postponed from May until August 2020, when advances in information technology as well as physical courtroom infrastructure enabled the remote participation of four of the five judges of the Appeals Chamber. Furthermore, the commencement of the multi-accused *Turinabo et al.* case was delayed from June until October 2020 because of COVID-19-related restrictions, such as the temporary inability of the Defence to conduct its investigative missions. These changes had an impact on the programme performance in 2020 and affected the work of all components. A small number of planned deliverables, such as missions to enforcement States or physical access by the public to the premises, including libraries

and archives, could not be implemented in their entirety owing to the pandemic. However, improved communications infrastructure and amendments to facilities enabled the continuous implementation of all key mandated programmes throughout the year, as was evidenced by, among other things, the arrest of Mr. Kabuga and the confirmation of the death of Augustin Bizimana, the remote management of requests for assistance from enforcement States and the monitoring of referred cases.

13. Reflecting the importance of continuous improvement and responding to the evolving needs of Member States, the Mechanism will continue to mainstream lessons learned during the COVID-19 pandemic, including the continuous adaptation of remote access infrastructure to enable the conduct of court proceedings with minimal interruption.

## Legislative mandates

14. The list below provides current mandates entrusted to the Mechanism.

### *Security Council resolutions*

1966 (2010)	Establishment of the International Residual Mechanism for Criminal Tribunals, its statute and transitional arrangements	2529 (2020)	International Residual Mechanism for Criminal Tribunals
2256 (2015)	International Tribunal for the Former Yugoslavia and International Criminal Tribunal for Rwanda		

## Deliverables

15. Table 1 lists all cross-cutting deliverables, by category and subcategory, for the period 2020–2022.

Table 1

### **Cross-cutting deliverables for the period 2020–2022, by category and subcategory**

<i>Category and subcategory</i>	<i>2020 planned</i>	<i>2020 actual</i>	<i>2021 planned</i>	<i>2022 planned</i>
<b>A. Facilitation of the intergovernmental process and expert bodies</b>				
<b>Parliamentary documentation</b> (number of documents)	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>
1. Annual report to the General Assembly	1	1	1	1
<b>Substantive services for meetings</b> (number of three-hour meetings)	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>
2. Meetings of the General Assembly	1	1	1	1
3. Meetings of the Fifth Committee	1	1	1	1
4. Meetings of the Advisory Committee on Administrative and Budgetary Questions	1	1	1	1
<b>D. Communication deliverables</b>				
<b>Outreach programmes, special events and information materials:</b> diplomatic/external relations outreach and liaison with external partners.				
<b>External and media relations:</b> public information through press releases, summaries of decisions, broadcasts, digital visits, information product development and event planning.				

## Evaluation activities

16. The report of the Office of Internal Oversight Services (OIOS) on the evaluation of the methods and work of the International Residual Mechanism for Criminal Tribunals (S/2020/236), completed in 2020, has guided the proposed programme plan for 2022.

17. The findings of the evaluation referenced above were taken into account in the proposed programme plan for 2022. For example, cross-organ and cross-branch collaboration has been strengthened through the coordinated cross-branch support of judicial activities, including the provision of support to the pretrial proceedings in the *Kabuga* case. The year 2022 will see a strengthening of this spirit of cooperation, through increased communication between the organs and branches to ensure the implementation of the Mechanism's mandated continuous and ad hoc functions. Furthermore, efforts to complete pending or partially implemented recommendations will be reinforced. In particular, the organs are committed to ensuring that the Mechanism-wide scenario-based workforce plan is continuously updated with the collaboration of all three organs.

18. The most recent evaluation, conducted in 2020 and covering the period from 1 January 2018 to 31 December 2019, is outlined in the report of OIOS on the evaluation of the methods and work of the International Residual Mechanism for Criminal Tribunals. The findings of this evaluation continue to guide the proposed programme plan for 2022.

19. The following evaluations and self-evaluations are planned for 2022:

(a) OIOS to conduct the evaluation of the methods and work of the International Residual Mechanism for Criminal Tribunals pursuant to Security Council resolution 2529 (2020);

(b) Self-evaluation on transparency to ensure and maintain the highest level of transparency towards relevant stakeholders of the Mechanism while fully implementing and delivering the institution's mandate.

## Programme of work

### Office of the Prosecutor

#### Objective

20. The objective, to which the Office of the Prosecutor contributes, is to hold accountable those persons responsible for serious violations of international humanitarian law committed in the territories of Rwanda and the former Yugoslavia.

#### Strategy

21. To contribute to the objective, the component will: (a) investigate and prosecute cases transferred from the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia; (b) track the remaining fugitives indicted by the International Criminal Tribunal for Rwanda; (c) respond to requests for assistance from national authorities; (d) protect victims and witnesses; (e) investigate and prosecute contempt of court, litigate review proceedings and litigate matters related to enforcement of sentences; and (f) manage the component's specific evidence collection.

22. The above-mentioned work is expected to result in:

(a) The efficient and effective prosecution of indicted persons before the Mechanism;

(b) The arrest of fugitives from justice indicted by the International Criminal Tribunal for Rwanda;

(c) The enhanced evidence and expertise of national authorities prosecuting serious violations of international humanitarian law committed in Rwanda and the former Yugoslavia.

## Programme performance in 2020

23. Programme performance in 2020 includes the below result that emerged during 2020, as well as programme performance presented under results 1 and 2 below.

### Accounting for fugitives: Félicien Kabuga and Augustin Bizimana

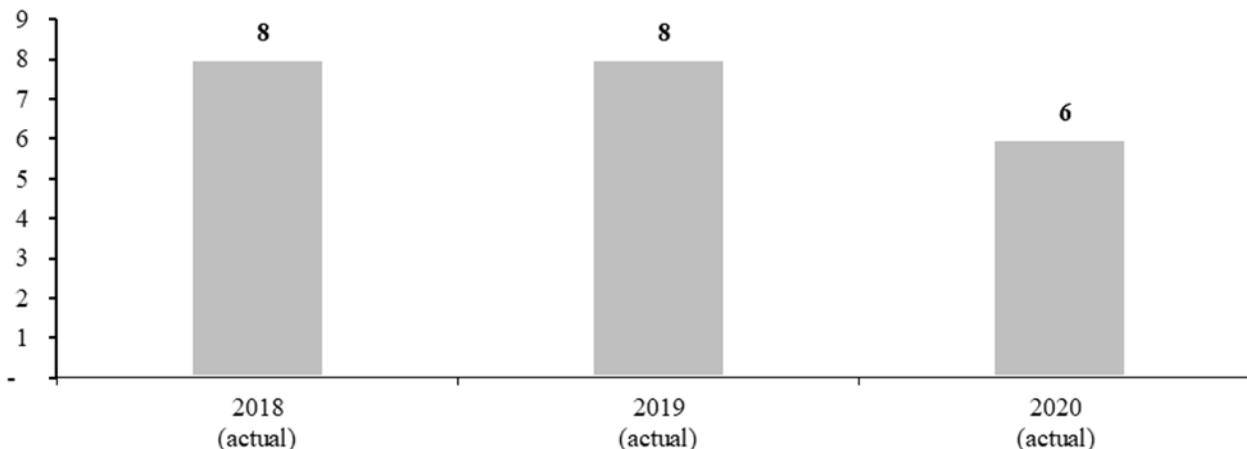
24. Tracking, locating and arresting the remaining fugitives indicted by the International Criminal Tribunal for Rwanda is a key strategic priority for the Office of the Prosecutor and an essential ad hoc residual function of the Mechanism. Accounting for the fugitives is a condition for the completion of the Mechanism's mandate. From 2016 to 2018, the component undertook a comprehensive review and reform of its strategy and methodologies in order to give it the best chance to successfully account for the fugitives. As a result, the revised strategy was applied in 2019 and continues to guide the tracking of fugitives.

25. The component also implemented new investigative tools, increasing its focus on fugitive support networks and its use of advanced telecommunications, financial and other data analysis. Furthermore, the component identified the need to strengthen cooperation with partner Member States and established operational task forces to achieve this goal.

### *Progress towards the attainment of the objective, and performance measure*

26. The above-mentioned work contributed to the objective, as demonstrated by the reduction in the number of fugitives at large from eight to six (see figure I). The component successfully accounted for two of the three major remaining fugitives, with the arrest of Mr. Kabuga on 16 May 2020 and confirmation of the death of Mr. Bizimana on 22 May 2020.

Figure I  
Performance measure: number of fugitives at large



## Planned results for 2022

27. The planned results for 2022 include results 1 and 2, which are updates of results presented in the preceding programme plan and therefore show both the programme performance in 2020 and the proposed programme plan for 2022. Result 3 is a new planned result, also part of the proposed programme plan for 2022.

### Result 1: improving war crimes justice in national courts<sup>1</sup>

#### Programme performance in 2020

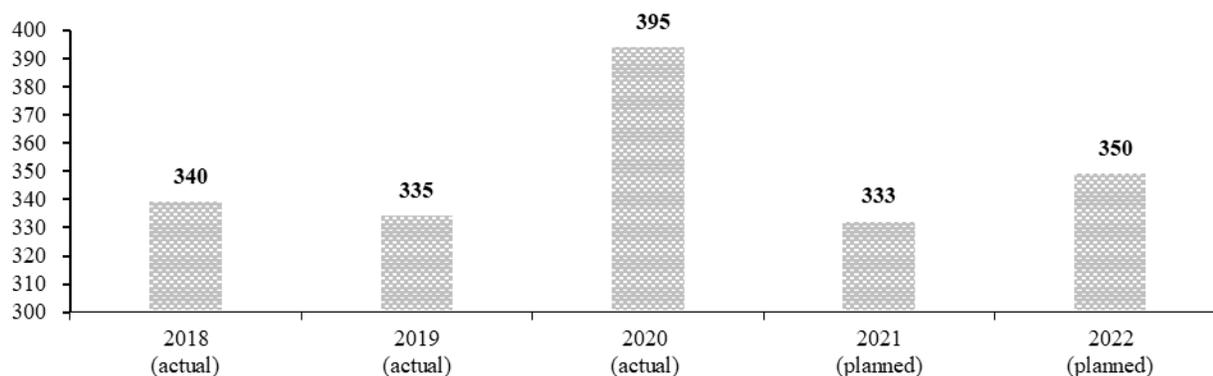
28. The component has continued the work related to the planned result, in line with its mandate, including by responding to requests for assistance, transferring evidence and providing direct assistance in cases being investigated or prosecuted by national authorities.

29. The above-mentioned work contributed to the submission of 395 requests for assistance by national authorities to the Office of the Prosecutor in 2020, which exceeded the planned target of 333 reflected in the proposed budget for 2021.

#### Proposed programme plan for 2022

30. The component will continue the work related to the planned result, in line with its mandate. To contribute to further progress towards the objective, the component will continue to inform national courts of the evidence in the component's collection and the possibility of requesting relevant evidence for use in national investigations and trials. The expected progress is presented in the performance measure below (see figure II).

Figure II  
Performance measure: number of requests for assistance by national authorities to the Office of the Prosecutor



### Result 2: prosecuting an arrested fugitive<sup>2</sup>

#### Programme performance in 2020

31. The component worked expeditiously to complete its investigations in the *Kabuga* case and commenced pretrial preparations in accordance with judicially established deadlines. The component conducted a significant number of interviews between August 2020 and March 2021 while also gathering further documentary

<sup>1</sup> As reflected in the report of the Secretary-General on the proposed budget for the International Residual Mechanism for Criminal Tribunals for 2021 (A/75/383).

<sup>2</sup> As reflected in the report of the Secretary-General on the proposed budget for the International Residual Mechanism for Criminal Tribunals for 2021 (A/75/383).

evidence from a variety of sources. Furthermore, the component undertook a comprehensive review of the operative indictment, clarified and streamlined the charges, specified the allegations more concretely and submitted a revised indictment for judicial review, with the result that the revised indictment was approved by the pretrial judge on 24 February 2021.

32. The above-mentioned work contributed to significant progress towards the commencement of the pretrial proceedings in this case, which commenced with the arrest of Mr. Kabuga in May 2020 and which met the planned target of beginning pretrial proceedings in 2020.

#### **Proposed programme plan for 2022**

33. The component will continue the work related to the planned result, in line with its mandate. To contribute to further progress towards the objective, the component will efficiently and effectively present the prosecution evidence, enabling the prosecution case to be completed in 2022. The expected progress is presented in the performance measure below (see table 2).

Table 2  
**Performance measure**

<i>2018 (actual)</i>	<i>2019 (actual)</i>	<i>2020 (actual)</i>	<i>2021 (planned)</i>	<i>2022 (planned)</i>
8 fugitives remain at large	8 fugitives remain at large	6 fugitives remain at large; 1 fugitive at pretrial	6 fugitives remain at large; 1 fugitive at trial	6 fugitives remain at large; 1 fugitive at trial, prosecution case completed

### **Result 3: improved access to Rwanda-related evidence**

#### **Proposed programme plan for 2022**

34. The Office of the Prosecutor of the former International Criminal Tribunal for Rwanda has collected a significant amount of evidence that is of assistance to national courts prosecuting serious international crimes committed in Rwanda. The component has been providing access to this evidence through requests for assistance, which has supported the investigation and prosecution of war crimes, crimes against humanity and genocide committed in Rwanda, in line with its mandate.

#### *Lessons learned and planned change*

35. The lesson for the component, which emerged during the COVID-19 pandemic, was that improved access to this evidence collection, particularly through direct remote access, would strengthen the support provided by the component to national authorities. In applying the lesson, the component will make a significant portion of the evidence collection available through a web-based portal accessible only by approved national investigators and prosecutors. In order to achieve this, the component will carefully review the security classifications of the evidence, identify suitable evidence and ensure that necessary redactions and other preparatory measures are completed.

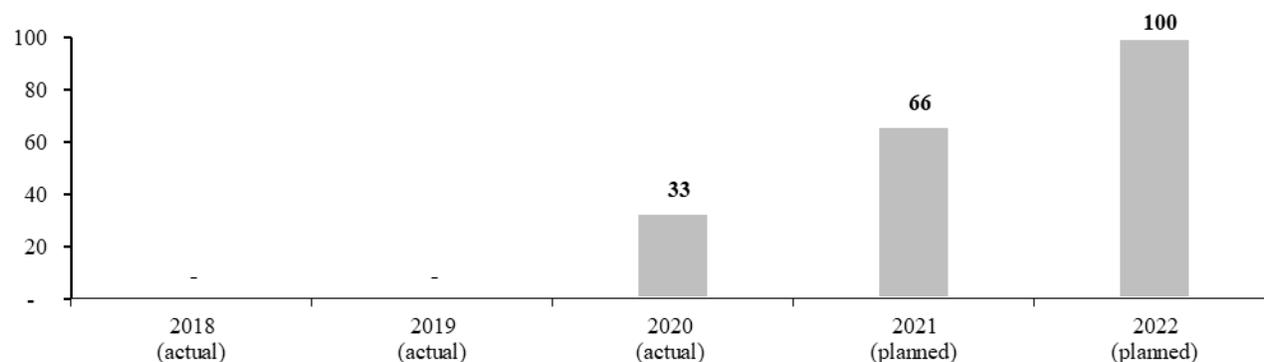
#### *Expected progress towards the attainment of the objective, and performance measure*

36. This work is expected to contribute to the objective, as demonstrated by the readiness over time of all suitable evidence to be accessed through a web-based portal (see figure III).

Figure III

**Performance measure: increased access through a web-based portal to evidence collected by the former International Criminal Tribunal for Rwanda**

(Percentage of total evidence collection)



## Deliverables

37. Table 3 lists all deliverables, by category and subcategory, for the period 2020–2022 that contributed and are expected to contribute to the attainment of the objective stated above.

Table 3

**Office of the Prosecutor: deliverables for the period 2020–2022, by category and subcategory**

<i>Category and subcategory</i>	<i>2020 planned</i>	<i>2020 actual</i>	<i>2021 planned</i>	<i>2022 planned</i>
<b>A. Facilitation of the intergovernmental process and expert bodies</b>				
<b>Parliamentary documentation</b> (number of documents)	2	2	2	2
1. Reports for the Security Council	2	2	2	2
<b>Substantive services for meetings</b> (number of three-hour meetings)	2	2	2	2
2. Meetings of the Security Council	2	2	2	2
<b>B. Generation and transfer of knowledge</b>				
<b>Technical materials</b> (number of materials)	333	395	333	350
3. Evidence and information transferred to national authorities	333	395	333	350
<b>C. Substantive deliverables</b>				
<b>Direct service delivery:</b> trials and appeals; location and arrest of fugitives; protection of witnesses.				
<b>Consultation, advice and advocacy:</b> technical assistance and advice to national authorities investigating and prosecuting serious violations of international humanitarian law committed in Rwanda and the former Yugoslavia.				
<b>Fact-finding, monitoring and investigation missions:</b> fact-finding missions for fugitives; and contempt and review proceedings.				
<b>D. Communication deliverables</b>				
<b>External and media relations:</b> statements, press releases and other media products on the work of the Office of the Prosecutor.				

## Registry

### Objective

38. The objective, to which this component contributes, is to advance the work and efficient functioning of the Mechanism under the leadership of the President.

## Strategy

39. To contribute to the objective, the component will continue to provide: (a) judicial and legal support to the judges, which will enable it to carry out its mandated continuing and ad hoc functions; (b) court support services; (c) the implementation and monitoring of protective measures ordered for witnesses by the International Criminal Tribunal for Rwanda, the International Tribunal for the Former Yugoslavia and the Mechanism; (d) responses to requests for assistance submitted by national judicial actors; (e) supervision of the enforcement of sentences; (f) the management of the United Nations Detention Facility in Arusha and the United Nations Detention Unit in The Hague; and (g) the monitoring of referred cases to national jurisdictions pursuant to article 6 (5) of the statute of the Mechanism.

40. The above-mentioned work is expected to result in:

- (a) Adherence to projected judicial timelines in judicial proceedings;
- (b) Protection of victims and witnesses;
- (c) Timely responses to requests for assistance submitted by national jurisdictions;
- (d) Increased interaction with enforcement States to implement recommendations issued by relevant inspecting bodies and independent experts;
- (e) Monitoring of referred cases and their facilitation to their conclusion by Rwanda and France.

## Programme performance in 2020

41. Programme performance in 2020 includes the below result that emerged during 2020, as well as programme performance presented under results 1 and 2 below.

### **Support for business continuity measures that enabled the progress of judicial proceedings and functions**

42. In 2020, the Mechanism faced challenges arising from the global COVID-19 pandemic, which had an impact on the implementation of its mandated functions, in particular in relation to the support of ad hoc judicial activities at both branches, resulting in a number of unavoidable delays to court proceedings. Despite those challenges, the Mechanism continued to carry out with reduced capacity its judicial functions at both its branches, supported by the implementation of a number of modifications to facilities and information technology innovations, as well as modifications to policies and guidelines, all to ensure safe and effective on-site and remote operations. For example, in the light of travel restrictions and the need for social distancing, the component adapted its court operations by, inter alia, offering the possibility of remote participation in proceedings by lawyers and judges or, in the *Turinabo et al.* contempt case (now *Nzabonimpa et al.*), holding proceedings by written procedure in lieu of holding in-person status conferences. This adaptation required technical, logistical and operational innovation and flexibility from all those involved to ensure the health and safety of staff and those affiliated with the Mechanism's work, while at the same time allowing proceedings to be supported.

43. The component also adopted a series of COVID-19-related policies and guidelines to provide a framework for the Mechanism's operational activities against the backdrop of the global pandemic, including on hygiene measures and social distancing on premises; access to premises following travel and in relation to visitors; remote working arrangements; and quarantine and testing requirements. The policies

and guidelines were made accessible through a portal on the Mechanism's intranet, which also included up-to-date information on national measures, medical evacuations, applicable United Nations and World Health Organization policies and a range of other useful resources. Information technology infrastructure was expanded to enable remote work for the majority of staff, as well as secure remote participation in court proceedings where required. In addition, physical modifications were made to premises to allow for on-site court proceedings and the return to on-site work for part of the staff in adherence with hygiene and social distancing requirements.

*Progress towards the attainment of the objective, and performance measure*

44. The above-mentioned work contributed to the objective, as demonstrated by the holding of the initial appearance of Mr. Kabuga in November 2020, following his arrest in France in May 2020 and transfer into the Mechanism's custody in October 2020. In addition, in order to allow proceedings to continue during the pandemic, a combination of on-site and remote participation of court participants was facilitated during the *Mladić* appeal hearing in The Hague, as well as during the *Turinabo et al.* (now *Nzabonimpa et al.*) contempt trial in Arusha.

45. In addition to the continued provision of legal support to the judges and support to court proceedings, the component was able to continue to support all other mandated functions, albeit after short delays, during 2020. For example, modifications to facilities and hygiene measures allowed for continued support and interaction with victims and witnesses, as well as management of the Mechanism's archives. Improvements to information technology infrastructure allowed for remote or combined remote and on-site execution of a wide range of responsibilities, such as: (a) the monitoring of the enforcement of sentences and referred cases; (b) the processing and distribution of judicial filings; (c) the execution of transactional administrative tasks; and (d) the facilitation of remote testimony of released and acquitted persons (see table 4).

Table 4  
**Performance measure**

2018 (actual)	2019 (actual)	2020 (actual)
–	–	Adoption of COVID-19-related policies and guidelines to allow for the timely resumption of judicial proceedings and protocols; improved information technology infrastructure to support remote court participation

**Planned results for 2022**

46. The planned results for 2022 include results 1 and 2, which are updates of results presented in the preceding proposed programme plans and therefore show both the programme performance in 2020 and the proposed programme plan for 2022. Result 3 is a new planned result.

## **Result 1: smooth judicial process enabled by the provision of support and protection services to witnesses<sup>3</sup>**

### **Programme performance in 2020**

47. The component has evaluated its witness protection capabilities to ensure that witnesses can safely testify without intimidation or interference. The component took various actions to address its witness protection capabilities, including direct dialogue with Member States to strengthen cooperation agreements with them to ensure that witnesses requiring relocation were relocated in a more expeditious manner, and closely monitoring witnesses who may be subject to intimidation or tampering, through targeted interactions or judicial orders.

48. The above-mentioned work contributed to no witnesses refusing to testify for security reasons, thus allowing progression of the judicial proceedings, which exceeded the planned target of a lower number of witnesses refusing to testify for security reasons, thus allowing progression of the judicial proceedings.

### **Proposed programme plan for 2022**

49. The component will continue the work related to the planned result, in line with its mandate. To contribute to further progress towards the objective, the component will, in response to recent developments, broaden its work to meet the challenges of appropriately supporting and protecting witnesses affected by the COVID-19 pandemic in a manner that maintains their confidentiality and privacy, while also managing the risk to staff of the Mechanism who interact with them. The COVID-19 pandemic has led to a need to avoid face-to-face contact unless necessary in order to minimize the unnecessary exposure of witnesses and staff, especially those with underlying medical conditions. In line with its protection and witness support mandate, the component aims to continue to support witnesses despite national and international travel restrictions. Through the use of innovative technologies, the component will endeavour to continue to provide the support function to witnesses. These efforts will enable the component to streamline support to witnesses beyond the pandemic (see table 5).

Table 5  
**Performance measure**

<i>2018 (actual)</i>	<i>2019 (actual)</i>	<i>2020 (actual)</i>	<i>2021 (planned)</i>	<i>2022 (planned)</i>
Witness interference was the basis of contempt proceedings at both branches of the Mechanism	Protection services reviewed to assess whether they should be strengthened rather than reduced	No witnesses refused to testify for security reasons, thus allowing progression of the judicial proceedings	No witnesses refuse to testify for security reasons, thus allowing progression of the judicial process	No witnesses refuse to testify for security reasons, thus allowing progression of the judicial process

## **Result 2: enforcement of sentences<sup>4</sup>**

### **Programme performance in 2020**

50. The component has been providing essential support to the President of the Mechanism for the implementation of the Mechanism's mandate concerning the supervision of the enforcement of sentences of persons convicted by the International Criminal Tribunal for Rwanda, the International Tribunal for the Former Yugoslavia and

<sup>3</sup> As reflected in the report of the Secretary-General on the proposed budget for the International Residual Mechanism for Criminal Tribunals for 2021 ([A/75/383](#)).

<sup>4</sup> As reflected in the report of the Secretary-General on the proposed budget for the International Residual Mechanism for Criminal Tribunals for 2021 ([A/75/383](#)).

the Mechanism. In 2020 and 2021, this has included support to the President of the Mechanism in his oversight of COVID-19-related issues in enforcement States with regard to the convicted persons, who are currently serving long-term imprisonment sentences (from 18 years to life imprisonment) and form an ageing population with associated special needs, including a relatively high risk from COVID-19. In close cooperation with enforcement States, the component has been providing increased legal, diplomatic, administrative and logistical support in relation to the enforcement of sentences.

51. The above-mentioned work contributed to the supervision by the President of the Mechanism of the enforcement of sentences, which met the planned target for 2020 for the component to engage with enforcement States on the implementation of various recommendations by the International Committee of the Red Cross (ICRC) and other inspecting bodies. In particular, the Mechanism cooperated with and supported enforcement States in the implementation of recommendations pertaining to enhancing family communications and access to health care. The Mechanism also coordinated with enforcement States to put in place a system that takes into account the challenging situation resulting from the COVID-19 pandemic, permitting the convicted persons to remain in touch with their family members who were not able to travel owing to travel restrictions. While some enforcement States have accepted the implementation of the recommendation to put in place a format of communication that permits more interaction, other enforcement States expressed the position that their domestic legislation represented a challenge in the implementation of the ICRC recommendations. The component continues to work closely with the enforcement States in order to further improve family communication. With regard to access to health care, the component maintains a system of medical coverage that permits all convicted persons, regardless of their personal financial situation, to have equal access to medical care.

#### **Proposed programme plan for 2022**

52. The component will continue the work related to the planned result, in line with its mandate. To contribute to further progress towards the objective, the component will undertake efforts to transfer the remaining convicted persons in its custody to enforcement States, including any work required to increase the number of available enforcement States to meet that objective. The expected progress is presented in the performance measure below (see table 6).

Table 6  
**Performance measure**

<i>2018 (actual)</i>	<i>2019 (actual)</i>	<i>2020 (actual)</i>	<i>2021 (planned)</i>	<i>2022 (planned)</i>
Transfer of 6 convicted persons to enforcement States; implementation of practical recommendations issued by an independent expert on correctional facilities, human rights and criminal justice to improve the management of an ageing prison population	Transfer of an additional 3 convicted persons to enforcement States; closing out of all outstanding payments owed to medical service providers in enforcement States through streamlining of internal processes by the Arusha branch	Enforcement States, with the cooperation and support of the Mechanism, implement relevant recommendations by ICRC and other inspecting bodies, in particular regarding family communications and access to health care	Transfer of up to 3 convicted persons to enforcement States; implementation of OIOS recommendation regarding the finalization of evacuation arrangements for convicted persons in Mali; increased number of enforcement States on the African continent	Transfer of 2 convicted persons to enforcement States; increased number of enforcement States

### Result 3: provision of judicial records and information

#### Proposed programme plan for 2022

53. Assistance to national jurisdictions (as well as to parties in another jurisdiction authorized by an appropriate judicial authority) through the provision of judicial records is one of the component's key roles. Pursuant to rule 86 of the Rules of Procedure and Evidence of the Mechanism, the component provides legal support to judges in the adjudication of requests seeking variation of protective measures for victims and witnesses, inter alia, with a view to obtaining access to their confidential judicial records (i.e. transcripts of testimony and records that have become a part of the case file in a case as a result of admission into evidence during the trial), in order to assist the domestic prosecution of those allegedly responsible for serious violations of international humanitarian law committed in Rwanda and the former Yugoslavia. Pursuant to article 28 (3) of the statute of the Mechanism, the component also provides certified copies of public judicial records for use in domestic judicial proceedings and information on protective measures for victims and witnesses so that such persons can safely participate in domestic proceedings with the same measures applied. To further enhance this provision of assistance, the component is actively engaged in modernizing its systems and databases, leading to improvement in the accessibility of its high volume of records.

#### *Lessons learned and planned change*

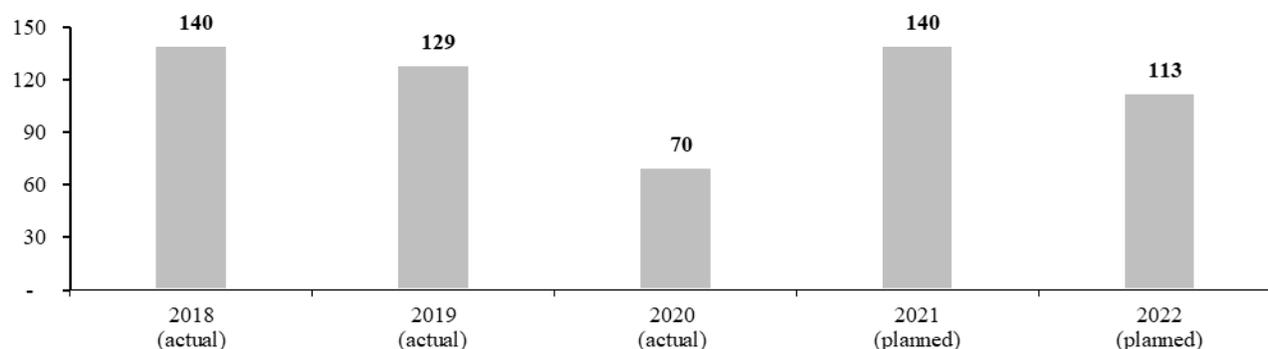
54. The lesson for the component, which emerged during the COVID-19 pandemic, was that there was a requirement to improve remote access facilities to avoid unnecessary delays in processing judicial decisions and granting access to confidential judicial records and requests for certification of public records. In applying the lesson, the component has enhanced its technical capabilities, allowing key staff members to acquire the relevant technological set-ups to enable the secure and efficient processing of requests for judicial records and information remotely.

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

55. This work is expected to contribute to the objective, as demonstrated by the number of requests for which judicial records are made available (see figure IV).

Figure IV

**Performance measure: number of requests for which judicial records are made available**



#### Deliverables

56. Table 7 lists all deliverables, by category and subcategory, for the period 2020–2022 that contributed and are expected to contribute to the attainment of the objective stated above.

Table 7  
**Registry: deliverables for the period 2020–2022, by category and subcategory**

<i>Category and subcategory</i>	<i>2020 planned</i>	<i>2020 actual</i>	<i>2021 planned</i>	<i>2022 planned</i>
<b>A. Facilitation of the intergovernmental process and expert bodies</b>				
<b>Parliamentary documentation</b> (number of documents)	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>
1. Periodic reports for the Security Council	1	1	1	1
2. Progress reports for the Security Council	2	2	2	2
<b>Substantive services for meetings</b> (number of three-hour meetings)	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>
3. Meetings of the Security Council	3	3	3	3
<b>B. Generation and transfer of knowledge</b>				
<b>Technical materials</b> (number of materials)	<b>140</b>	<b>70</b>	<b>140</b>	<b>113</b>
4. Evidence and information to national authorities	140	70	140	113
<b>C. Substantive deliverables</b>				
<b>Fact-finding, monitoring and investigation missions:</b> administration of regime for monitoring of referred cases to national jurisdictions.				
<b>Direct service delivery:</b> judgments, legal decisions and orders from the Chambers and the President; court support services to facilitate the ongoing judicial activity of the Mechanism, including interpretation and translation services, courtroom management and filings systems; legal assistance to indigent accused, detainees and suspects, including through assignment of defence counsel and administration of the legal aid system; management of detention facilities in Arusha and The Hague during ongoing proceedings and pending transfers of convicts to enforcement States upon designation; support and protection services to witnesses in completed cases of the Tribunals and ongoing cases of the Mechanism, including witness movement and support for court hearings, administrative services for the relocation of witnesses, threat assessments, responses to queries from witnesses and transmission of information to and from witnesses and reporting of results in connection with applicable judicial procedures; administration of the enforcement of sentences, including negotiation and implementation of international agreements, designation of enforcement States for convicts, transfer of convicted persons to enforcement States, liaison with and technical advice to enforcement States and requests for early release, pardon or commutation of sentence; support for and relocation of persons acquitted and released by the International Criminal Tribunal for Rwanda, including through liaison with Member States, and direct support to released and acquitted persons in Arusha.				

## Records management and archives

### Objective

57. The objective, to which this component contributes, is to ensure the preservation of and access to the physical and digital archives of the International Criminal Tribunal for Rwanda, the International Tribunal for the Former Yugoslavia and the International Residual Mechanism for Criminal Tribunals, while ensuring the continued protection of confidential information.

### Strategy

58. To contribute to the objective, the component will:

(a) Continue to manage physical repositories in both branches and pursue active physical preservation programmes. In The Hague, the component will continue to rehouse archives in packaging suitable for long-term storage. At the Arusha branch, the component will continue to assess the overall condition of the archives and determine what, if any, additional preservation actions are necessary;

(b) Continue to manage a digital repository and pursue active digital preservation programmes. At both branches, the component will continue to transfer

digital records from the Mechanism's Electronic Document and Records Management System, email system, judicial records databases and legacy websites to the digital repository, while also monitoring internal and external technology changes, performing preservation risk assessments and enacting approved preservation plans to mitigate identified risks;

(c) Continue to arrange and describe the archives of the Tribunals and make these descriptions available online in the publicly accessible catalogue. It will also continue to produce research guides and other finding aids designed to make the archives easy to find and use. Furthermore, the component will continue to produce publicly accessible versions of audiovisual recordings of the court proceedings of the Tribunals and the Mechanism.

59. The above-mentioned work is expected to result in:

(a) The best possible conditions for the long-term storage of physical records, pending completion of remedial works in the Arusha repositories and refurbishment of the Mechanism's premises in The Hague, which will ensure the continued availability and usability of the physical archives;

(b) The Mechanism's digital repository meeting the standard for certification as a "trustworthy digital repository", providing increased assurance that the digital archives will be available and usable in the future;

(c) Increased awareness of and interest in the archives of the Tribunals and, specifically, increased access by a wider range of users.

## **Programme performance in 2020**

60. Programme performance in 2020 includes the result below that emerged during 2020, as well as programme performance presented under results 1 and 2 below.

### **Ensured business continuity of records management and digital archives**

61. The challenges arising from the global COVID-19 pandemic had an impact on the implementation of the Mechanism's mandated records management and archiving functions. Despite those challenges, the Mechanism continued its work to manage records and archives at both branches by modifying working methods, processes and schedules to enable safe, efficient and effective on-site and remote operations. It achieved this by introducing a rotational schedule, which allowed staff to continue essential on-site activities while adhering to hygiene and social distancing requirements. Also, by making use of enhanced information technology infrastructure for secure remote working, the component continued to preserve and provide access to both the physical and digital archives with minimal interruption.

#### *Progress towards the attainment of the objective, and performance measure*

62. The above-mentioned work contributed to the objective, as demonstrated by the availability of an additional 246 hours of audio recordings and 461 hours of audiovisual recordings of the International Tribunal for the Former Yugoslavia for public consumption, such as use by documentary film-makers, and the preservation of evidence (see table 8).

Table 8  
Performance measure

2018 (actual)	2019 (actual)	2020 (actual)
–	–	Availability of an additional 246 hours of audio recordings and 461 hours of audiovisual recordings of the International Tribunal for the Former Yugoslavia for public consumption and preservation of evidence

### Planned results for 2022

63. The planned results for 2022 include results 1 and 2, which are updates of results presented in the preceding proposed programme plans and therefore show both the programme performance in 2020 and the proposed programme plan for 2022. Result 3 is a new planned result.

#### Result 1: access for all<sup>5</sup>

##### Programme performance in 2020

64. The component completed the implementation of the archive collections management system, which contains the descriptions of the archives of the Tribunals and the Mechanism. The system is currently available to staff internally, and the component is working on providing access to the public and enhancing the catalogue by adding entries for records already in the digital preservation system.

65. The above-mentioned work contributed to positive feedback from users on the catalogue and increased usage of materials, including the audiovisual recordings of courtroom hearings, which met the planned target. However, feedback from external users will only be received when the catalogue is made available to the public.

##### Proposed programme plan for 2022

66. The component will continue the work related to the planned result, in line with its mandate. To contribute to further progress towards the objective, the component will extend the scope of the entries in the catalogue to cover all archives currently held by the Mechanism and will enhance descriptions to include more detail about the contents of each record series. This will make it quicker and easier for users to identify materials of specific interest to them and to find out whether they are publicly accessible. The expected progress is presented in the performance measure below (see table 9).

<sup>5</sup> As reflected in the report of the Secretary-General on the proposed budget for the International Residual Mechanism for Criminal Tribunals for 2021 (A/75/383).

Table 9  
Performance measure

<i>2018 (actual)</i>	<i>2019 (actual)</i>	<i>2020 (actual)</i>	<i>2021 (planned)</i>	<i>2022 (planned)</i>
Online access to judicial records of the Tribunals and the Mechanism in text format	Enhanced online access to judicial records, including selected audiovisual recordings of courtroom hearings	Positive feedback from users and increased usage of materials, including audiovisual recordings of courtroom hearings	Increased usage of the catalogue and positive feedback from users. Increased usage of materials, including audiovisual recordings of courtroom hearings	Increased scope of entries in the catalogue to cover all archives currently held by the Mechanism. Increased usage of the catalogue and positive feedback from users. Increased usage of materials, including audiovisual recordings of courtroom hearings

## **Result 2: enhanced public access to archives<sup>6</sup>**

### **Programme performance in 2020**

67. The component integrated the public judicial records of the International Tribunals and the Mechanism into a single online database and enhanced the search functions, allowing users to better tailor their research and providing a single point of access through an improved search interface. The component also developed and launched a user guide to provide assistance for searching the database. Furthermore, the component increased the quantity of audiovisual recordings of the judicial proceedings of the International Criminal Tribunal for Rwanda that are accessible to the public.

68. The above-mentioned work contributed to the launch of the online unified court records database and the creation of 3,000 hours of publicly accessible audiovisual recordings of courtroom hearings, which met the planned target of online access to more of the Tribunals' judicial records and to a catalogue providing information about all of the Tribunals' archives. There was also positive feedback from early users of the catalogue, more enquiries about the archives and increased usage of materials. The system is currently available to staff internally and the component is working on providing access to the wider public.

### **Proposed programme plan for 2022**

69. The component will continue the work related to the planned result, in line with its mandate. To contribute to further progress towards the objective, the component will generate publicly accessible versions of the audiovisual recordings of the judicial proceedings for integration into the unified court records database. The expected progress is presented in the performance measure below (see table 10).

<sup>6</sup> As reflected in the report of the Secretary-General on the proposed budget for the International Residual Mechanism for Criminal Tribunals for 2021 ([A/75/383](#)).

Table 10  
Performance measure

<i>2018 (actual)</i>	<i>2019 (actual)</i>	<i>2020 (actual)</i>	<i>2021 (planned)</i>	<i>2022 (planned)</i>
Online access to the Tribunals' judicial records (text documents)	Improved online access to more of the Tribunals' judicial records (text documents and selected audiovisual recordings of courtroom hearings)	Launch of the online unified court records database. Creation of 3,000 hours of publicly accessible audiovisual recordings of courtroom hearings	Increased use of the catalogue and positive feedback from users of the catalogue. More enquiries about the archives and increased usage of materials. Online access to more of the Tribunals' judicial records	Increased use of the catalogue and positive feedback from users of the catalogue. More enquiries about the archives and increased usage of materials. Increased quantity of audiovisual recordings of courtroom hearings available online

### Result 3: preserved complex formats

#### Proposed programme plan for 2022

70. The digital archives of the International Criminal Tribunal for Rwanda, the International Tribunal for the Former Yugoslavia and the Mechanism are a unique and irreplaceable source of information about the work and accomplishments of these ground-breaking institutions, which are of interest to lawyers, academic researchers and the general public, as well as those directly involved in or affected by the activities of the Tribunals. Digital materials are inherently fragile and susceptible to loss or damage owing to file corruption, media degradation and technological obsolescence. Complex formats consist of multiple connected parts; for example, a website is a connected aggregation of Hypertext Markup Language (HTML) pages, executables and documents. The component implemented a digital preservation programme by acquiring and implementing a purpose-built digital preservation system. The component initiated the process of transferring the digital archives into the system in 2018, and has transferred more than 200 terabytes of digital files. Within the digital preservation system, the condition of the files is actively monitored and preservation actions, such as repair of corrupted files and migration to newer technologies, are taken as required to ensure their survival.

#### *Lessons learned and planned change*

71. The lesson for the component, which emerged as the transfer of files progressed, was the complexity of preparing large volumes of digital archives in a variety of complex formats for transfer into the digital preservation system. The volume of the digital archives is approximately 3 petabytes, comprising a wide variety of standard text, image and audiovisual formats, as well as more complex email, website and database formats. To date, transfer to the digital preservation system has been focused on the less complex formats, and it has become apparent that more sophisticated preparatory work, including appraisal, metadata capture and packaging, is required for the more complex formats before they can be transferred. In applying the lesson, the component will expand the focus of the digital preservation programme by initiating the necessary preparatory work for digitally archiving complex formats, starting with email and websites.

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

72. This work is expected to contribute to the objective, as demonstrated by the protection of all digital archives, regardless of their format, against degradation and loss, thus ensuring their continued availability and usability while preserving their integrity and authenticity, as evidenced by the increased volume of records transferred into the digital preservation system and no loss of files (see table 11).

Table 11  
**Performance measure**

<i>2018 (actual)</i>	<i>2019 (actual)</i>	<i>2020 (actual)</i>	<i>2021 (planned)</i>	<i>2022 (planned)</i>
4 terabytes available in the digital preservation system	100 terabytes available in the digital preservation system	Increased volume of content in the digital preservation system for which continued availability and usability for end users is ensured (120 terabytes transferred into the system)	Increased volume and range of content in the digital preservation system for which continued availability and usability for end users is ensured (an additional 100 terabytes, including websites, transferred into the system)	Increased volume and range of content in the digital preservation system for which continued availability and usability for end users is ensured (an additional 100 terabytes, including websites and email, transferred into the system)

## Deliverables

73. Table 12 lists all deliverables, by category and subcategory, for the period 2020–2022 that contributed and are expected to contribute to the attainment of the objective stated above.

Table 12  
**Records management and archives: deliverables for the period 2020–2022, by category and subcategory**

*Category and subcategory*

### C. Substantive deliverables

**Consultation, advice and advocacy:** sharing of technical expertise in archives management with other international organizations, particularly courts and tribunals.

**Databases and substantive digital materials:** digital platforms to provide public access to archives, including a publicly accessible catalogue; other digital finding aids on specific topics or specific types of materials; increased online accessibility of public judicial records, including audiovisual recordings.

**Direct service delivery:** physical archives in secure repositories that meet international standards for long-term storage; digital archives in a secure digital repository, managed in accordance with international standards; secure access to archives through digital platforms and in on-site research facilities; handling of requests for access to records and archives.

### D. Communication deliverables

**Outreach programmes, special events and information materials:** public information materials about the archives on the Mechanism's website and social media platforms, in addition to physical distribution (e.g. through information centres); physical and online exhibitions of archives.

## B. Proposed post and non-post resource requirements for 2022

### Overview

74. The proposed budget for 2022, including the breakdown of resource changes, as applicable, is reflected in tables 13 to 16 and figure V.

Table 13

#### Overall: evolution of financial resources by object of expenditure

(Thousands of United States dollars)

	2020 expenditure	2021 appropriation	Changes				2022 estimate (before recosting)	2022 estimate (after recosting)		
			Technical adjustments	New/ expanded mandates	Other	Total Percentage				
Posts	20 118.6	24 214.8	34.4	–	(342.5)	(308.1)	(1.3)	23 906.7	432.5	24 339.2
Other staff costs	38 135.2	38 895.9	(79.9)	–	(2 085.1)	(2 165.0)	(5.6)	36 730.9	708.0	37 438.9
Non-staff compensation	4 545.0	4 551.9	–	–	143.9	143.9	3.2	4 695.8	–	4 695.8
Hospitality	0.6	10.6	–	–	–	–	–	10.6	0.2	10.8
Experts	0.7	214.5	–	–	(111.9)	(111.9)	(52.2)	102.6	1.9	104.5
Consultants	26.9	10.1	(10.1)	–	–	(10.1)	(100.0)	–	–	–
Travel of representatives	48.0	231.5	–	–	–	–	–	231.5	4.6	236.1
Travel of staff	577.3	1 128.0	(18.9)	–	(119.0)	(137.9)	(12.2)	990.1	19.9	1 010.0
Contractual services	8 582.6	7 996.9	(0.8)	–	(69.2)	(70.0)	(0.9)	7 926.9	147.2	8 074.1
General operating expenses	6 740.4	8 260.8	(128.6)	–	462.8	334.2	4.0	8 595.0	159.3	8 754.3
Supplies and materials	418.1	691.5	–	–	(74.1)	(74.1)	(10.7)	617.4	11.4	628.8
Furniture and equipment	4 583.9	1 185.0	–	–	(309.4)	(309.4)	(26.1)	875.6	16.4	892.0
Improvement of premises	316.8	122.3	–	–	(2.2)	(2.2)	(1.8)	120.1	2.3	122.4
Grants and contributions	445.7	918.0	–	–	(202.5)	(202.5)	(22.1)	715.5	13.6	729.1
Staff assessment	8 874.6	9 088.1	(3.7)	–	(632.8)	(636.5)	(7.0)	8 451.6	120.2	8 571.8
<b>Total</b>	<b>93 414.2</b>	<b>97 519.9</b>	<b>(207.6)</b>	<b>–</b>	<b>(3 342.0)</b>	<b>(3 549.6)</b>	<b>(3.6)</b>	<b>93 970.3</b>	<b>1 637.5</b>	<b>95 607.8</b>

Table 14

#### Overall: proposed posts and post changes for 2022<sup>a</sup>

	Number	Level
Approved for 2021	187	1 USG, 1 ASG, 1 D-1, 6 P-5, 23 P-4, 29 P-3, 13 P-2/1, 26 GS (OL), 38 SS, 14 LL, 35 FS
Reclassification	–	2 P-4 to 2 P-3 under Registry
Reassignment	–	1 Administrative Officer (P-4) as Chief of Unit, Procurement (P-4), 1 Programme Management Officer (P-3) as Legal Officer (P-3) and 1 Associate Witness Protection and Support Officer (P-2) as Associate Legal Officer (P-2) under Registry
Proposed for 2022	187	1 USG, 1 ASG, 1 D-1, 6 P-5, 21 P-4, 31 P-3, 13 P-2/1, 26 GS (OL), 38 SS, 14 LL, 35 FS

<sup>a</sup> 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; FS, Field Service; GS (OL), General Service (Other level); LL, Local level; SS, Security Service; USG, Under-Secretary-General.

Table 15  
Evolution of financial and post resources by category

(Thousands of United States dollars/number of posts)

	2020 expenditure	2021 appropriation	Changes				2022 estimate (before recosting)	
			Technical adjustments	New/expanded mandates	Other	Total		Percentage
<b>Financial resources by main category of expenditure</b>								
Post	20 118.6	24 214.8	34.4	–	(342.5)	(308.1)	(1.3)	23 906.7
Non-post	73 295.6	73 305.1	(242.0)	–	(2 999.5)	(3 241.5)	(4.4)	70 063.6
<b>Total</b>	<b>93 414.2</b>	<b>97 519.9</b>	<b>(207.6)</b>	<b>–</b>	<b>(3 342.0)</b>	<b>(3 549.6)</b>	<b>(3.6)</b>	<b>93 970.3</b>
<b>Post resources by category</b>								
Professional and higher	74	74	–	–	–	–	–	74
General Service and related	113	113	–	–	–	–	–	113
<b>Total</b>	<b>187</b>	<b>187</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>187</b>

Figure V  
Distribution of proposed resources for 2022 (before recosting)

(Number of posts/thousands of United States dollars)

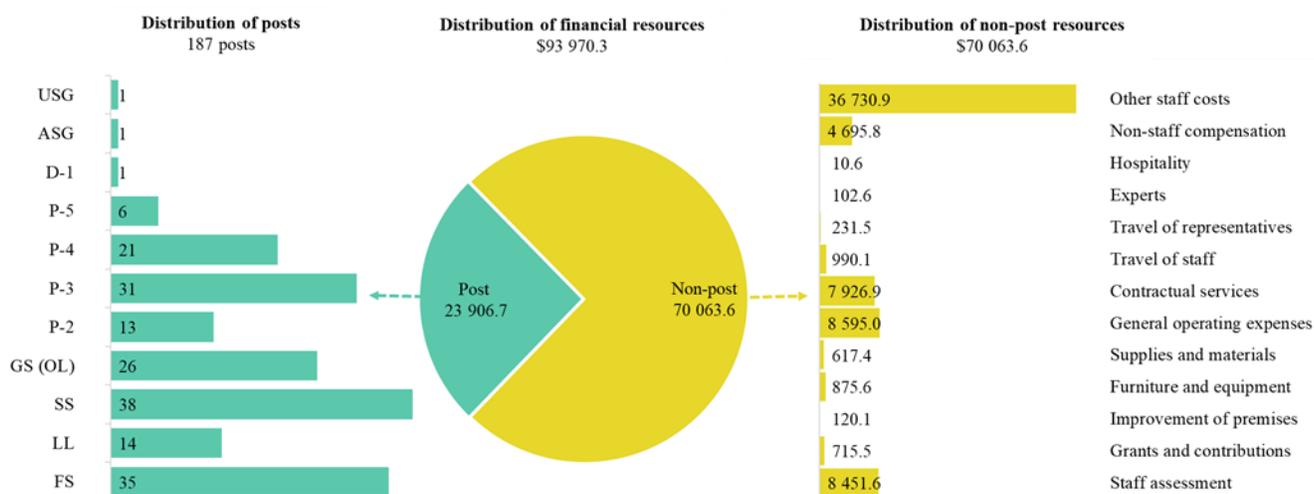


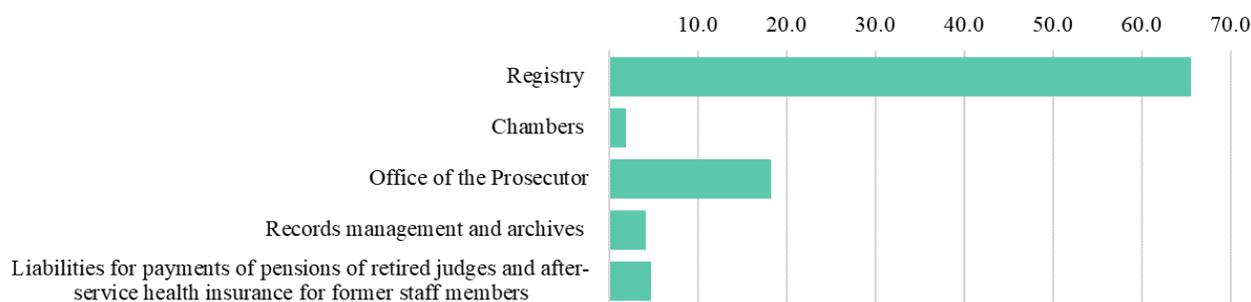
Table 16  
Evolution of temporary post resources by category

Category	2021 approved	Changes			2022 proposed
		Technical adjustments	Other	Total	
<b>Professional and higher</b>					
<b>Arusha branch</b>					
USG	1	–	–	–	1
ASG	1	–	–	–	1
D-1	1	–	–	–	1

Category	2021 approved	Changes			2022 proposed
		Technical adjustments	Other	Total	
P-5	2	–	–	–	2
P-4	15	–	(1)	(1)	14
P-3	15	–	1	1	16
P-2/1	6	–	–	–	6
<b>Subtotal</b>	<b>41</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>41</b>
<b>The Hague branch</b>					
P-5	4	–	–	–	4
P-4	7	–	(1)	(1)	6
P-3	13	–	1	1	14
P-2/1	7	–	–	–	7
<b>Subtotal</b>	<b>31</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>31</b>
<b>OIOS</b>					
P-4	1	–	–	–	1
<b>Subtotal</b>	<b>1</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>1</b>
<b>Mechanism support, New York</b>					
P-3	1	–	–	–	1
<b>Subtotal</b>	<b>1</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>1</b>
<b>Total, Professional and higher</b>	<b>74</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>74</b>
<b>General Service and related</b>					
<b>Arusha branch</b>					
SS	38	–	–	–	38
LL	14	–	–	–	14
FS	35	–	–	–	35
<b>Subtotal</b>	<b>87</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>87</b>
<b>The Hague branch</b>					
GS (OL)	26	–	–	–	26
<b>Subtotal</b>	<b>26</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>26</b>
<b>Total, General Service and related</b>	<b>113</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>113</b>
<b>Total</b>	<b>187</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>187</b>

Figure VI  
**Distribution of proposed resources for 2022 by component**

(Millions of United States dollars)



75. The overall resources proposed for 2022 amount to \$93,970,300 before recosting, reflecting a net decrease of \$3,549,600 (or 3.6 per cent) compared with the appropriation for 2021. Resource changes result from two factors, namely: (a) technical adjustments relating to the removal of non-recurrent requirements and the annual provision for one reassigned post of Archives Assistant (General Service (Other level)) as approved in General Assembly resolution [75/249](#); and (b) other resource changes. The proposed level of resources provides for the full, efficient and effective implementation of mandates.

76. As reflected in tables 18 (2) and 19 (2) below, the Mechanism receives extrabudgetary contributions, which complement assessed resources and continue to be vital for the delivery of its mandates. In 2022, projected extrabudgetary resources of \$1,248,000, including nine posts, will support the capacity within the Office of the Prosecutor to reduce the backlog of war crimes cases at the national level and to increase public awareness and understanding of those crimes. The resources would provide for a joint project of the Registry and the Office of the Prosecutor to support the processes of transitional justice and strengthen the rule of law in the countries of the former Yugoslavia. The resources would also be used to build the capacity of educators in high schools and universities in the countries of the former Yugoslavia to utilize judicially established facts in teaching about the events of the conflicts of the 1990s and improving the knowledge and understanding of law students across the region about crimes committed during those conflicts. The decrease of \$88,700 compared to the estimates for 2021 is due to the anticipated completion of activities funded through extrabudgetary contributions. Extrabudgetary resources represent 1.3 per cent of the total resources for the Mechanism.

77. In accordance with the 2030 Agenda for Sustainable Development, in particular target 12.6 of the Sustainable Development Goals, in which organizations are encouraged to integrate sustainability information into their reporting cycles, and in compliance with the cross-cutting mandate set out in paragraph 19 of General Assembly resolution [72/219](#), in 2021 the Mechanism's branch in The Hague replaced fluorescent lighting with light-emitting diode (LED) lighting throughout the building. These replacements will allow for significant energy savings, as LED lights consume five times less energy, produce less heat and require replacement less frequently. Coinciding with this measure, the Mechanism installed motion sensors in bathroom facilities to further reduce energy consumption. At the Arusha branch, in 2021 the Mechanism completed the construction of a car hygiene facility that improves the capacity to trap, collect and dispose of oil and other substance spills resulting from the Mechanism's transportation operations. Also, the installation of an irrigation system was completed in 2021, which will ensure optimal use and rationing of water and significantly reduce

water wastage and run-off. In 2022, the Mechanism will work towards sustaining these environmental gains and, at its Arusha branch, establish a contract for the safe destruction and disposal of written-off equipment, including hazardous waste.

78. Pursuant to the request contained in paragraph 4 of General Assembly resolution 75/249 that the Secretary-General undertake a comprehensive review of post and non-post resources, including requirements for general temporary assistance positions, across the Mechanism, the Mechanism has conducted a review of its requirements under general temporary assistance, taking into account the conclusion of significant trial activities at both branches of the Mechanism. The budget proposal for 2022 reflects the outcome of the review and includes a net reduction of \$3.5 million (3.6 per cent) before recosting compared to the 2021 appropriation, inclusive of a reduction of \$2.2 million (5.6 per cent) under general temporary assistance. Details of the review, including information on the nationalization of posts, are provided in annex II in response to a related recommendation of the Advisory Committee on Administrative and Budgetary Questions.

79. Information on compliance with regard to the timely submission of documentation and advance booking for air travel is reflected in table 17. With regard to the advance booking for air travel, the performance in 2020 was affected by the COVID-19 pandemic. Nevertheless, the Mechanism will continue to address the need to improve its travel compliance rate by issuing various broadcast messages and directly engaging with travellers to improve adherence.

Table 17  
**Compliance rate**

(Percentage)

	Planned 2020	Actual 2020	Planned 2021	Planned 2022
Timely submission of documentation	100	100	100	100
Air tickets purchased at least 2 weeks before the commencement of travel	100	27	100	100

Table 18  
**Evolution of financial resources by component**

(Thousands of United States dollars)

(1) *Assessed budget*

	2020 expenditure	2021 appropriation	Changes					2022 estimate (before recosting)	Recosting	2022 estimate (after recosting)
			Technical adjustments	New/ expanded mandates	Other	Total	Percentage			
A. Chambers	1 576.8	1 769.2	–	–	28.1	28.1	1.6	1 797.3	4.6	1 801.9
1. Arusha branch	171.5	643.2	–	–	269.1	269.1	41.8	912.3	0.9	913.2
2. The Hague branch	1 405.3	1 126.0	–	–	(241.0)	(241.0)	(21.4)	885.0	3.7	888.7
B. Office of the Prosecutor	14 886.3	19 025.7	–	–	(857.1)	(857.1)	(4.5)	18 168.6	325.9	18 494.5
1. Arusha branch	6 138.7	10 309.5	–	–	(391.8)	(391.8)	(3.8)	9 917.7	198.8	10 116.5
2. The Hague branch	8 747.6	8 716.2	–	–	(465.3)	(465.3)	(5.3)	8 250.9	127.1	8 378.0
C. Registry	67 242.9	67 019.6	(250.2)	–	(1 402.1)	(1 652.3)	(2.5)	65 367.3	1 198.3	66 565.6
1. Arusha branch	24 091.1	30 451.1	–	–	(301.7)	(301.7)	(1.0)	30 149.4	629.4	30 778.8
2. The Hague branch	42 693.0	35 991.6	(120.4)	–	(1 102.0)	(1 222.4)	(3.4)	34 769.2	566.1	35 335.3
3. OIOS	247.9	379.8	(129.8)	–	–	(129.8)	(34.2)	250.0	0.3	250.3

	2020 expenditure	2021 appropriation	Changes				2022 estimate (before recosting)	Recosting	2022 estimate (after recosting)	
			Technical adjustments	New/ expanded mandates	Other	Total				Percentage
4. Mechanism support, New York	210.9	197.1	–	–	1.6	1.6	0.8	198.7	2.5	201.2
D. Records management and archives	5 281.4	5 412.6	42.6	–	(1 459.6)	(1 417.0)	(26.2)	3 995.6	54.4	4 050.0
1. Arusha branch	3 208.7	3 186.1	–	–	(1 062.4)	(1 062.4)	(33.3)	2 123.7	44.1	2 167.8
2. The Hague branch	2 072.7	2 226.5	42.6	–	(397.2)	(354.6)	(15.9)	1 871.9	10.3	1 882.2
E. Liabilities for payment of pensions of retired judges and after-service health insurance for former staff members	4 426.8	4 292.8	–	–	348.7	348.7	8.1	4 641.5	54.3	4 695.8
<b>Subtotal, 1</b>	<b>93 414.2</b>	<b>97 519.9</b>	<b>(207.6)</b>	<b>–</b>	<b>(3 342.0)</b>	<b>(3 549.6)</b>	<b>(3.6)</b>	<b>93 970.3</b>	<b>1 637.5</b>	<b>95 607.8</b>

(2) *Extrabudgetary*

	2020 expenditure	2021 estimate	Change	Percentage	2022 estimate
B. Office of the Prosecutor					
The Hague branch	49.5	–	–	–	–
C. Registry					
The Hague branch	1 247.9	1 336.7	(88.7)	(6.6)	1 248.0
<b>Subtotal, 2</b>	<b>1 297.4</b>	<b>1 336.7</b>	<b>(88.7)</b>	<b>(6.6)</b>	<b>1 248.0</b>
<b>Total</b>	<b>94 711.6</b>	<b>98 856.6</b>	<b>(2 000.8)</b>	<b>(2.0)</b>	<b>96 855.8</b>

Table 19  
Evolution of post resources by component

(1) *Assessed budget*

	2021 approved	Changes				2022 proposed
		Technical adjustments	New/expanded mandates	Other	Total	
A. Chambers						
1. Arusha branch	–	–	–	–	–	–
2. The Hague branch	–	–	–	–	–	–
B. Office of the Prosecutor						
1. Arusha branch	18	–	–	–	–	18
2. The Hague branch	10	–	–	–	–	10
C. Registry						
1. Arusha branch	99	–	–	–	–	99
2. The Hague branch	36	–	–	–	–	36
3. OIOS	1	–	–	–	–	1
4. Mechanism support, New York	1	–	–	–	–	1

	Changes					2022 proposed
	2021 approved	Technical adjustments	New/expanded mandates	Other	Total	
D. Records management and archives						
1. Arusha branch	11	–	–	–	–	11
2. The Hague branch	11	–	–	–	–	11
<b>Subtotal, 1</b>	<b>187</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>187</b>
 (2) <i>Extrabudgetary</i>						
	2021 estimate	Change			2022 estimate	
C. Registry						
The Hague branch	9			–	9	
<b>Subtotal, 2</b>	<b>9</b>			<b>–</b>	<b>9</b>	
<b>Total</b>	<b>196</b>			<b>–</b>	<b>196</b>	

## Variance analysis by change factor and component

### Overall resource changes

#### Technical adjustments

80. As reflected in tables 18 (1) and 19 (1), resource changes reflect a net decrease of \$207,600, as follows:

(a) **Registry.** A decrease of \$250,200 under other staff costs (\$79,900), consultants (\$10,100), travel of staff (\$18,900), contractual services (\$800), general operating expenses (\$128,600) and staff assessment (\$11,900) reflects the removal of non-recurrent provisions for: (i) evaluation activities undertaken by OIOS in 2021; and (ii) the one-time payment of rent to be settled in 2021 in line with the lease agreement for the branch in The Hague;

(b) **Records management and archives.** An increase of \$42,600 under posts (\$34,400) and staff assessment (\$8,200) relating to the annual provision for one reassigned post of Archives Assistant (General Service (Other level)), as approved in General Assembly resolution [75/249](#).

#### Other changes

81. As reflected in tables 18 (1) and 19 (1), resource changes reflect a net decrease of \$3,342,000, as follows:

(a) **Chambers.** A net increase of \$28,100 mainly reflects higher requirements for non-staff compensation (honorariums to judges) owing to the anticipated *Kabuga* trial in Arusha, partially offset by lower resource requirements in The Hague resulting from the completion of the *Mladić* appeal and the move of the *Stanišić and Simatović* and the *Nzabonimpa et al.* cases from the trial phase to the appeal phase, which is less resource-intensive;

(b) **Office of the Prosecutor.** A net decrease of \$857,100 reflects lower requirements for: (i) general temporary assistance (\$629,600); (ii) experts (\$39,800);

(iii) travel of staff (\$40,200); and (iv) staff assessment (\$183,100), owing to the conclusion of key courtroom cases, namely the *Mladić* appeal and the *Stanišić and Simatović* retrial at the branch in The Hague and the *Nzabonimpa et al.* trial at the Arusha branch. The decrease is partially offset by increased requirements for contractual services (\$35,600) to address the remaining workload of the Office's redaction project;

(c) **Registry.** A net decrease of \$1,402,100 relates to: (i) lower requirements under posts of \$342,500, owing to the proposed downward reclassification of two posts of External Relations Officer from the P-4 to the P-3 level and the reassignment of three posts (1 Administrative Officer (P-4) as Chief of Unit, Procurement (P-4), 1 Programme Management Officer (P-3) as Legal Officer (P-3) and 1 Associate Witness Protection and Support Officer (P-2) as Associate Legal Officer (P-2)), as detailed in annex III; and (ii) reduced requirements of \$1,596,900 under other staff costs (\$387,700), experts (\$72,100), travel of staff (\$77,300), contractual services (\$240,200), supplies and materials (\$22,200), furniture and equipment (\$307,300), improvement of premises (\$2,200), grants and contributions (\$202,500) and staff assessment (\$285,400), owing mainly to the conclusion of key courtroom cases, namely, the *Mladić* appeal and the *Stanišić and Simatović* retrial at the branch in The Hague and the *Nzabonimpa et al.* trial at the Arusha branch, while fully addressing the *Kabuga* case requirements for the anticipated trial in Arusha. The decrease also takes into account efforts to build back better through the use of virtual platforms for the conduct of meetings or training to the extent possible or feasible. The decrease is partially offset by an increase of \$537,300 under general operating expenses, which reflects requirements related to the rental of premises and maintenance of information technology equipment that are non-discretionary, taking into account the reduced level of resources for general operating expenses approved by the General Assembly in its resolution [75/249](#);

(d) **Records management and archives.** A net decrease of \$1,459,600 relates to lower requirements for other staff costs (\$1,277,700), travel of staff (\$1,500), general operating expenses (\$74,500), supplies and materials (\$51,900), furniture and equipment (\$2,100) and staff assessment (\$164,300), partially offset by an increase under contractual services (\$112,400). The net decrease at both branches mainly relates to the conclusion of key courtroom cases and the refocusing of the Mechanism's activities on ongoing trials and related support;

(e) **Liabilities for payment of pensions of retired judges and after-service health insurance for former staff members.** An increase of \$348,700 under other staff costs (\$209,900), non-staff compensation (\$115,800) and contractual services (\$23,000) is due to higher-than-anticipated expenditure in 2021 and takes into account expenditure experience.

## Chambers

82. The Chambers are the organ that exercises judicial authority over the residual functions assumed by the Mechanism. The Chambers comprise a roster of 25 judges who are currently serving on appointment by the Secretary-General, following consultation with the Presidents of the Security Council and 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.

83. The President is the highest authority of the Mechanism and accordingly acts as its institutional head and is responsible for the overall execution of its mandate. The President coordinates the work of the Chambers, presides over proceedings in the Appeals Chamber, supervises the activities of the Registry, supervises the enforcement of sentences, issues practice directions, represents the Mechanism before the Security Council and the General Assembly and performs other representational

functions, including vis-à-vis the Secretary-General, permanent representatives of States Members of the United Nations and ambassadors of Member States, as well as victims' representatives. In addition, the President is responsible for exercising all other judicial, quasi-judicial and administrative functions conferred by the statute and the Rules of Procedure and Evidence, including the issuance of orders and decisions related to the enforcement of sentences, the review of administrative decisions and the assignment of judges for judicial activity.

84. The resources proposed under the Chambers would provide for the compensation of judges in accordance with the statute of the Mechanism, as well as their travel requirements. As reflected in table 20, the proposed budget for 2022 amounts to \$1,797,300 before recosting and reflects a net increase of \$28,100 compared with the appropriation for 2021, as explained in paragraph 81 (a) above. Additional details are reflected in figure VII.

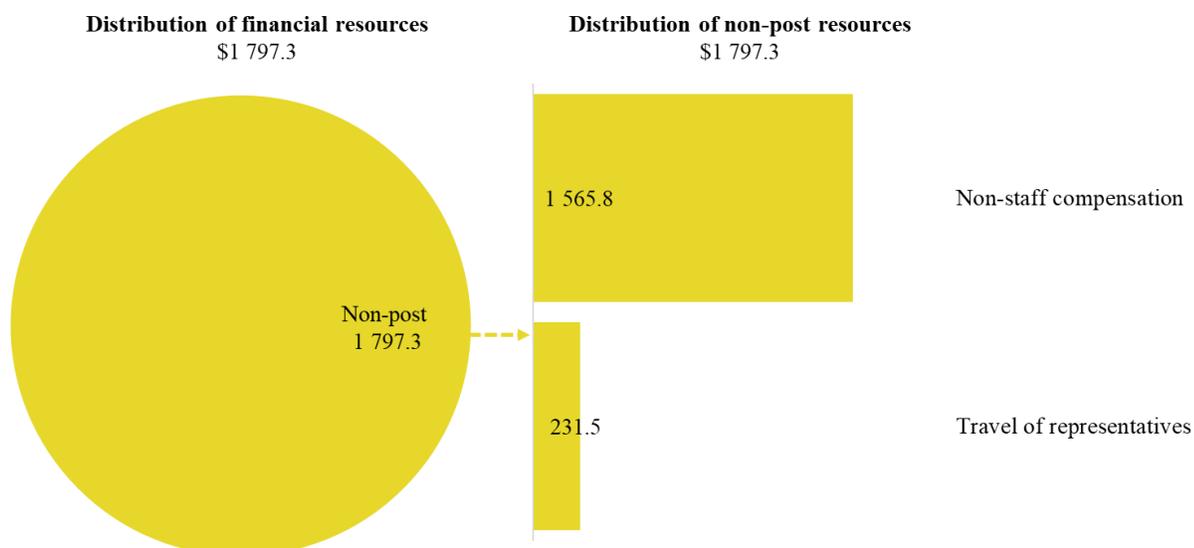
Table 20  
**Chambers: evolution of financial resources**

(Thousands of United States dollars)

	2020 expenditure	2021 appropriation	Changes				2022 estimate (before recosting)	
			Technical adjustments	New/expanded mandates	Other	Total		Percentage
<b>Arusha branch</b>								
Non-post	171.5	643.2	–	–	269.1	269.1	41.8	912.3
<b>Subtotal</b>	<b>171.5</b>	<b>643.2</b>	<b>–</b>	<b>–</b>	<b>269.1</b>	<b>269.1</b>	<b>41.8</b>	<b>912.3</b>
<b>The Hague branch</b>								
Non-post	1 405.3	1 126.0	–	–	(241.0)	(241.0)	(21.4)	885.0
<b>Subtotal</b>	<b>1 405.3</b>	<b>1 126.0</b>	<b>–</b>	<b>–</b>	<b>(241.0)</b>	<b>(241.0)</b>	<b>(21.4)</b>	<b>885.0</b>
<b>Total</b>	<b>1 576.8</b>	<b>1 769.2</b>	<b>–</b>	<b>–</b>	<b>28.1</b>	<b>28.1</b>	<b>1.6</b>	<b>1 797.3</b>

Figure VII  
**Chambers: distribution of proposed resources for 2022 (before recosting)**

(Thousands of United States dollars)



## Office of the Prosecutor

85. The Office of the Prosecutor is responsible for the investigation and prosecution of ad hoc judicial proceedings and performing residual functions as specified in the statute of the Mechanism. In accordance with article 14 of the statute, there is one Prosecutor who is responsible for the residual functions of both the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia.

86. The Office of the Prosecutor comprises the Prosecutor, an Officer-in-Charge for each branch and the legal and administrative staff at the branches in Arusha and The Hague. The Prosecutor will direct and draw support from the two branches of the Mechanism. In accordance with the “one office” policy of the Office, enabling the flexible deployment of resources as required, each branch will undertake tasks that relate to the respective branch and the Office as a whole. Such an arrangement enables the Office to remain lean with a reduced number of staff while meeting its responsibilities.

87. The core responsibility of the Office of the Prosecutor is to perform residual functions arising from completed cases and the completion strategies of the Tribunals, including contempt of court matters, enforcement of sentences, review proceedings, witness protection, management of the Office’s evidence collection, and provision of assistance to national authorities prosecuting serious violations of international humanitarian law committed in the former Yugoslavia and Rwanda. Associated with these functions, the Office also performs related diplomatic and external relations functions.

88. The proposed structure and core staffing for the Office of the Prosecutor for 2022 are based on its continuous activities, which must be carried out independently of trial and appeal activities. Temporary resources are also proposed under general temporary assistance for ad hoc activities on the basis of projected judicial calendars for appellate work and include resources with respect to the *Kabuga* case in Arusha for 2022, as well as a continued surge in requests for assistance submitted by national jurisdictions for access to evidence and other case-related information in the custody of the Office. The resources will also provide for the Office’s reduced fugitive tracking team to support an interdisciplinary task force for tracking, investigations and legal matters in Arusha.

89. The resources proposed under the Office of the Prosecutor would provide for post and non-post requirements of the Office. As reflected in table 21, the proposed budget for 2022 amounts to \$18,168,600 and reflects a net decrease of \$857,100 compared with the appropriation for 2021, as explained in paragraph 81 (b) above. Additional details are reflected in figure VIII.

Table 21  
**Office of the Prosecutor: evolution of financial and post resources**

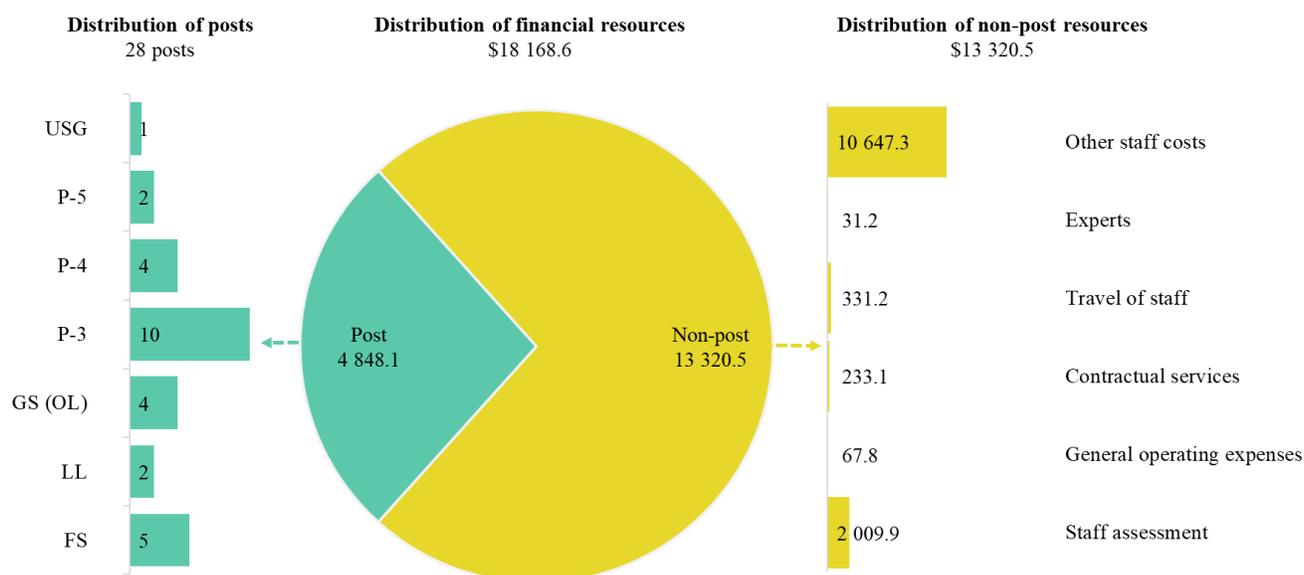
(Thousands of United States dollars/number of posts)

	2020 expenditure	2021 appropriation	Changes				2022 estimate (before recosting)	
			Technical adjustments	New/expanded mandates	Other	Total		Percentage
<b>Financial resources by main category of expenditure</b>								
<b>Arusha branch</b>								
Post	2 572.6	3 302.3	–	–	–	–	–	3 302.3
Non-post	2 983.1	6 129.6	–	–	(312.9)	(312.9)	(5.1)	5 816.7
Staff assessment	583.0	877.6	–	–	(78.9)	(78.9)	9.0	798.7
<b>Subtotal</b>	<b>6 138.7</b>	<b>10 309.5</b>	<b>–</b>	<b>–</b>	<b>(391.8)</b>	<b>(391.8)</b>	<b>(3.8)</b>	<b>9 917.7</b>

	2020 expenditure	2021 appropriation	Changes				2022 estimate (before recosting)
			Technical adjustments	New/expanded mandates	Other	Total	
<b>The Hague branch</b>							
Post	1 350.2	1 545.8	–	–	–	–	1 545.8
Non-post	6 131.7	5 855.0	–	–	(361.1)	(361.1)	5 493.9
Staff assessment	1 265.7	1 315.4	–	–	(104.2)	(104.2)	1 211.2
<b>Subtotal</b>	<b>8 747.6</b>	<b>8 716.2</b>	<b>–</b>	<b>–</b>	<b>(465.3)</b>	<b>(465.3)</b>	<b>(5.3)</b>
<b>Total</b>	<b>14 886.3</b>	<b>19 025.7</b>	<b>–</b>	<b>–</b>	<b>(857.1)</b>	<b>(857.1)</b>	<b>(4.5)</b>
<b>Post resources by category</b>							
Professional and higher		17	–	–	–	–	17
General Service and related		11	–	–	–	–	11
<b>Total</b>		<b>28</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>28</b>

Figure VIII  
Office of the Prosecutor: distribution of proposed resources for 2022 (before recosting)

(Number of posts/thousands of United States dollars)



## Registry

90. 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.

91. The Registry comprises the Registrar, an Officer-in-Charge for each branch and the legal, external relations and administrative staff of the Registry at the branches in both Arusha and The Hague. The Registrar will direct and draw support from the two branches of the Mechanism. Each office will undertake tasks that relate to the Mechanism as a whole or provide assistance for the activities of both branches. Such

an arrangement provides the Registry with additional flexibility and the capacity to respond to evolving needs.

92. 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, and is also responsible for exercising the Registrar's legal role with respect to judicial activity, as provided for in the statute and the Rules of Procedure and Evidence of the Mechanism and other governance documents. This role includes issuing decisions on matters related to judicial proceedings, promulgating regulations for matters falling under the Registrar's authority and submitting briefs in proceedings. Finally, the Registrar is responsible for directly implementing a number of Registry functions, including external relations and communication services, supervision of the enforcement of sentences, provision of assistance to national jurisdictions, provision of support for judicial activity, general legal support and administrative services.

93. The resources proposed under the Registry would provide for its post and non-post requirements. As reflected in table 22, the proposed budget for 2022 amounts to \$65,367,300 and reflects a net decrease of \$1,652,300 compared with the appropriation for 2021, as explained in paragraphs 80 (a) and 81 (c) above. Additional details are reflected in figure IX.

94. The Registry is supported by extrabudgetary resources amounting to \$1,248,000, including nine posts, as reflected in tables 18 (2) and 19 (2) and paragraph 76 above.

Table 22

**Registry: evolution of financial and post resources**

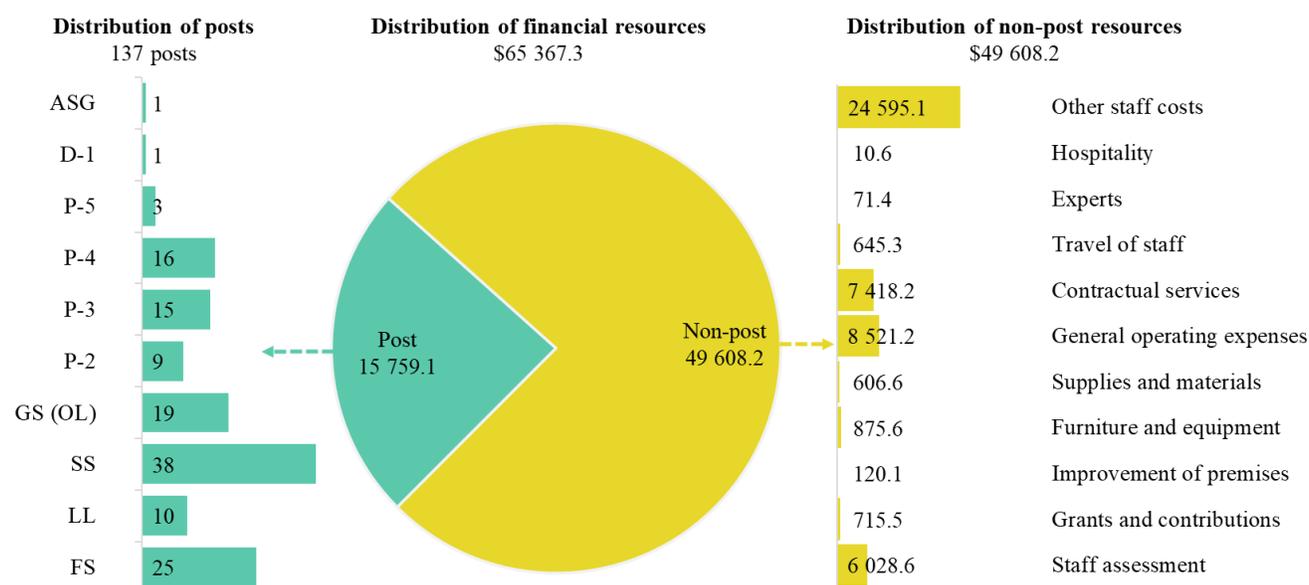
(Thousands of United States dollars/number of posts)

	2020 expenditure	2021 appropriation	Changes				Total	Percentage	2022 estimate (before recosting)
			Technical adjustments	New/expanded mandates	Other				
<b>Financial resources by main category of expenditure</b>									
<b>Arusha branch</b>									
Post	8 369.1	10 553.5	–	–	(241.1)	(241.1)	(2.3)	10 312.4	
Non-post	13 965.0	17 949.4	–	–	(308.9)	(308.9)	(1.7)	17 640.5	
Staff assessment	1 757.0	1 948.2	–	–	248.3	248.3	12.7	2 196.5	
<b>Subtotal</b>	<b>24 091.1</b>	<b>30 451.1</b>	<b>–</b>	<b>–</b>	<b>(301.7)</b>	<b>(301.7)</b>	<b>(1.0)</b>	<b>30 149.4</b>	
<b>The Hague branch</b>									
Post	4 330.6	5 161.4	–	–	(101.4)	(101.4)	(2.0)	5 060.0	
Non-post	33 736.2	26 507.8	(120.4)	–	(466.9)	(587.3)	(15.4)	25 920.5	
Staff assessment	4 626.2	4 322.4	–	–	(533.7)	(533.7)	(12.3)	3 788.7	
<b>Subtotal</b>	<b>42 693.0</b>	<b>35 991.6</b>	<b>(120.4)</b>	<b>–</b>	<b>(1 102.0)</b>	<b>(1 222.4)</b>	<b>(3.4)</b>	<b>34 769.2</b>	
<b>OIOS</b>									
Post	168.0	208.4	–	–	–	–	–	208.4	
Non-post	48.4	134.9	(117.9)	–	–	(117.9)	(87.4)	17.0	
Staff assessment	31.5	36.5	(11.9)	–	–	(11.9)	(32.6)	24.6	
<b>Subtotal</b>	<b>247.9</b>	<b>379.8</b>	<b>(129.8)</b>	<b>–</b>	<b>–</b>	<b>(129.8)</b>	<b>(34.2)</b>	<b>250.0</b>	

	2020 expenditure	2021 appropriation	Changes				2022 estimate (before recosting)	
			Technical adjustments	New/expanded mandates	Other	Total		Percentage
<b>Mechanism support, New York</b>								
Post	191.0	178.3	–	–	–	–	–	178.3
Non-post	1.5	–	–	–	1.6	1.6	–	1.6
Staff assessment	18.4	18.8	–	–	–	–	–	18.8
<b>Subtotal</b>	<b>210.9</b>	<b>197.1</b>	<b>–</b>	<b>–</b>	<b>1.6</b>	<b>1.6</b>	<b>0.8</b>	<b>198.7</b>
<b>Total</b>	<b>67 243.0</b>	<b>67 019.6</b>	<b>(250.2)</b>	<b>–</b>	<b>(1 402.1)</b>	<b>(1 652.3)</b>	<b>(2.5)</b>	<b>65 367.3</b>
<b>Post resources by category</b>								
Professional and higher		45	–	–	–	–	–	45
General Service and related		92	–	–	–	–	–	92
<b>Total</b>		<b>137</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>137</b>

Figure IX  
**Registry: distribution of proposed resources for 2022 (before recosting)**

(Number of posts/thousands of United States dollars)



## Records management and archives

95. Pursuant to article 27 of its statute, the Mechanism is responsible for managing the archives of the Tribunals and the Mechanism itself, which together constitute the archives of the international criminal tribunals. The archives are co-located with the corresponding branches of the Mechanism.

96. The management of the archives is a continuous function of the Mechanism throughout its mandate. The archives consist of judicial records and other substantive and administrative records of the Tribunals and the Mechanism, in a range of media and formats.

97. The Mechanism Archives and Records Section is responsible for preserving the archives and providing access to them. This activity involves developing and implementing strategies, policies and processes for the preservation of both physical and digital records, and for providing access to them by Mechanism staff members and the public in accordance with established policies and procedures. The Section is also responsible for the management of all records generated by the Mechanism itself. This effort includes developing and implementing strategies, policies and processes for the creation, organization, storage, appraisal and disposition of records. It also includes managing confidential information and providing access to the records in accordance with established policies and procedures.

98. The resources proposed under records management and archives would provide for post and non-post requirements of the Mechanism Archives and Records Section. As reflected in table 23, the proposed budget for 2022 amounts to \$3,995,600 and reflects a net decrease of \$1,417,000 compared with the appropriation for 2021, as explained in paragraphs 80 (b) and 81 (d) above. Additional details are reflected in figure X.

Table 23

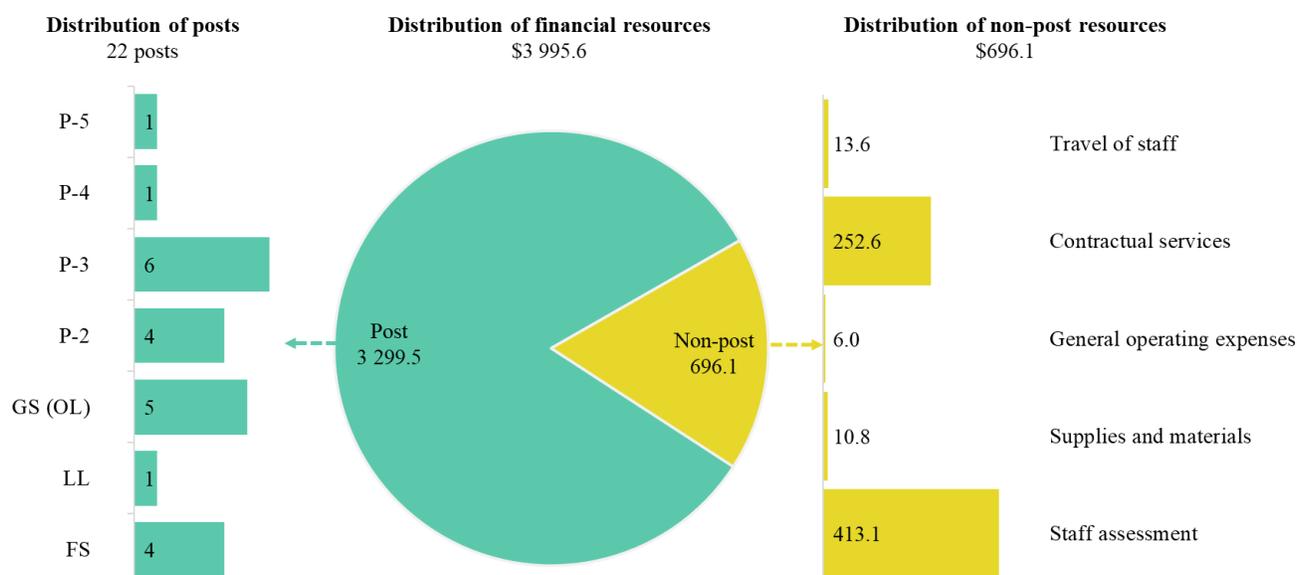
**Records management and archives: evolution of financial and post resources**

(Thousands of United States dollars/number of posts)

	2020 expenditure	2021 appropriation	Changes				Total	Percentage	2022 estimate (before recosting)
			Technical adjustments	New/expanded mandates	Other				
<b>Financial resources by main category of expenditure</b>									
<b>Arusha branch</b>									
Post	1 773.4	1 758.5	–	–	–	–	–	1 758.5	
Non-post	1 138.6	1 171.9	–	–	(984.9)	(984.9)	(84.0)	187.0	
Staff assessment	296.7	255.7	–	–	(77.5)	(77.5)	(30.3)	178.2	
<b>Subtotal</b>	<b>3 208.7</b>	<b>3 186.1</b>	<b>–</b>	<b>–</b>	<b>(1 062.4)</b>	<b>(1 062.4)</b>	<b>(33.3)</b>	<b>2 123.7</b>	
<b>The Hague branch</b>									
Post	1 364.0	1 506.6	34.4	–	–	34.4	2.3	1 541.0	
Non-post	434.4	406.4	–	–	(310.4)	(310.4)	(76.4)	96.0	
Staff assessment	274.3	313.5	8.2	–	(86.8)	(78.6)	(25.1)	234.9	
<b>Subtotal</b>	<b>2 072.7</b>	<b>2 226.5</b>	<b>42.6</b>	<b>–</b>	<b>(397.2)</b>	<b>(354.6)</b>	<b>(15.9)</b>	<b>1 871.9</b>	
<b>Total</b>	<b>5 281.4</b>	<b>5 412.6</b>	<b>42.6</b>	<b>–</b>	<b>(1 459.6)</b>	<b>(1 417.0)</b>	<b>(26.2)</b>	<b>3 995.6</b>	
<b>Post resources by category</b>									
Professional and higher		12	–	–	–	–	–	12	
General Service and related		10	–	–	–	–	–	10	
<b>Total</b>		<b>22</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>22</b>	

Figure X  
**Records management and archives: distribution of proposed resources for 2022 (before recosting)**

(Number of posts/thousands of United States dollars)



### Liabilities for payment of pensions of retired judges and after service health insurance benefits to former staff members

99. In section II, paragraph 8, of its resolution [70/243](#), the General Assembly requested the Secretary-General, in the context of future budget submissions for the Mechanism, to include a provision to fund the liabilities due within the budget period under consideration for the pensions of retired judges, and their surviving spouses, and for after-service health insurance benefits to former staff of the International Criminal Tribunal for Rwanda, the Mechanism and, as appropriate, the International Tribunal for the Former Yugoslavia. Accordingly, a provision has been made for 2022 in the present report.

100. As reflected in table 24, the proposed budget for 2022 amounts to \$4,641,500, reflecting an increase of \$348,700 compared with the appropriation for 2021, as explained in paragraph 81 (e) above.

Table 24

### Liabilities for payment of pensions of retired judges and after-service health insurance benefits to former staff members

(Thousands of United States dollars)

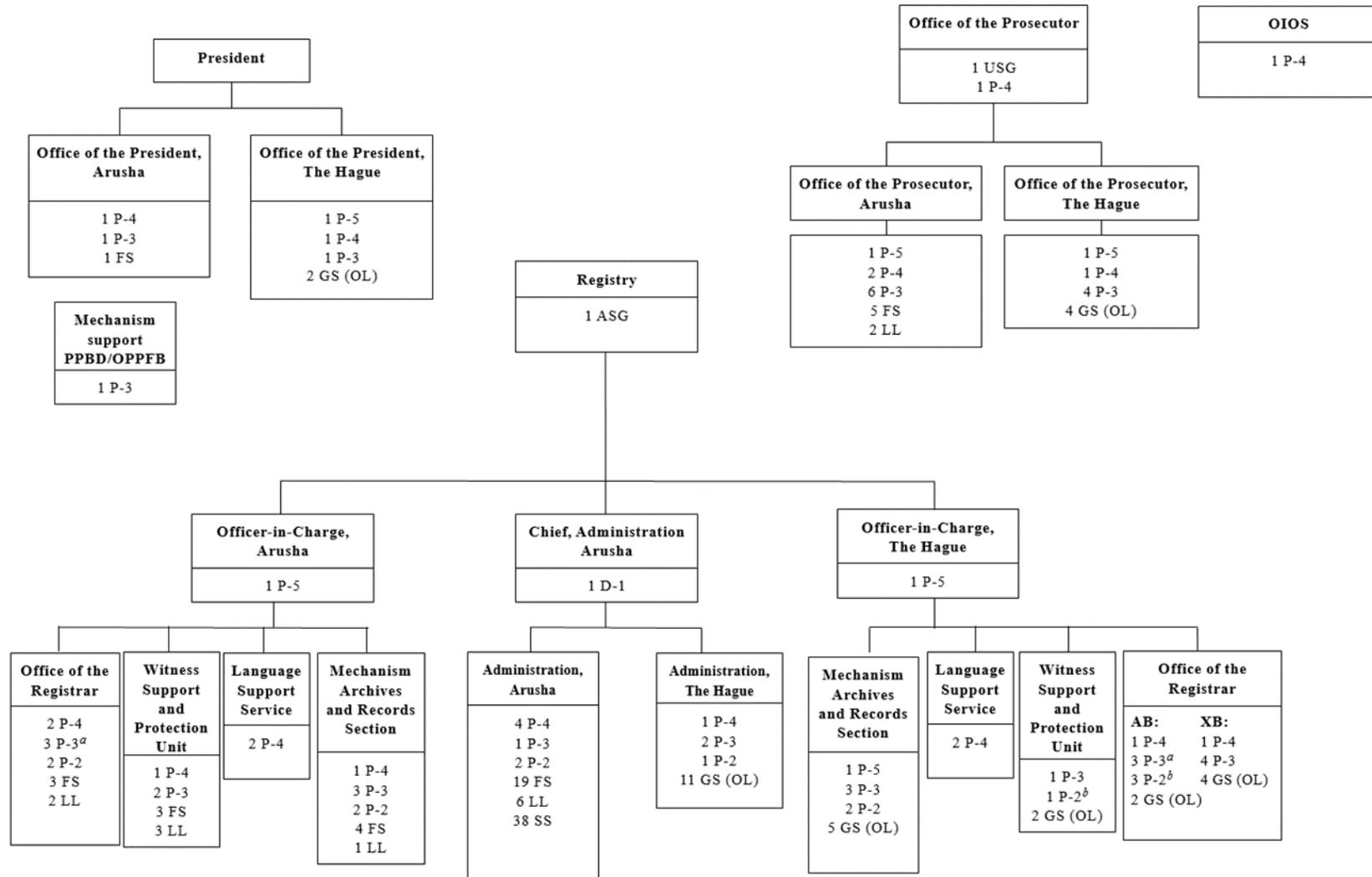
	2020 expenditure	2021 appropriation	Changes			2022 estimate (before recosting)	
			Technical adjustments	Other	Total		
Non-post	4 426.8	4 292.8	–	348.7	348.7	8.1	4 641.5
<b>Total</b>	<b>4 426.8</b>	<b>4 292.8</b>	<b>–</b>	<b>348.7</b>	<b>348.7</b>	<b>8.1</b>	<b>4 641.5</b>

**C. Actions of the General Assembly**

101. The Secretary-General requests the General Assembly to approve an appropriation of \$93,970,300 gross (\$85,518,700 net), before recosting, for the Mechanism for 2022.

## Annex I

## Organizational structure and temporary post distribution for 2022



*Abbreviations:* AB, assessed budget; ASG, Assistant Secretary-General; FS, Field Service; GS (OL), General Service (Other level); LL, Local level; OPPFB, Office of Programme Planning, Finance and Budget; PPBD, Programme Planning and Budget Division; SS, Security Service; USG, Under-Secretary-General; XB, extrabudgetary.

<sup>a</sup> Reclassification.

<sup>b</sup> Reassignment.

## 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/75/632)

The Advisory Committee recommends that the General Assembly again request the Secretary-General to ensure that the Mechanism makes every effort to promptly complete its remaining work. Furthermore, considering the delayed completion of judicial proceedings and their continuation into 2021, the uncertain completion timeline for the forthcoming trial at the Arusha branch and the potential continued impact of the COVID-19 pandemic on the activities of the Mechanism in 2021, the Committee also recommends that the Assembly request the Secretary-General to undertake all efforts to expedite the conclusion of the remaining cases, including by making greater use of the lessons learned from the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda, while fully respecting the requirements of the judicial process, and to report on such efforts in the next budget submission (para. 5).

The Advisory Committee is of the view that the proposed overall level of general temporary positions has not been sufficiently justified and that further reductions, commensurate with the decreasing workload of the Mechanism, should have been proposed, in particular at the Hague branch. Therefore, the Committee recommends a reduction of 10 per cent, or \$2,453,800, at the Hague branch and of 5 per cent, or \$735,800, at the Arusha branch under other staff costs for 2021. The Committee also recommends that the General Assembly request the Secretary-General to undertake in 2021 a thorough review of the requirements for general temporary assistance, with a view to reflecting a more efficient management of resources and potential savings in his next budget submission, in line with the progressive completion of the work of the Mechanism, as well as its small, temporary and efficient nature (see also [A/74/593](#), para. 23). In his review, the Secretary-General should also present a nationalization plan of positions along with concrete proposals, as appropriate. Furthermore, the Committee considers that the next budget submission should provide more clarity as to the total number and progressive reduction of positions at each branch vis-à-vis: (a) each trial and appeal case;

Following the conclusion of significant trial activity in 2021, including the *Stanišić and Simatović* retrial, the *Nzabonimpa et al.* trial (formerly known as *Turinabo et al.*) and the appeals proceedings in the *Mladić* case, notwithstanding the COVID-19 pandemic, the year 2022 will see continued judicial activity at both branches of the Mechanism. The conduct of trial proceedings in the case against Félicien Kabuga, as well as potential appeals proceedings in the *Stanišić and Simatović* and the *Nzabonimpa et al.* cases, is expected to continue into 2022. Working towards the timely completion of these cases is one of the Mechanism's main priorities for 2022, and the current proposal outlines the overall requirements to conduct these trial proceedings. The conclusion of trial activities in 2021 and the commensurate review of post and non-post resources allow for the Mechanism to propose significant staffing reductions in its general temporary assistance requirements, as outlined in the current proposal.

The Mechanism has conducted a full review of its requirements under general temporary assistance, taking into account the conclusion of significant trial activities at both branches of the Mechanism. The current proposal, including the supplementary information, sets out the remaining requirements for general temporary assistance in the light of the expected continuing trial activities at both branches as well as for retaining commensurate administrative and support functions. With regard to the potential nationalization of positions, the Mechanism examined its current staffing structure with a view to identifying further opportunities for greater nationalization. It was concluded that in order to retain independence and reflect the Mechanism's geographically diverse character, substantive and management functions should continue to be performed by international staff in the Professional and higher categories. In contrast, it was considered that staffing in the support functions should be examined for opportunities for increasing the number of national staff. The support functions are performed by staff in the General Service and Field Service categories.

*Brief description of the recommendation**Action taken to implement the recommendation*

(b) ad hoc support to each continuous activity; and  
(c) ad hoc administrative support services (para. 21).

At the Arusha branch, currently 67 per cent of all support functions are performed by Tanzanian nationals, 18 per cent by nationals of other African States and the remaining 15 per cent by staff who are nationals of the other regional groups. At the branch in The Hague, 30 per cent of all support functions are performed by nationals of the Netherlands, 25 per cent by nationals of other States in the Group of Western European and Other States and the remaining 45 per cent by nationals of the other regional groups.

The Advisory Committee considers that further efforts should be made to enhance compliance with the advance purchase policy directive (para. 23).

Given the nature of the Mechanism's mandate and judicial activities, including investigations, witness assistance and protection and trial activity, compliance with the 16-day advance ticket purchase guideline may be challenging. However, management has taken steps to ensure that compliance with the guidelines is improved, especially on entitlement-related travel and other non-judicial activity-related travel, which are more predictable in character.

#### **Board of Auditors (A/76/5/Add.15, chap. II)**

The Board recommends that the Mechanism strengthen the budget planning process on position matters and determine the subsequent requirements for general temporary assistance positions, by properly reporting these requirements and improving the available documentation (para. 37).

The Mechanism has improved the process of substantiation and documentation of approvals to changes in general temporary assistance positions that constitute progressive operational requirements in the course of a budget period. This substantiation has guided and supported the formulation of the current budget proposal of the Mechanism. While all efforts have been made to ensure that the current proposal constitutes the full general temporary assistance requirements, the evolving nature of the Mechanism's mandate in terms of judicial activities, including investigations, witness assistance and protection and trial activity, inevitably may require changes to the general temporary assistance staffing posture in the course of the implementation of the approved budget.

## Annex III

### Summary of proposed changes in temporary posts, by component

	<i>Posts</i>	<i>Level</i>	<i>Description</i>	<i>Reason for change</i>
Registry	(2)	P-4	<b>Reclassification</b> of 2 posts of External Relations Officer (1 at each branch) from P-4 to P-3	Given the reduction of court activities, a reclassification from the P-4 to the P-3 level is proposed, as less media engagement, including press coverage, is expected, and a staff member at the P-3 level would be able to sufficiently oversee and manage the operations of the External Relations Office at each branch.
	2	P-3		
	(1)	P-4	<b>Reassignment</b> of 1 post of Administrative Officer (P-4) as Chief of Unit, Procurement (P-4) in Administration, Arusha	
	1	P-4		
(1)	P-3	<b>Reassignment</b> of 1 post of Programme Management Officer (P-3) as Legal Officer (P-3) in the Office of the Registrar at the Arusha branch	The reassignment of 1 post of Programme Management Officer (P-3) as Legal Officer (P-3) in the Office of the Registrar at the Arusha branch is proposed to support the needs for legal support, particularly in the light of the <i>Kabuga</i> trial, anticipated to be held in 2022.	
1	P-3			
(1)	P-2	<b>Reassignment</b> of 1 post of Associate Witness Protection and Support Officer (P-2) in the Witness Support and Protection Unit as Associate Legal Officer (P-2) in the Office of the Registrar at the branch in The Hague	The reassignment of 1 post of Associate Witness Protection and Support Officer (P-2) in the Witness Support and Protection Unit as Associate Legal Officer (P-2) in the Office of the Registrar at the branch in The Hague is proposed to strengthen the Mechanism's capacity to respond to requests for assistance from national jurisdictions and to provide judicial record-keeping. As the provision of judicial records is a key mandated activity, it is expected to be a continuing need and requires additional capacity to ensure the timely delivery of such records.	
1	P-2			