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

## Proposed budget for the International Residual Mechanism for Criminal Tribunals for 2023

### Report of the Secretary-General

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## Foreword

Building on the significant judicial milestones of the International Residual Mechanism for Criminal Tribunals in 2021 and 2022, namely judgments in the *Stanišić and Simatović* retrial, the *Mladić* appeal, the *Nzabonimpa et al.* contempt trial and the *Fatuma et al.* appeal, as well as the conclusion of pretrial proceedings in the case against Félicien Kabuga and the commencement of his trial in September 2022, the Mechanism will continue to focus on the fair, efficient and timely conclusion of judicial activities and the continuation of its residual functions in the coming years.

In 2023, trial proceedings against Mr. Kabuga and other ad hoc judicial activity will continue, while appeals proceedings in the *Stanišić and Simatović* case are expected to conclude. In addition, the Mechanism will investigate the whereabouts of the four remaining fugitives indicted by the International Criminal Tribunal for Rwanda, and whose cases were referred to Rwanda, as well as assist national authorities and execute the Mechanism's broader continuous functions. The Mechanism's work, including its ongoing contribution to international criminal jurisprudence, the strengthening of regional and State cooperation, the modelling of best practices and the transfer of knowledge, and the provision of public access to the archives, will better equip the international community and national authorities to combat impunity, ensure accountability for victims and enhance reconciliation.

The Mechanism will be guided by Security Council resolution [2637 \(2022\)](#), including the Council's reiterated vision of the Mechanism as a small, temporary and efficient structure, whose functions and size will diminish over time. As the Mechanism continues to make efforts in this regard with further downsizing in 2023, while also dealing with the unpredictability of the coronavirus disease (COVID-19) pandemic, it is imperative that it receive full cooperation and support from all relevant stakeholders in its effort to successfully carry out its mandated activities.

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

## A. Proposed programme plan for 2023 and programme performance in 2021

### 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 2023

2. In 2023, the Mechanism's programme of work will consist of mandated continuous activities as outlined above. The Mechanism will also conduct the continuing trial proceedings against Mr. Kabuga, who was arrested in France in May 2020 and transferred to the Mechanism's custody in October 2020, and the anticipated conclusion of appeal proceedings in the *Stanišić and Simatović* case. Simultaneously, the Mechanism will support the expected conclusion of two investigations by assigned amici curiae into possible contempt, the tracking of fugitives and the monitoring of cases referred to national jurisdictions. In addition, the Mechanism will conduct further ad hoc judicial activities that may arise at both branches and provide related administrative support.

3. Reflecting the importance of continuous improvement and responding to Member States' needs and requests, the proposed programme plan for 2023 incorporates lessons learned and best practices related to adjustments to and adaptation of the programme as a result of the coronavirus disease (COVID-19) pandemic. This includes, for example, ensuring expeditious judicial hearings by using technology platforms that allow courtroom participants to attend hearings remotely, and implementing health and safety measures for courtroom participants. At the same time, it is assumed that those operational conditions have improved and now allow for mandate implementation through formerly established approaches. Any modifications to planned deliverables would be in pursuance of the objectives, strategies and mandates and would be reported as part of the programme performance information.

4. With regard to cooperation with 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 the remaining fugitives, the conduct of 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.

5. 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 which 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 which 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, Netherlands, the Mechanism's premises are shared with the Residual Special Court for Sierra Leone, and limited support is provided on a cost-reimbursable basis. Regarding the premises in Arusha, United Republic of Tanzania, the Mechanism is close to an agreement with the Department of Political and Peacebuilding Affairs of the Secretariat to co-locate with its liaison team by the beginning of 2023.

6. With regard to the external factors, the proposed programme plan for 2023 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) National judicial authorities 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 in obtaining information and evidence for their domestic proceedings;

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

(d) There are no delays in judicial 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.

7. The Mechanism will continue to integrate 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 approaches, as set out in the guidelines entitled "Practice direction on the provision of support and protection services to victims and witnesses". These approaches are crucial to victims and witnesses who, as beneficiaries, are often sensitive to the gender of the staff providing the services. The Office of the Prosecutor will continue to apply best practices and fully incorporate a gender perspective in its staffing and activities, including by ensuring that sexual- and gender-based crimes are appropriately represented in its investigations and prosecutions, as well as transferring knowledge about the investigation and prosecution of such crimes to national authorities. 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.

8. In line with the United Nations Disability Inclusion Strategy, the Mechanism will continue to integrate disability inclusion in its operational activities, deliverables and results, as appropriate. Through the work of its organs and focal points, the Mechanism will continue to provide training to all personnel and hold awareness-raising campaigns to identify barriers that personnel and beneficiaries, including victims and witnesses, encounter, and contribute to the Mechanism's overall policy and service development.

## Programme performance in 2021

### Impact of the pandemic

9. The continuation of the COVID-19 pandemic into 2021 had an impact on the implementation of a number of the Mechanism's mandated functions, with a small number of planned deliverables, such as missions to enforcement States, not being fully implemented. The Mechanism increasingly resumed its normal operations as 2021 progressed and, with improved communications infrastructure and further physical improvements to facilities, the Mechanism was able to ensure the continuous implementation of key mandated programmes.

### Legislative mandates

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

#### *Security Council resolutions*

1966 (2010)

2637 (2022)

2256 (2015)

## Deliverables

11. Table 1 lists all cross-cutting deliverables, by category and subcategory, for the period 2021–2023.

Table 1

### Cross-cutting deliverables for the period 2021–2023, by category and subcategory

<i>Category and subcategory</i>	<i>2021 planned</i>	<i>2021 actual</i>	<i>2022 planned</i>	<i>2023 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>
Meetings of the:				
2. General Assembly	1	1	1	1
3. Fifth Committee	1	1	1	1
4. 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, including biannual presentations and briefings for the diplomatic and legal community.				

<i>Category and subcategory</i>	<i>2021 planned</i>	<i>2021 actual</i>	<i>2022 planned</i>	<i>2023 planned</i>
<b>External and media relations:</b> public information through leaflets, press releases, case information sheets, summaries of decisions, overview documents, broadcasts, digital visits, in-person visits, posters, information product development and event planning.				
<b>Digital platforms and multimedia content:</b> the Mechanism website and its Twitter feed, Facebook and LinkedIn pages, Instagram account, and YouTube channel and the publicly available unified court records database.				
<b>Library services:</b> knowledge services such as virtual and on-site reference services and search platform design.				

## Evaluation activities

12. The report of the Office of Internal Oversight Services (OIOS) on the review of the methods and work of the International Residual Mechanism for Criminal Tribunals ([S/2022/148](#)) has guided the proposed programme plan for 2023.

13. The results and lessons of the review referenced above have been taken into account in the proposed programme plan for 2023, including the use of scenario-based workforce plans to enhance responsiveness to changes in workload and the strengthening of systematic thinking towards a shared vision among the Mechanism's three organs. In this regard, during 2023, there will be an increase in cross-branch coordination and cooperation, driven by up-to-date scenario-based planning, that includes a collective vision of the Chambers, the Office of the Prosecutor and the Registry in relation to the future of the Mechanism; ongoing utilization of a digital platform to monitor and guide the overall initiative for cross-branch gender parity across staff categories and levels; and maintenance of the geographic diversity of staff.

14. An OIOS evaluation on the methods and work of the Mechanism, pursuant to Security Council resolution [2637 \(2022\)](#), is planned for 2023.

## Programme of work

### Office of the Prosecutor

#### Objective

15. The objective, to which the component 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

16. 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 investigating, prosecuting and trying those responsible for serious violations of international humanitarian law in the countries of the former Yugoslavia and Rwanda; (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.

17. 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 2021**

### **Progress in the efficient and effective prosecution of those indicted for crimes under the Mechanism's jurisdiction**

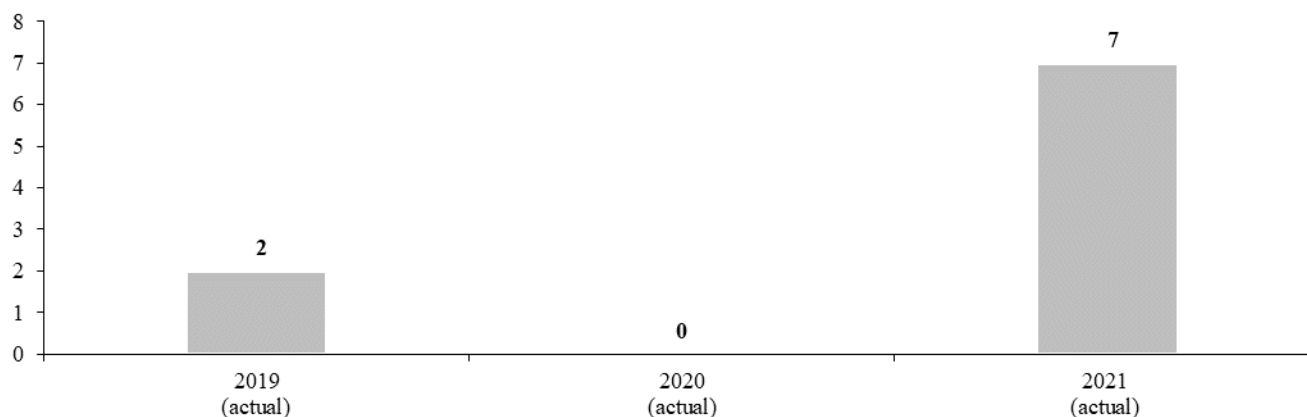
18. In 2021, the Office of the Prosecutor achieved meaningful progress in its core mandate to efficiently and effectively prosecute those indicted for crimes under the Mechanism's jurisdiction. Seven persons were convicted at trial or on appeal, while one person was acquitted at trial. On 8 June 2021, the Appeals Chamber issued its judgment in the *Prosecutor v. Ratko Mladić* case. The Appeals Chamber accepted the prosecution's arguments against the appeal filed by Mr. Mladić and affirmed his convictions for the crimes of genocide, terror, persecution, extermination, murder, unlawful attacks on civilians, deportation, inhumane acts and hostage-taking. The Appeals Chamber further affirmed the sentence of life imprisonment.

19. On 25 June 2021, the single judge pronounced his judgment in the *Prosecutor v. Nzabonimpa et al.* case and accepted most of the prosecution's evidence and convicted Anselme Nzabonimpa, Jean de Dieu Ndagijimana and Marie Rose Fatuma for contempt of court for witness interference. The single judge further convicted Augustin Ngirabatware for contempt of court for witness interference and violating court orders protecting witnesses. Mr. Ngirabatware was sentenced to two years of imprisonment, while Mr. Nzabonimpa, Mr. Ndagijimana and Ms. Fatuma were sentenced to time served, representing over 11 months of imprisonment. On 30 June 2021, the Trial Chamber delivered its judgment in the *Prosecutor v. Stanišić and Simatović* case. The Trial Chamber accepted the prosecution's evidence in part, convicting Jovica Stanišić and Franko Simatović of aiding and abetting the crimes of murder, deportation, forcible transfer and persecution as crimes against humanity and murder as a war crime. Mr. Stanišić and Mr. Simatović were both sentenced to 12 years of imprisonment.

20. Progress towards the objective is presented in the performance measure below (see figure I).

Figure I

Performance measure: number of persons convicted at trial, on appeal or affirmed on review



### Planned results for 2023

#### Result 1: prosecuting an arrested fugitive

##### Programme performance in 2021 and target for 2023

21. The component's work contributed to the timely completion of the necessary pretrial obligations in the *Prosecutor v. Félicien Kabuga* case and full readiness to begin the trial, as well as significant advancement towards accounting for the remaining six fugitives indicted for genocide and other crimes committed during the 1994 genocide against the Tutsi in Rwanda, which met the planned target.

22. Progress towards the objective and the target for 2023 are presented in the performance measure below (see table 2).

Table 2

#### Performance measure

2019 (actual)	2020 (actual)	2021 (actual)	2022 (planned)	2023 (planned)
8 fugitives remain at large	6 fugitives remain at large; 1 fugitive at pretrial	6 fugitives remain at large; 1 fugitive at pretrial	6 fugitives remain at large; 1 fugitive at trial, prosecution case completed	3 fugitives remain at large; 1 fugitive at trial, prosecution case completed

#### Result 2: improved access to Rwanda-related evidence

##### Programme performance in 2021 and target for 2023

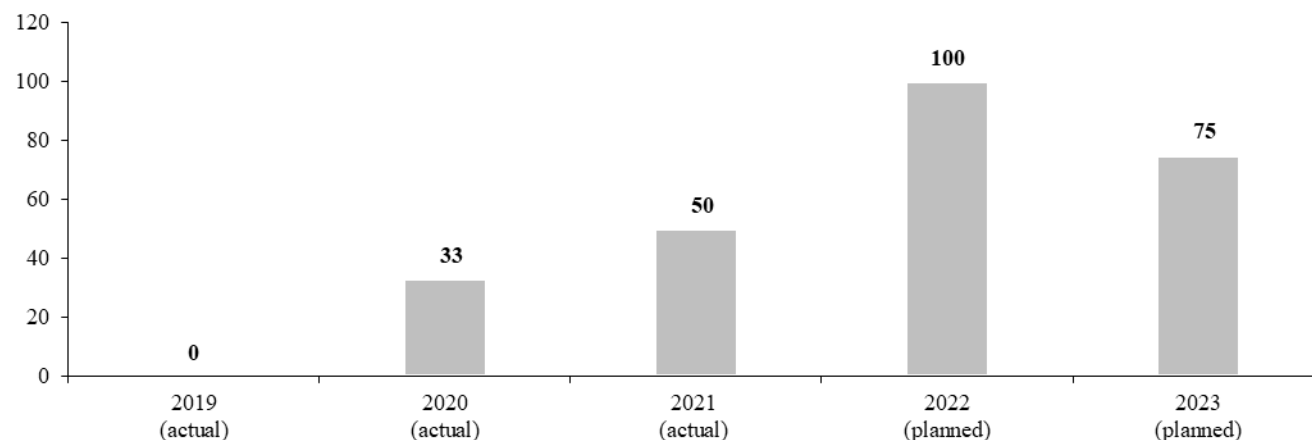
23. The work of the Office of the Prosecutor contributed to 50 per cent of the evidence collected by the former International Criminal Tribunal for Rwanda being prepared for access through a web-based portal, which did not meet the planned target of 66 per cent. The target was not met owing to the increasing volume of Rwanda-related evidence as a result of the ongoing trial in the *Kabuga* case, which was not anticipated when the project was planned.

24. Progress towards the objective and the target for 2023 are presented in the performance measure below (see figure II).



Figure II  
**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)



### **Result 3: national investigations and prosecutions receive critical evidence and support**

#### **Proposed programme plan for 2023**

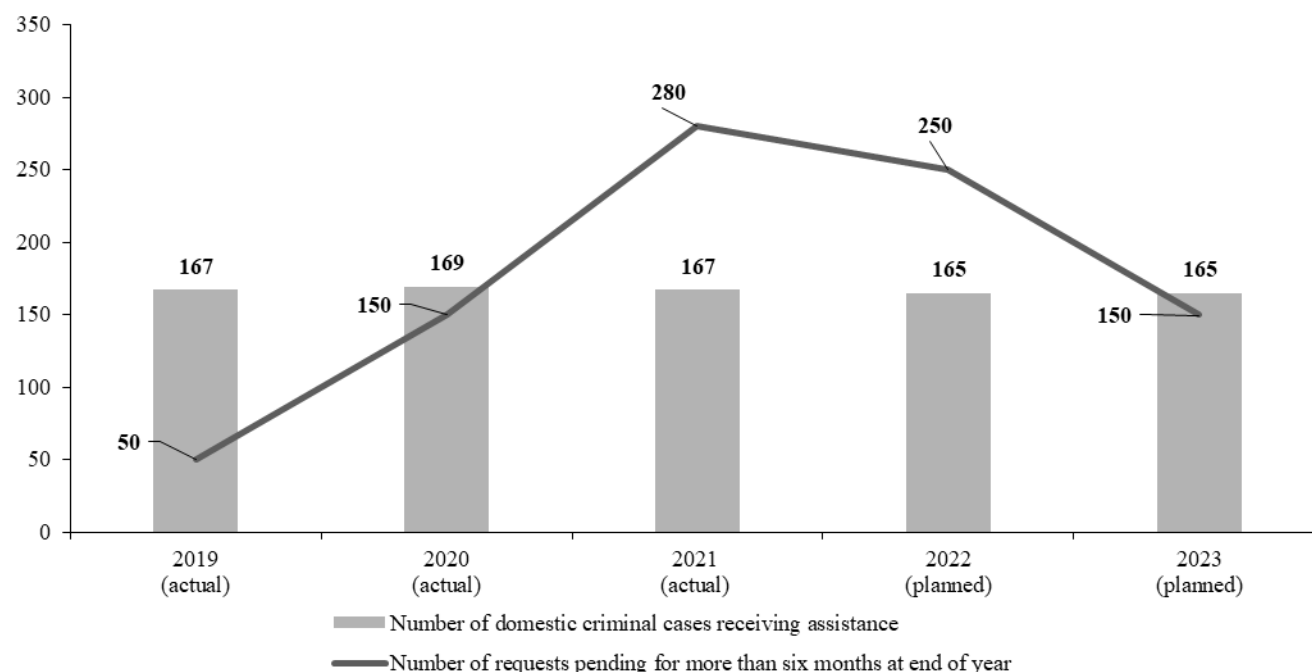
25. The Office of the Prosecutor has a critical mandate to support national investigations and prosecutions of serious international crimes committed in the countries of the former Yugoslavia by providing access to its Yugoslavia-related evidence collection. National authorities rely heavily on this support to meet their important responsibilities, as evidenced by the high volume of requests for assistance received: since 2018, an average of approximately 350 requests for assistance have been received by the Office each year, compared with only approximately 100 requests received in 2011. The Office has been working to appropriately respond to such requests for assistance in a timely and effective manner.

#### *Lessons learned and planned change*

26. The lesson for the Office was the need to respond to the increased demand for its support from national authorities and address the significant backlog of requests pending for more than six months. In May 2020, the Office reported that there was a backlog of 150 requests, which had increased to a backlog of 280 by December 2021. In applying the lesson, the Office will adjust its operations to engage with requesting authorities to prioritize requests for assistance related to ongoing, time-sensitive investigations and/or prosecutions. The Office will also engage with requesting authorities and review its methods and practices in order to streamline the preparation of responses and reduce the time required to respond to certain categories of requests.

27. Expected progress towards the objective is presented in the performance measure below (see figure III).

Figure III  
Performance measure: domestic criminal cases receiving assistance



## Deliverables

28. Table 3 lists all deliverables of the component.

Table 3  
Office of the Prosecutor: deliverables for the period 2021–2023, by category and subcategory

Category and subcategory	2021 planned	2021 actual	2022 planned	2023 planned
<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	374	350	350
3. Evidence and information transferred to national authorities	333	374	350	350
<b>Fact-finding, monitoring and investigation missions</b> (number of missions)	12	15	12	12
4. Fact-finding missions for fugitives, contempt and review proceedings	12	15	12	12
<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>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

29. 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

30. To contribute to the objective, the component will: (a) provide judicial and legal support to the Chambers; (b) deliver court support services; (c) implement and monitor protective measures ordered for witnesses by the International Criminal Tribunal for Rwanda, the International Tribunal for the Former Yugoslavia and the Mechanism; (d) support national judicial actors, as and when requested; (e) supervise the enforcement of sentences; (f) manage the United Nations Detention Unit in The Hague; and (g) monitor referred cases to national jurisdictions pursuant to article 6 (5) of the statute of the Mechanism.

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

- (a) Adherence to projected timelines in judicial proceedings;
- (b) Protection of victims and witnesses;
- (c) Timely assistance to national jurisdictions, upon request;
- (d) Enforcement States abiding by enforcement agreements and implementing recommendations issued by relevant inspecting bodies and independent experts;
- (e) The housing of detainees in the United Nations Detention Unit in compliance with international detention standards, including the provision of medical care;
- (f) Timely submission of monitoring reports on proceedings referred to Rwanda and France.

## Programme performance in 2021

### Completion of ad hoc judicial proceedings

32. In 2021, despite ongoing challenges resulting from the COVID-19 pandemic, the component made substantial progress in supporting the conclusion of ad hoc judicial activity, thereby strengthening the rule of law and furthering reconciliation. This progress was achieved through, inter alia, highly coordinated cross-branch efforts which resulted in the conclusion of: (a) appeal proceedings in the *Mladić* case, with the pronouncement of the appeal judgment on 8 June 2021, including the successful hosting of stakeholders on-site, including victims' representatives, diplomats and the media, for the pronouncement of the judgment; (b) the trial proceedings in the protracted multi-accused *Nzabonimpa et al.* contempt case, with the oral pronouncement of the trial judgment on 25 June 2021 and issuance of the written judgement on 20 September 2021; and (c) the retrial proceedings in the *Stanišić and Simatović* case, with the oral pronouncement of the trial judgment on 30 June 2021. The technology that was put in place early on during the COVID-19 pandemic to enable remote access allowed the component to provide support services with flexibility and expediency, enabling it to react more efficiently to continuously evolving circumstances and unique requirements. This included the Judicial Records Unit, which processed filings and responded to requests from national authorities off-

site; the Externals Relations Office, which transitioned to online visits for continued public awareness; and the Information Technology Support Section, which facilitated remote participation to ensure the continuity of court hearings. These achievements align with the Mechanism's continued evolution towards operating as a small, temporary and efficient structure.

33. Progress towards the objective is presented in the performance measure below (see table 4).

Table 4  
Performance measure

<i>2019 (actual)</i>	<i>2020 (actual)</i>	<i>2021 (actual)</i>
Conclusion of proceedings in 2 cases	–	Conclusion of 1 appeal and 2 trial proceedings in 3 cases

### Planned results for 2023

#### Result 1: enforcement of sentences

##### Programme performance in 2021 and target for 2023

34. The component's work contributed to the transfer of two convicted persons to enforcement States (one from the Arusha branch and one from The Hague branch) as well as the transfer of three convicted persons from Mali to Senegal, which exceeded the planned target.

35. The component's work also contributed to the finalization of an evacuation plan for convicted persons serving their sentence in Mali, which met the planned target.

36. The component's work did not meet the planned target of an increase in the number of enforcement States on the African continent. The target was not met owing to the absence of detainees at the United Nations Detention Facility in Arusha and the recent announcement of the Office of the Prosecutor confirming the death of the remaining fugitive to be tried by the Mechanism.

37. Progress towards the objective and the target for 2023 are presented in the performance measure below (see table 5).

Table 5  
Performance measure

<i>2019 (actual)</i>	<i>2020 (actual)</i>	<i>2021 (actual)</i>	<i>2022 (planned)</i>	<i>2023 (planned)</i>
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	Enforcement States, with the cooperation and support of the Mechanism, implement relevant recommendations by the International Committee of the Red Cross and other inspecting bodies, in particular regarding	Transfer of 2 convicted persons to enforcement States; transfer of 3 convicted persons from Mali to Senegal; finalization of evacuation plan in Mali, implementing	Transfer of 2 convicted persons to enforcement States; increased number of enforcement States	Transfer of 2 convicted persons to enforcement States; transfer of the final 2 convicted persons in Mali

2019 (actual)	2020 (actual)	2021 (actual)	2022 (planned)	2023 (planned)
of internal processes by the Arusha branch	family communications and access to health care	OIOS recommendation		

## Result 2: provision of judicial support services and access to judicial records and information

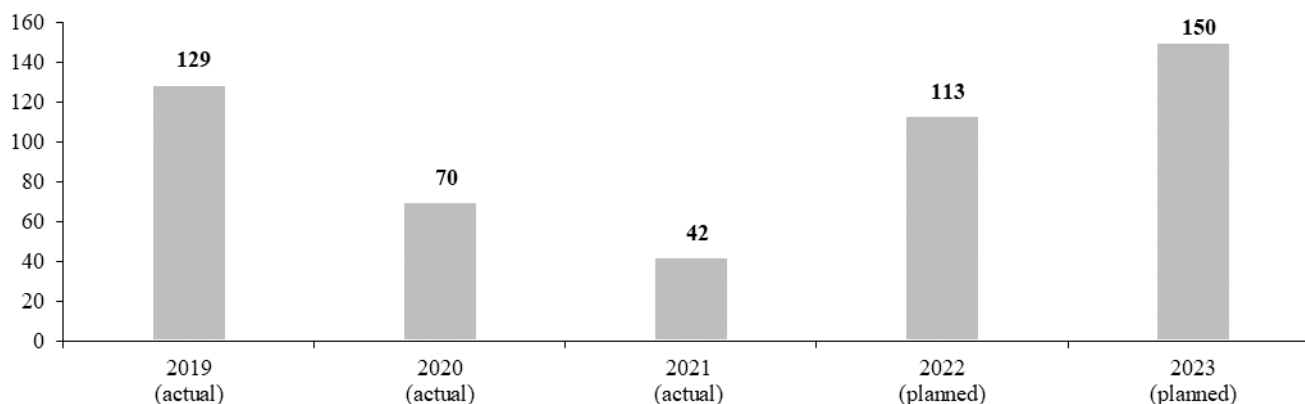
### Programme performance in 2021 and target for 2023

38. The component's work contributed to the availability of judicial records in response to 42 requests, consisting of 1,395 total records, which did not meet the planned target of 140 requests. The target was not met as the total number of requests received fell short of expectations. Nevertheless, all requests received were promptly and fully addressed by the component.

39. Progress towards the objective and the target for 2023 are presented in the performance measure below (see figure IV).

Figure IV

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



## Result 3: fair, efficient and timely judicial process, enhanced by cross-branch coordination and cooperation

### Proposed programme plan for 2023

40. In accordance with the provisions of the statute of the Mechanism, the component provides legal and administrative support services to facilitate fair and expeditious judicial proceedings with full respect for the rights of the accused and due regard for the protection of victims and witnesses. As “one Mechanism”, the component has been strengthening its cross-branch coordination and cooperation, including the harmonization of practices and procedures, to ensure it maintains the required optimum standards of service. While significant progress has been made since 2021, it is anticipated that the *Kabuga* case will require greater collaboration between the two branches during 2023, as a result of the case originating from the International Criminal Tribunal for Rwanda, while the trial will be held at The Hague branch.

*Lessons learned and planned change*

41. The lesson learned for the component was that early planning and timely communication between the component's sections and Mechanism organs at both branches are fundamental in ensuring efficiency, expeditiousness and consistency in the support that it provides. In applying this lesson, the component will strengthen cross-branch coordination, cooperation and consultation within the component's sections and with the Mechanism's other organs to enhance: (a) due process for Mr. Kabuga, while maintaining due regard for the protection of victims and witnesses; (b) efficiency in operations and related expenditure of public funds; (c) the expeditious handling of breaches of judicial protective measures; and (d) support to contempt proceedings arising within the *Kabuga* case. Notably, and with particular reference to the status of the Mechanism as a downsizing institution, the component's personnel will develop broader skill sets through cross-training and double-hatting, where applicable.

42. Expected progress towards the objective is presented in the performance measure below (see table 6).

**Table 6**  
**Performance measure**

<i>2019 (actual)</i>	<i>2020 (actual)</i>	<i>2021 (actual)</i>	<i>2022 (planned)</i>	<i>2023 (planned)</i>
–	–	–	No witnesses refusing to testify for security reasons; no delayed judicial hearings; and no unaddressed breaches of protective measures are identified	No witnesses refusing to testify for security reasons; no delayed judicial hearings; and no unaddressed breaches of protective measures are identified

**Deliverables**

43. Table 7 lists all deliverables of the component.

**Table 7**  
**Registry: deliverables for the period 2021–2023, by category and subcategory**

<i>Category and subcategory</i>	<i>2021 planned</i>	<i>2021 actual</i>	<i>2022 planned</i>	<i>2023 planned</i>
<b>A. Facilitation of the intergovernmental process and expert bodies</b>				
<b>Parliamentary documentation</b> (number of documents)	<b>3</b>	<b>2</b>	<b>3</b>	<b>2</b>
1. Periodic reports for the Security Council	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>2</b>	<b>3</b>	<b>2</b>
3. Meetings of the Security Council	3	2	3	2
<b>Judicial documentation</b> (number of documents)	<b>3</b>	<b>322</b>	<b>1</b>	<b>1</b>
4. Judicial decisions and orders from Chambers and the President	unforeseeable <sup>a</sup>	319	unforeseeable <sup>a</sup>	unforeseeable <sup>a</sup>
5. Judicial judgments from Chambers	3	3	1	1

<i>Category and subcategory</i>	<i>2021 planned</i>	<i>2021 actual</i>	<i>2022 planned</i>	<i>2023 planned</i>
<b>Substantive services for judicial proceedings</b> (number of documents)	<b>30</b>	<b>26</b>	<b>70</b>	<b>80</b>
6. Transcripts	30	26	70	80
<b>Documentation services for judicial proceedings</b> (thousands of words)	<b>5 400</b>	<b>6 231</b>	<b>5 550</b>	<b>5 100</b>
7. Translation	5 400	6 231	5 550	5 100
<b>B. Generation and transfer of knowledge</b>				
<b>Technical materials</b> (number of materials)	<b>140</b>	<b>42</b>	<b>113</b>	<b>150</b>
8. Evidence and information transferred to national authorities	140	42	113	150
<b>Fact-finding, monitoring and investigation missions</b> (number of missions)	<b>29</b>	<b>19</b>	<b>29</b>	<b>31</b>
9. Monitoring missions for the referred cases to national jurisdictions	14	9	12	10
10. Supervision of the enforcement of sentences missions	15	10	17	21
<b>C. Substantive deliverables</b>				
<b>Direct service delivery:</b> court support services for the Mechanism, including interpretation services, courtroom management and filings systems; legal aid to indigent accused and detainees; management of a detention facility in The Hague during ongoing proceedings and pending transfers of convicts to enforcement States; protection services to at least 3,150 witnesses in completed and ongoing cases of the Tribunals and the Mechanism, including witness movement and support for court hearings, administrative services for the relocation of witnesses and threat assessments; administration of the enforcement of approximately 46 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; and support for and relocation of persons acquitted and released by the International Criminal Tribunal for Rwanda, including through liaison with Member States.				

<sup>a</sup> The Mechanism is not in a position to meaningfully project decisions and orders, as this topic of judicial documentation is reactive with regard to matters raised before Chambers.

## Records management and archives

### Objective

44. 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

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

(a) Manage physical repositories at both branches and pursue active physical preservation programmes;

(b) Manage a digital repository and pursue active digital preservation programmes, including through the continued transfer of 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, conducting preservation risk assessments and enacting approved preservation plans to mitigate identified risks;

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

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

- (a) The best possible conditions for the long-term storage of physical records;
- (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 increased access by a wide range of users.

## **Programme performance in 2021**

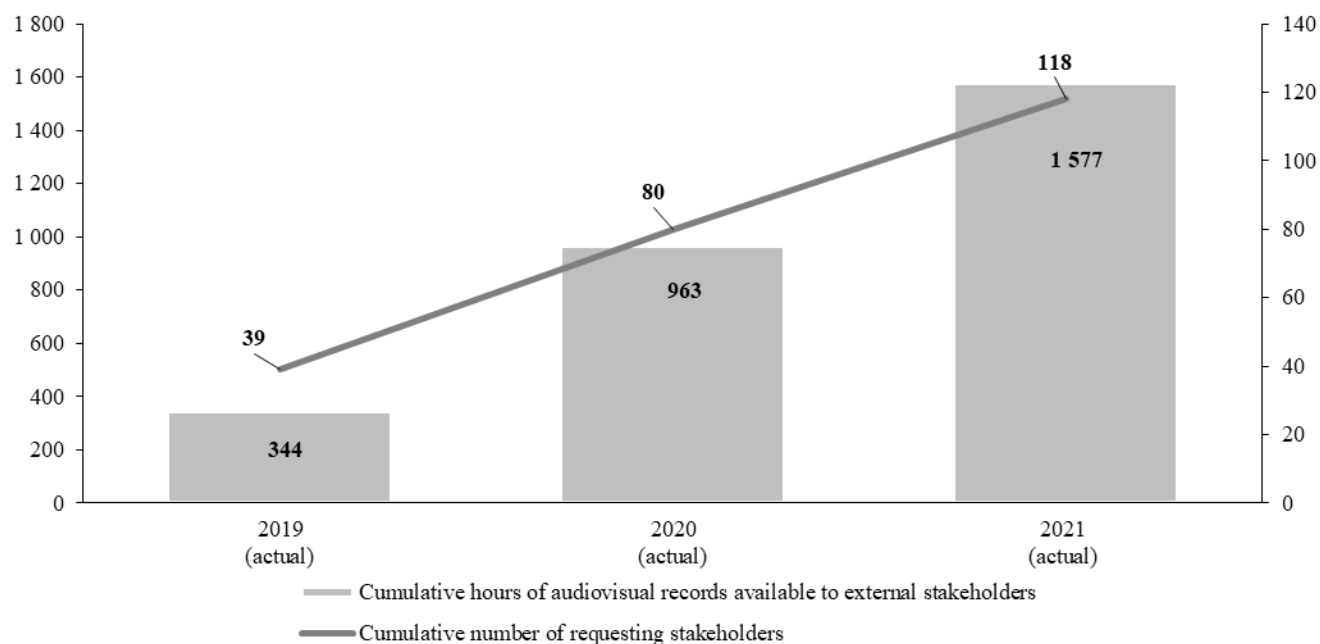
### **Increased access to audiovisual records amid the COVID-19 pandemic**

47. External requests for access to audiovisual records during the COVID-19 pandemic were higher than during the pre-pandemic period. They included requests from documentary filmmakers and radio, television and other media organizations for use in their programmes; requests from international courts; and requests for assistance from national jurisdictions. While the COVID-19 pandemic presented many challenges to the implementation of the mandated function of providing access to the archives, the Mechanism maintained a high level of service to external stakeholders while ensuring the continued protection of confidential information. Workflows were adjusted to allow for more effective remote working options and more efficient use of the facilities required for delivering audiovisual materials. This resulted in external stakeholders having access to an additional 614 hours of footage in 2021. In addition to English and French, the footage was also provided in Bosnian, Croatian and Serbian, and Kinyarwanda, enabling it to reach a much wider range of external audiences.

48. Progress towards the objective is presented in the performance measure below (see figure V).



Figure V  
Performance measure: increased access to audiovisual records



## Planned results for 2023

### Result 1: enhanced public access to archives

#### Programme performance in 2021 and target for 2023

49. The component's work contributed to a 161 per cent increase in the number of entries in the catalogue in preparation for its launch to external users, a 261 per cent increase in the number of users of the online unified court records database and positive feedback from users of the catalogue, which met the planned targets.

50. The planned target of more enquiries about the archives could not be met owing to delays experienced as a result of the COVID-19 pandemic, which in turn delayed the launch of the catalogue to external users. The catalogue is expected to be available to external users by June 2023.

51. Progress towards the objective and the target for 2023 are presented in the performance measure below (see table 8).

Table 8  
Performance measure

2019 (actual)	2020 (actual)	2021 (actual)	2022 (planned)	2023 (planned)
Improved online access to more of the Tribunals' judicial records (text documents and selected audiovisual	Launch of the online unified court records database. Creation of 3,000 hours of publicly accessible audiovisual	A 161 per cent increase in the number of entries in the catalogue and a 261 per cent increase in the number of users of	Increased use of the catalogue and positive feedback from users of the catalogue. More enquiries about the archives and	More enquiries about the archives and increased usage of records in the unified court records database

<i>2019 (actual)</i>	<i>2020 (actual)</i>	<i>2021 (actual)</i>	<i>2022 (planned)</i>	<i>2023 (planned)</i>
recordings of courtroom hearings)	recordings of courtroom hearings	the online unified court records database, and positive feedback received from users	increased usage of materials. Increased quantity of audiovisual recordings of courtroom hearings available online	

## Result 2: preserved complex formats

### Programme performance in 2021 and target for 2023

52. The component's work contributed to increased volume and range of content in the digital preservation system, with the transfer of 96.6 terabytes of content, including the pre-2009 legacy website of the International Tribunal for the Former Yugoslavia and the 2014 "ICTR Remembers" legacy website, which did not meet the planned target of an additional 100 terabytes transferred into the system. The target was not met owing to the complex format of the legacy websites, which required the utilization of sophisticated methods of metadata capture and packaging prior to preservation.

53. Progress towards the objective and the target for 2023 are presented in the performance measure below (see table 9).

Table 9  
Performance measure

<i>2019 (actual)</i>	<i>2020 (actual)</i>	<i>2021 (actual)</i>	<i>2022 (planned)</i>	<i>2023 (planned)</i>
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 96.6 terabytes, including legacy 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)	Increased volume and range of content in the digital preservation system for which continued availability and usability for end users is ensured (depending on available resources, an additional 50 terabytes, including websites, email and audiovisual recordings of Mechanism hearings, transferred into the system)

### Result 3: continued access to archives through pre-emptive and comprehensive preservation

#### Proposed programme plan for 2023

54. The archives of the ad hoc Tribunals and the Mechanism contain records in a range of digital, audiovisual and physical formats. They are a unique and irreplaceable source of information about the work and accomplishments of these institutions, which are of interest to a wide range of researchers, including lawyers, documentary filmmakers, academics and those directly involved in or affected by the activities of the Tribunals. The component has begun work to preserve authentic trustworthy archives, including assessing the preservation needs of physical and digital records, transferring digital records into a digital preservation system and digitizing audiovisual records on analogue media for transfer to the digital preservation system.

#### *Lessons learned and planned change*

55. The lesson for the component that emerged while preserving this diverse and complex collection was that an equally diverse and complex variety of risks, including potential unforeseen events and vulnerabilities, threaten the survival of these archives. In applying the lesson, the component will follow a risk-based approach to ensure the archives continue to be accessible and usable by a wide range of users, including members of the public. This will entail identifying risks to the archives across all formats, analysing each risk's proximity and potential impact and treating those that are most imminent and/or have the greatest impact.

56. Expected progress towards the objective is presented in the performance measure below (see table 10).

Table 10  
Performance measure

<i>2019 (actual)</i>	<i>2020 (actual)</i>	<i>2021 (actual)</i>	<i>2022 (planned)</i>	<i>2023 (planned)</i>
Users have continued access to an increased volume of records (1,332 audiovisual recordings digitized, cumulative total of 159,729 digital files preserved in the digital preservation system and planning for preservation of other formats)	Users have continued access to an increased volume of records (372 audiovisual recordings digitized, cumulative total of 188,582 digital files preserved in the digital preservation system and planning for preservation of other formats)	Users have continued access to an increased volume of records (1,370 audiovisual recordings digitized, cumulative total of 212,294 digital files preserved in the digital preservation system and planning for preservation of other formats)	Users have continued access to an increased volume of records	Users have continued access to an increased volume of records

### Deliverables

57. Table 11 lists all deliverables of the component.

Table 11

**Records management and archives: deliverables for the period 2021–2023, by category and subcategory***Category and subcategory***C. Substantive deliverables**

**Consultation, advice and advocacy:** technical advice on archives management to other international organizations, particularly courts and tribunals.

**Databases and substantive digital materials:** digital platforms for 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; digital preservation system for preserving digital 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.

**Library services:** physical archives in secure repositories; digital archives in a secure digital repository; secure access to archives through digital platforms and on-site research facilities; handling of requests for access to records and archives.

## B. Proposed post and non-post resource requirements for 2023

### Overview

58. The proposed budget resources for 2023, including the breakdown of resource changes, as applicable, are reflected in tables 12 to 14.

Table 12

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

(Thousands of United States dollars)

	2021 expenditure	2022 appropriation	Changes					2023 estimate (before recosting)	Recosting	2023 estimate (after recosting)
			Technical adjustments	New/ expanded mandates	Other	Total	Percentage			
Post	21 689.9	20 982.8	226.1	–	(3 993.2)	(3 767.1)	(18.0)	17 215.7	312.8	17 528.5
Other staff costs	37 123.0	36 029.5	–	76.5	(7 715.5)	(7 639.0)	(21.2)	28 390.5	1 440.3	29 830.8
Non-staff compensation	4 410.4	4 674.2	–	–	443.3	443.3	9.5	5 117.5	183.6	5 301.1
Hospitality	0.5	10.8	–	–	–	–	–	10.8	0.6	11.4
Experts	–	104.7	–	–	(38.9)	(38.9)	(37.2)	65.8	3.3	69.1
Consultants	72.6	–	–	12.0	–	12.0	–	12.0	0.7	12.7
Travel of representatives	60.1	245.6	–	–	(66.6)	(66.6)	(27.1)	179.0	9.5	188.5
Travel of staff	872.8	945.6	–	29.1	406.8	435.9	46.1	1 381.5	73.2	1 454.7
Contractual services	6 603.1	7 689.7	–	1.6	442.5	444.1	5.8	8 133.8	418.8	8 552.6
General operating expenses	6 924.3	8 338.1	–	0.6	192.4	193.0	2.3	8 531.1	439.2	8 970.3
Supplies and materials	398.1	598.9	–	–	(28.6)	(28.6)	(4.8)	570.3	29.4	599.7
Furniture and equipment	3 104.1	894.4	–	–	(139.8)	(139.8)	(15.6)	754.6	38.7	793.3
Improvement of premises	109.7	122.7	–	–	(9.4)	(9.4)	(7.7)	113.3	5.8	119.1
Grants and contributions	299.0	740.3	–	–	1 072.4	1 072.4	144.9	1 812.7	93.7	1 906.4
Staff assessment	8 678.7	8 312.9	27.9	13.0	(1 650.1)	(1 609.2)	(19.4)	6 703.7	246.2	6 949.9
<b>Total</b>	<b>90 346.3</b>	<b>89 690.2</b>	<b>254.0</b>	<b>132.8</b>	<b>(11 084.7)</b>	<b>(10 697.9)</b>	<b>(11.9)</b>	<b>78 992.3</b>	<b>3 295.8</b>	<b>82 288.1</b>

*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 13  
Overall: proposed posts and post changes for 2023

	<i>Number</i>	<i>Level</i>
Approved 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
Redeployment	–	1 Chief Security Officer (P-4) from Arusha to The Hague, 1 Finance and Budget Officer (P-4) from Arusha to The Hague
Abolishment	(50)	1 P-5, 1 P-4, 3 P-3, 4 P-2, 4 GS (OL), 23 SS, 2 LL, 12 FS
Proposed for 2023	137	1 USG, 1 ASG, 1 D-1, 5 P-5, 20 P-4, 28 P-3, 9 P-2/1, 22 GS (OL), 15 SS, 12 LL, 23 FS

Table 14  
Evolution of temporary post resources by category, location and entity

<i>Category</i>	<i>2022 approved</i>	<i>Changes</i>			<i>2023 proposed</i>
		<i>Technical adjustments</i>	<i>Other</i>	<i>Total</i>	
<b>Professional and higher</b>					
<b>Arusha branch</b>					
USG	1	–	–	–	1
ASG	1	–	–	–	1
D-1	1	–	–	–	1
P-5	2	–	–	–	2
P-4	14	–	(3)	(3)	11
P-3	16	–	(1)	(1)	15
P-2/1	6	–	(3)	(3)	3
<b>Subtotal</b>	<b>41</b>	<b>–</b>	<b>(7)</b>	<b>(7)</b>	<b>34</b>
<b>The Hague branch</b>					
P-5	4	–	(1)	(1)	3
P-4	6	–	2	2	8
P-3	14	–	(2)	(2)	12
P-2/1	7	–	(1)	(1)	6
<b>Subtotal</b>	<b>31</b>	<b>–</b>	<b>(2)</b>	<b>(2)</b>	<b>29</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>(9)</b>	<b>(9)</b>	<b>65</b>

Category	2022 approved	Changes			2023 proposed
		Technical adjustments	Other	Total	
<b>General Service and related</b>					
<b>Arusha branch</b>					
SS	38	–	(23)	(23)	15
LL	14	–	(2)	(2)	12
FS	35	–	(12)	(12)	23
<b>Subtotal</b>	<b>87</b>	<b>–</b>	<b>(37)</b>	<b>(37)</b>	<b>50</b>
<b>The Hague branch</b>					
GS (OL)	26	–	(4)	(4)	22
<b>Subtotal</b>	<b>26</b>	<b>–</b>	<b>(4)</b>	<b>(4)</b>	<b>22</b>
<b>Total, General Service and related</b>	<b>113</b>	<b>–</b>	<b>(41)</b>	<b>(41)</b>	<b>72</b>
<b>Total</b>	<b>187</b>	<b>–</b>	<b>(50)</b>	<b>(50)</b>	<b>137</b>

59. Additional details on the distribution of the proposed resources for 2023 are reflected in tables 15 to 17 and figure VI.

60. As reflected in tables 15 (1) and 16 (1), the overall resources proposed for 2023 amount to \$78,992,300 (gross) before recosting, reflecting a net decrease of \$10,697,900 (or 11.9 per cent) compared with the appropriation for 2022. Resource changes result from three factors, namely: (a) technical adjustments; (b) new and expanded mandates; and (c) other changes. The proposed level of resources provides for the full, efficient and effective implementation of mandates.

Table 15

**Overall: evolution of financial resources by source of funding and component**

(Thousands of United States dollars)

(1) *Assessed budget*

	2021 expenditure	2022 appropriation	Changes				2023 estimate (before recosting)	2023 estimate (after recosting)		
			Technical adjustments	New/expanded mandates	Other	Total				
A. Chambers	1 359.2	1 789.8	–	–	(40.7)	(40.7)	(2.3)	1 749.1	19.3	1 768.4
1. Arusha branch	368.8	902.0	–	–	(821.4)	(821.4)	(91.1)	80.6	0.5	81.1
2. The Hague branch	990.4	887.8	–	–	780.7	780.7	87.9	1 668.5	18.8	1 687.3
B. Office of the Prosecutor	16 161.6	17 093.2	–	–	(2 095.3)	(2 095.3)	(12.3)	14 997.9	613.4	15 611.3
1. Arusha branch	7 463.0	9 363.0	–	–	(1 796.5)	(1 796.5)	(19.2)	7 566.5	281.7	7 848.2
2. The Hague branch	8 698.6	7 730.2	–	–	(298.8)	(298.8)	(3.9)	7 431.4	331.7	7 763.1
C. Registry	63 184.2	62 562.9	254.0	132.8	(7 702.4)	(7 315.6)	(11.7)	55 247.3	2 388.9	57 636.2
1. Arusha branch	27 284.9	29 333.3	186.8	–	(8 621.2)	(8 434.4)	(28.8)	20 898.9	799.8	21 698.7
2. The Hague branch	35 528.2	32 906.9	67.2	–	924.3	991.5	3.0	33 898.4	1 572.8	35 471.2
3. OIOS	272.9	196.7	–	132.8	(5.5)	127.3	64.7	324.0	8.5	332.5
4. Mechanism support, New York	98.2	126.0	–	–	–	–	–	126.0	7.8	133.8

	2021 expenditure	2022 appropriation	Changes				2023 estimate (before recosting)	Recosting	2023 estimate (after recosting)	
			Technical adjustments	New/ expanded mandates	Other	Total				Percentage
D. Records management and archives	5 122.9	3 544.6	–	–	(1 610.8)	(1 610.8)	(45.4)	1 933.8	43.2	1 977.0
1. Arusha branch	3 115.1	1 954.7	–	–	(860.9)	(860.9)	(44.0)	1 093.8	25.7	1 119.5
2. The Hague branch	2 007.8	1 589.9	–	–	(749.9)	(749.9)	(47.2)	840.0	17.5	857.5
E. Liabilities for payment of pensions of retired judges and after-service health insurance for former staff members	4 518.4	4 699.7	–	–	364.5	364.5	7.8	5 064.2	231.0	5 295.2
<b>Subtotal, 1</b>	<b>90 346.3</b>	<b>89 690.2</b>	<b>254.0</b>	<b>132.8</b>	<b>(11 084.7)</b>	<b>(10 697.9)</b>	<b>(11.9)</b>	<b>78 992.3</b>	<b>3 295.8</b>	<b>82 288.1</b>

(2) *Extrabudgetary*

	2021 expenditure	2022 estimate	Change	Percentage	2023 estimate
C. Registry					
The Hague branch	1 250.7	1 248.0	(248.0)	(19.9)	1 000.0
<b>Subtotal, 2</b>	<b>1 250.7</b>	<b>1 248.0</b>	<b>(248.0)</b>	<b>(19.9)</b>	<b>1 000.0</b>
<b>Total</b>	<b>91 597.0</b>	<b>90 938.2</b>	<b>(7 650.1)</b>	<b>(8.4)</b>	<b>83 288.1</b>

Table 16  
Evolution of post resources by component

(1) *Assessed budget*

	2022 approved	Changes				2023 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	–	–	(38)	(38)	61
2. The Hague branch	36	–	–	–	–	36
3. OIOS	1	–	–	–	–	1
4. Mechanism support, New York	1	–	–	–	–	1
D. Records management and archives						
1. Arusha branch	11	–	–	(6)	(6)	5
2. The Hague branch	11	–	–	(6)	(6)	5
<b>Subtotal, 1</b>	<b>187</b>	<b>–</b>	<b>–</b>	<b>(50)</b>	<b>(50)</b>	<b>137</b>



(2) *Extrabudgetary*

	2022 estimate	Change	2023 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>(50)</b>	<b>146</b>

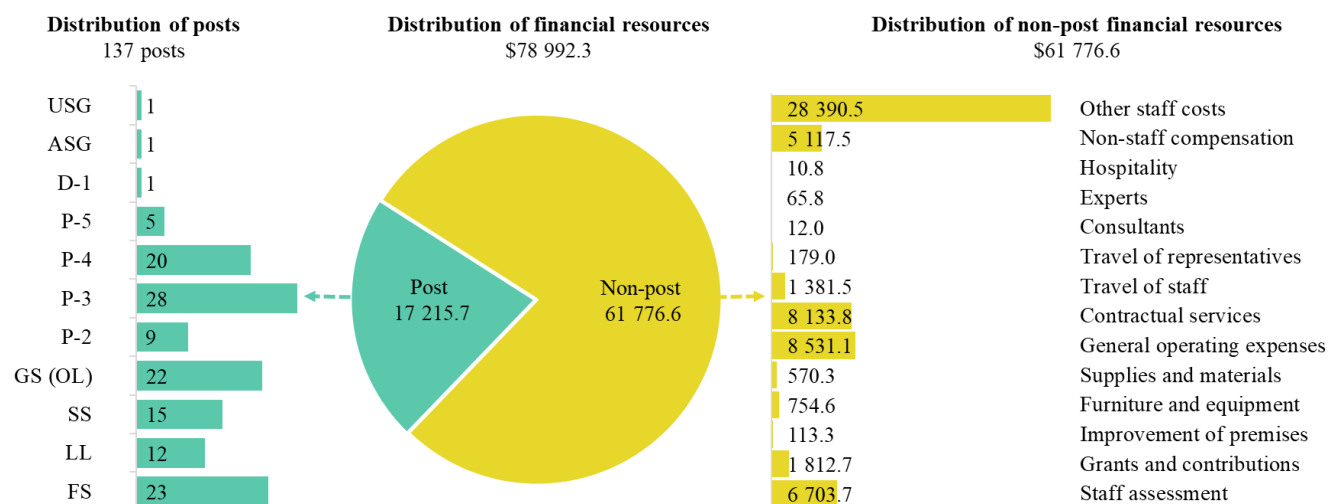
Table 17  
**Overall: evolution of financial and post resources by category**

(Thousands of United States dollars/number of posts)

	2021 expenditure	2022 appropriation	Changes					2023 estimate (before recosting)
			Technical adjustments	New/expanded mandates	Other	Total	Percentage	
<b>Financial resources by main category of expenditure</b>								
Post	21 689.9	20 982.8	226.1	–	(3 993.2)	(3 767.1)	(18.0)	17 215.7
Non-post	68 656.4	68 707.4	27.9	132.8	(7 091.5)	(6 930.8)	(10.1)	61 776.6
<b>Total</b>	<b>90 346.3</b>	<b>89 690.2</b>	<b>254.0</b>	<b>132.8</b>	<b>(11 084.7)</b>	<b>(10 697.9)</b>	<b>(11.9)</b>	<b>78 992.3</b>
<b>Post resources by category</b>								
Professional and higher	74	74	–	–	(9)	(9)	(12.2)	65
General Service and related	113	113	–	–	(41)	(41)	(36.3)	72
<b>Total</b>	<b>187</b>	<b>187</b>	<b>–</b>	<b>–</b>	<b>(50)</b>	<b>(50)</b>	<b>(26.7)</b>	<b>137</b>

Figure VI  
**Distribution of proposed resources for 2023 (before recosting)**

(Number of posts/thousands of United States dollars)



## Explanation of variances by factor and component

### Overall resource changes

#### Technical adjustments

61. As reflected in table 15 (1), resource changes reflect an increase of \$254,000 under the Registry, comprising an increase under posts (\$226,100) and staff assessment (\$27,900), owing to the delayed impact of three posts approved for reassignment (1 post of Administrative Officer (P-4) as Chief of Unit, Procurement; 1 post of Programme Management Officer (P-3) as Legal Officer; and 1 post of Associate Witness Protection and Support Officer (P-2) as Associate Legal Officer) in 2022 pursuant to General Assembly resolution [76/243](#), which were subject to a 50 per cent vacancy rate in accordance with the established practice for reassigned posts.

#### New and expanded mandates

62. As reflected in table 15 (1), resource changes reflect an increase of non-recurrent provisions of \$132,800 under the Registry, comprising an increase under other staff costs (\$76,500), consultants (\$12,000), travel of staff (\$29,100), contractual services (\$1,600), general operating expenses (\$600) and staff assessment (\$13,000), relating to the need to strengthen independent oversight of the Mechanism, specifically with respect to the evaluation of its methods and work, pursuant to paragraph 16 of Security Council resolution [2637 \(2022\)](#).

#### Other changes

63. As reflected in tables 15 (1) and 16 (1), resource changes reflect a net decrease of \$11,084,700, as follows:

(a) **Chambers.** The decrease of \$40,700 mainly reflects the net effect of:

(i) A decrease of \$66,600 under travel of representatives (travel of judges) owing to the non-convening of the in-person plenary conference of judges in 2023;

(ii) An increase of \$25,900 under non-staff compensation (honorariums to judges) owing to an increase in the size of the bench assigned to the *Kabuga* case from three to four judges, offset in part by reduced honorariums owing to the conclusion of the appeal proceedings in the *Nzabonimpa* case in 2022 and the expected conclusion of the appeal proceedings in the *Stanišić and Simatović* case in 2023. In addition, the decision to try the *Kabuga* case in The Hague to avoid the risk of disruption to the swift conduct and conclusion of the proceedings, in view of Mr. Kabuga's medical situation, will result in the reallocation of resources from Arusha to The Hague under the Chambers in 2023;

(b) **Office of the Prosecutor.** The decrease of \$2,095,300 mainly reflects the net effect of:

(i) A decrease of \$2,177,200 under other staff costs owing primarily to the reduced need for general temporary assistance positions due to the expected conclusion of the appeal proceedings in the *Stanišić and Simatović* case in The Hague and the planned closure of the Sarajevo field office during 2023;

(ii) An increase of \$156,300 for travel of staff related to: the decision to try the *Kabuga* case in The Hague, with witness testimony now anticipated to take place in three locations, namely, The Hague, Arusha and Kigali, resulting in

additional travel requirements for 2023; additional travel requirements for the tracking of fugitives; and the planned closure of the Sarajevo field office in 2023, which will necessitate an increase in the volume of travel undertaken by staff in order to carry out activities previously supported by the field office. In addition, the decision to try the *Kabuga* case in The Hague will result in the reallocation of resources from Arusha to The Hague under the Office of the Prosecutor in 2023;

(c) **Registry.** The decrease of \$7,702,400 mainly reflects the net effect of:

(i) A decrease of \$2,553,900 under posts, \$5,485,400 under other staff costs and \$1,413,000 under staff assessment as a result of the proposed abolishment of 32 temporary posts (1 P-4, 6 Field Service, 23 Security Service, 1 General Service (Other level) and 1 Local level) effective 1 January 2023 and the abolishment of 6 temporary posts (1 P-3, 1 P-2 and 4 Field Service) in a phased manner, as detailed in annex III, and reduced requirements for general temporary assistance positions that take into account:

a. The reduction in judicial workload following the projected conclusion of the appeal proceedings in the *Stanišić and Simatović* case in The Hague in June 2023;

b. The planned closure of the Sarajevo field office and the United Nations Detention Facility in Arusha during 2023;

c. A review of staffing requirements based on the recommendations of the Advisory Committee on Administrative and Budgetary Questions, as endorsed by the General Assembly in its resolution [76/243](#). The proposed reductions will allow the Registry to maximize staffing efficiencies with increased cross-branch harmonization and the outsourcing of functions in the administrative and security areas;

(ii) An increase of \$250,100 under travel of staff owing mainly to the change of venue of the *Kabuga* case and the resulting need for the travel of staff to accompany witnesses providing testimony in The Hague, and travel in support of Sarajevo-related operations following the planned closure of the field office;

(iii) An increase of \$450,500 under contractual services due mainly to the planned outsourcing of functions to external contractors in the administration and security areas;

(iv) An increase of \$192,400 under general operating expenses due mainly to costs relating to protection and support for witnesses appearing in The Hague for the *Kabuga* trial;

(v) An increase of \$1,072,400 under grants and contributions owing mainly to the planned outsourcing of additional administration support functions to United Nations service centres in 2023. The increased requirements under contractual services and grants and contributions are more than offset by the related reductions proposed under posts and general temporary assistance positions in 2023;

(d) **Records management and archives.** The net decrease of \$1,610,800 relates to lower requirements for posts (\$1,439,300) and staff assessment (\$202,700) owing to the proposed abolishment of 12 temporary posts (1 P-5, 2 P-3, 3 P-2, 2 Field Service, 3 General Service (Other level) and 1 Local level), as detailed in annex III. The proposed reduction in staffing levels takes into account a review of the staffing requirements of the Section with a view to maintaining the leanest possible profile, while expeditiously servicing judicial proceedings and prioritizing those functions that are most directly related to in-court judicial activity;

(e) **Liabilities for payment of pensions of retired judges and after-service health insurance for former staff members.** The increase of \$364,500 reflects the net effect of:

- (i) An increase of \$417,400 under non-staff compensation owing to increased actuarial projections in pension payments due to the projected increase in the number of retired judges in 2023;
- (ii) The decrease of \$52,900 under staff costs that takes into account expenditure experience with respect to after-service health insurance benefits for former staff members.

## **Extrabudgetary resources**

64. As reflected in tables 15 (2) and 16 (2), the Mechanism receives extrabudgetary contributions, which complement assessed resources and continue to be vital for the delivery of its mandates. In 2023, projected extrabudgetary resources of \$1,000,000, including nine posts, will support a joint project of the Registry and the Office of the Prosecutor aimed at reducing the backlog of war crimes cases at the national level, building the capacity of educators at the secondary and tertiary levels in the countries of the former Yugoslavia with regard to the utilization of judicially established facts when 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 \$248,000 compared with the estimates for 2022 is due mainly to the appreciation of the United States dollar against the euro during the past 12 months. Extrabudgetary resources represent 1.2 per cent of the total resources for the Mechanism.

65. 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 undertook a number of environmental initiatives at both branches aimed at reducing water and energy consumption and minimizing oil and other substance spills, as detailed in paragraph 77 of the proposed budget for the International Residual Mechanism for Criminal Tribunals for 2022 ([A/76/411](#)).

## **Other information**

66. In 2023, the Mechanism will work towards sustaining the environmental improvements already implemented. At the Arusha branch, a study on the environmental footprint in the areas of utilities, services, waste disposal/treatment and landscaping is currently under way. The final study and related recommendations aimed at optimizing the carbon footprint are expected to be available by the end of 2022.

67. Information on compliance with regard to the timely submission of documentation and advance booking for air travel is reflected in table 18. With regard to advance booking for air travel, the performance in 2021 was affected by the COVID-19 pandemic. While the rate for 2021 (42 per cent) is higher than that realized in 2020 (27 per cent), it is still well below the planned target, and the Mechanism will continue to address the need to improve its travel compliance rate, especially for entitlement-related travel and other non-judicial activity-related travel, which are more predictable in character.

Table 18  
**Compliance rate**

(Percentage)

	<i>Actual 2019</i>	<i>Actual 2020</i>	<i>Actual 2021</i>	<i>Planned 2022</i>	<i>Planned 2023</i>
Timely submission of documentation	100	100	100	100	100
Air tickets purchased at least 2 weeks before the commencement of travel	43	27	42	100	100

## Chambers

68. 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.

69. 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.

70. 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 19, the proposed budget for 2023 amounts to \$1,749,100 before recosting and reflects a net decrease of \$40,700 compared with the appropriation for 2022, as explained in paragraph 63 (a) above. Additional details are reflected in figure VII.

Table 19  
**Chambers: evolution of financial resources**

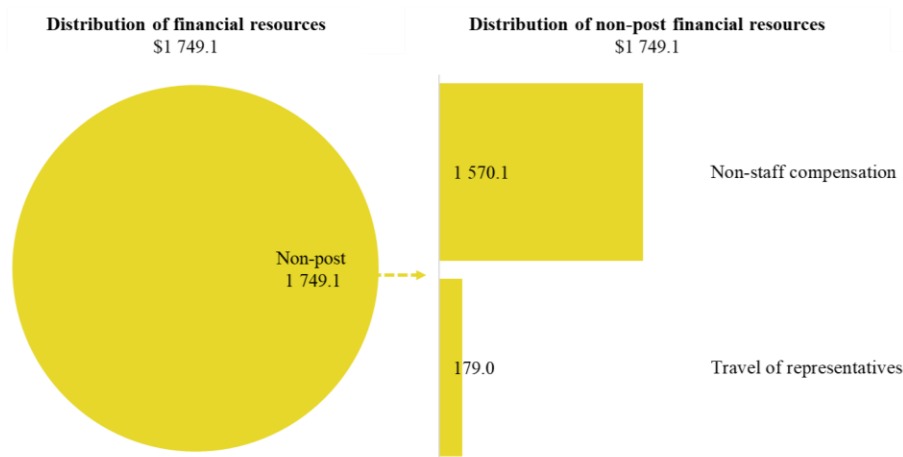
(Thousands of United States dollars)

	<i>2021 expenditure</i>	<i>2022 appropriation</i>	<i>Changes</i>					<i>2023 estimate (before recosting)</i>
			<i>Technical adjustments</i>	<i>New/expanded mandates</i>	<i>Other</i>	<i>Total</i>	<i>Percentage</i>	
<b>Arusha branch</b>								
Non-post	368.8	902.0	–	–	(821.4)	(821.4)	(91.1)	80.6
<b>Subtotal</b>	<b>368.8</b>	<b>902.0</b>	<b>–</b>	<b>–</b>	<b>(821.4)</b>	<b>(821.4)</b>	<b>(91.1)</b>	<b>80.6</b>

	2021 expenditure	2022 appropriation	Changes					2023 estimate (before recosting)
			Technical adjustments	New/expanded mandates	Other	Total	Percentage	
<b>The Hague branch</b>								
Non-post	990.4	887.8	–	–	780.7	780.7	87.9	1 668.5
<b>Subtotal</b>	<b>990.4</b>	<b>887.8</b>	<b>–</b>	<b>–</b>	<b>780.7</b>	<b>780.7</b>	<b>87.9</b>	<b>1 668.5</b>
<b>Total</b>	<b>1 359.2</b>	<b>1 789.8</b>	<b>–</b>	<b>–</b>	<b>(40.7)</b>	<b>(40.7)</b>	<b>(2.3)</b>	<b>1 749.1</b>

Figure VII  
**Chambers: distribution of proposed resources for 2023 (before recosting)**

(Thousands of United States dollars)



### Office of the Prosecutor

71. 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.

72. 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.

73. 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.

74. The proposed structure and core staffing for the Office of the Prosecutor for 2023 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 trial and appellate work and include resources with respect to the *Kabuga* case and the appeal proceedings in the *Stanišić and Simatović* case for 2023, as well as a continued surge in requests for assistance submitted by national jurisdictions, including 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.

75. The resources proposed under the Office of the Prosecutor would provide for post and non-post requirements of the Office. As reflected in table 20, the proposed budget for 2023 amounts to \$14,997,900 and reflects a net decrease of \$2,095,300 compared with the appropriation for 2022, as explained in paragraph 63 (b) above. Additional details are reflected in figure VIII.

Table 20

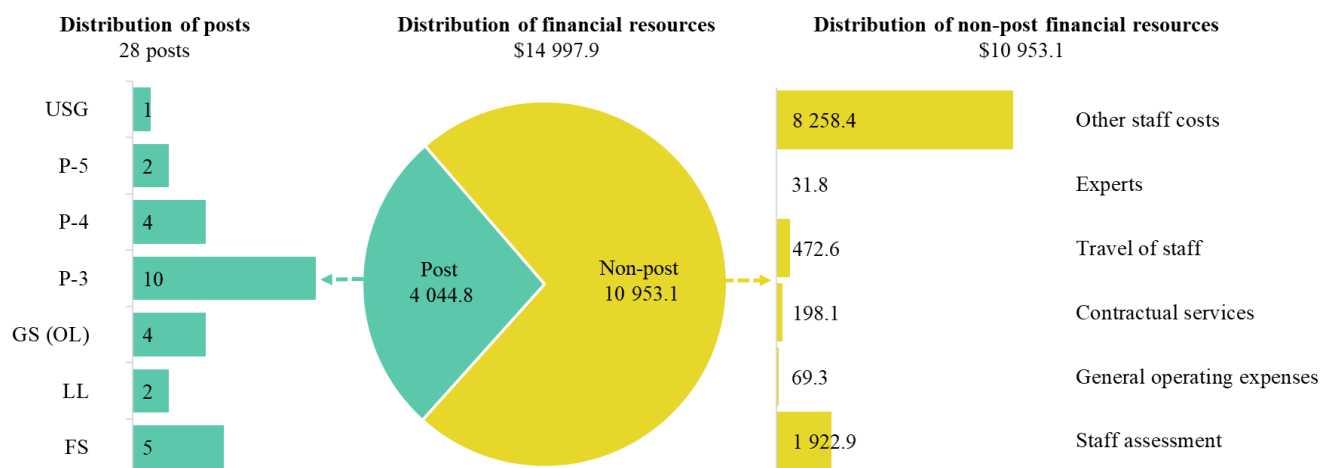
**Office of the Prosecutor: evolution of financial and post resources**

(Thousands of United States dollars/number of posts)

	2021 expenditure	2022 appropriation	Changes					2023 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	2 667.6	2 821.0	–	–	–	–	–	2 821.0
Non-post	4 119.4	5 761.7	–	–	(1 787.9)	(1 787.9)	(31.0)	3 973.8
Staff assessment	676.0	780.3	–	–	(8.6)	(8.6)	(1.1)	771.7
<b>Subtotal</b>	<b>7 463.0</b>	<b>9 363.0</b>	<b>–</b>	<b>–</b>	<b>(1 796.5)</b>	<b>(1 796.5)</b>	<b>(19.2)</b>	<b>7 566.5</b>
<b>The Hague branch</b>								
Post	1 344.8	1 223.8	–	–	–	–	–	1 223.8
Non-post	6 099.5	5 329.4	–	–	(273.0)	(273.0)	(5.1)	5 056.4
Staff assessment	1 254.3	1 177.0	–	–	(25.8)	(25.8)	(2.2)	1 151.2
<b>Subtotal</b>	<b>8 698.6</b>	<b>7 730.2</b>	<b>–</b>	<b>–</b>	<b>(298.8)</b>	<b>(298.8)</b>	<b>(3.9)</b>	<b>7 431.4</b>
<b>Total</b>	<b>16 161.6</b>	<b>17 093.2</b>	<b>–</b>	<b>–</b>	<b>(2 095.3)</b>	<b>(2 095.3)</b>	<b>(12.3)</b>	<b>14 997.9</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>–</b>	<b>28</b>

Figure VIII  
Office of the Prosecutor: distribution of proposed resources for 2023 (before recosting)

(Number of posts/thousands of United States dollars)



## Registry

76. 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.

77. 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.

78. 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.

79. The resources proposed under the Registry would provide for its post and non-post requirements. As reflected in table 21, the proposed budget for 2023 amounts to \$55,247,300 and reflects a net decrease of \$7,315,600 compared with the appropriation for 2022, as explained in paragraphs 61, 62 and 63 (c) above. Additional details are reflected in figure IX.

80. The Registry is supported by extrabudgetary resources, including nine posts, as reflected in tables 15 (2) and 16 (2) and paragraph 64 above.



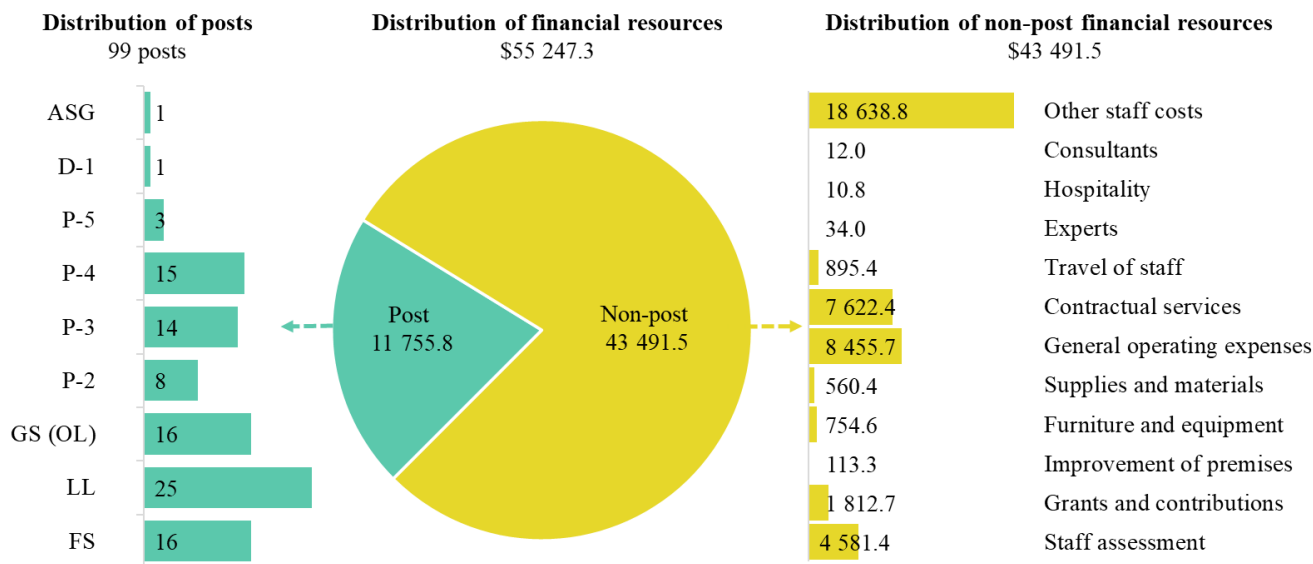
Table 21  
**Registry: evolution of financial and post resources**

(Thousands of United States dollars/number of posts)

	2021 expenditure	2022 appropriation	Changes				2023 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	9 922.4	9 701.4	166.1	–	(2 682.2)	(2 516.1)	(25.9)	7 185.3
Non-post	15 408.6	17 395.0	–	–	(5 113.3)	(5 113.3)	(29.4)	12 281.7
Staff assessment	1 953.9	2 236.9	20.7	–	(825.7)	(805.0)	(36.0)	1 431.9
<b>Subtotal</b>	<b>27 284.9</b>	<b>29 333.3</b>	<b>186.8</b>	<b>–</b>	<b>(8 621.2)</b>	<b>(8 434.4)</b>	<b>(28.8)</b>	<b>20 898.9</b>
<b>The Hague branch</b>								
Post	4 449.7	4 113.5	60.0	–	128.3	188.3	4.6	4 301.8
Non-post	26 864.1	25 112.7	–	–	1 383.3	1 383.3	5.5	26 496.0
Staff assessment	4 214.4	3 680.7	7.2	–	(587.3)	(580.1)	(15.8)	3 100.6
<b>Subtotal</b>	<b>35 528.2</b>	<b>32 906.9</b>	<b>67.2</b>	<b>–</b>	<b>924.3</b>	<b>991.5</b>	<b>3.0</b>	<b>33 898.4</b>
<b>OIOS</b>								
Post	177.3	156.1	–	–	–	–	–	156.1
Non-post	62.4	16.4	–	119.8	(5.5)	114.3	697.0	130.7
Staff assessment	33.2	24.2	–	13.0	–	13.0	53.7	37.2
<b>Subtotal</b>	<b>272.9</b>	<b>196.7</b>	<b>–</b>	<b>132.8</b>	<b>(5.5)</b>	<b>127.3</b>	<b>64.7</b>	<b>324.0</b>
<b>Mechanism support, New York</b>								
Post	88.8	112.6	–	–	–	–	–	112.6
Non-post	–	1.7	–	–	–	–	–	1.7
Staff assessment	9.4	11.7	–	–	–	–	–	11.7
<b>Subtotal</b>	<b>98.2</b>	<b>126.0</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>126.0</b>
<b>Total</b>	<b>63 184.2</b>	<b>62 562.9</b>	<b>254.0</b>	<b>132.8</b>	<b>(7 702.4)</b>	<b>(7 315.6)</b>	<b>(11.7)</b>	<b>55 247.3</b>
<b>Post resources by category</b>								
Professional and higher		45	–	–	(3)	(3)	(6.7)	42
General Service and related		92	–	–	(35)	(35)	(38.0)	57
<b>Total</b>		<b>137</b>	<b>–</b>	<b>–</b>	<b>(38)</b>	<b>(38)</b>	<b>(27.7)</b>	<b>99</b>

Figure IX  
**Registry: distribution of proposed resources for 2023 (before recosting)**

(Number of posts/thousands of United States dollars)



### Records management and archives

81. 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.

82. 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.

83. 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 for 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.

84. 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 22, the proposed budget for 2023 amounts to \$1,933,800 and reflects a net decrease of \$1,610,800 compared with the appropriation for 2022, as explained in paragraph 63 (d) above. Additional details are reflected in figure X.

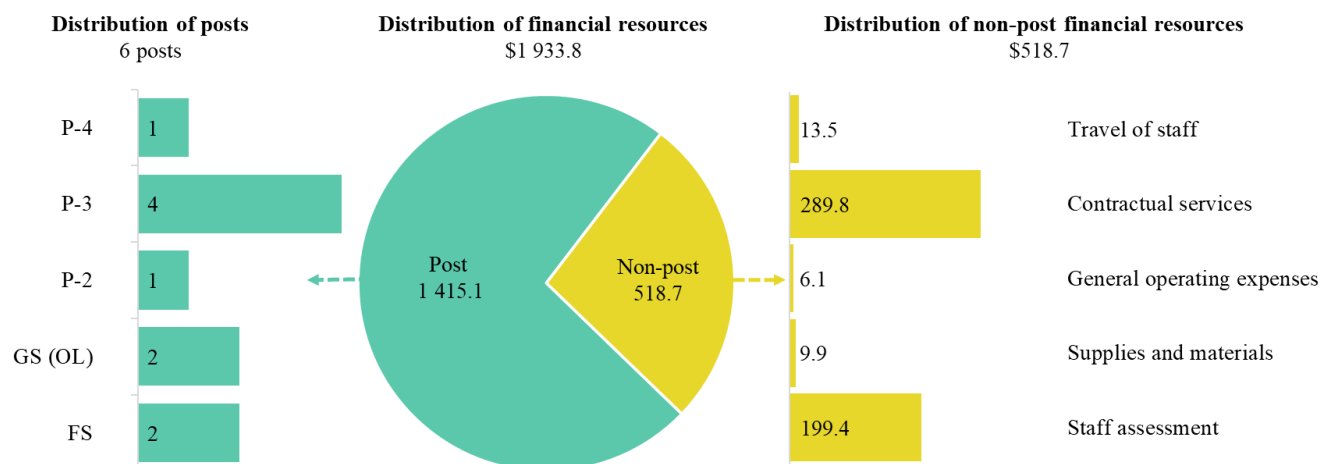
Table 22  
**Records management and archives: evolution of financial and post resources**

(Thousands of United States dollars/number of posts)

	2021 expenditure	2022 appropriation	Changes				2023 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	1 658.7	1 590.3	–	–	(786.4)	(786.4)	(49.4)	803.9
Non-post	1 212.6	190.3	–	–	8.9	8.9	4.7	199.2
Staff assessment	243.8	174.1	–	–	(83.4)	(83.4)	(47.9)	90.7
<b>Subtotal</b>	<b>3 115.1</b>	<b>1 954.7</b>	<b>–</b>	<b>–</b>	<b>(860.9)</b>	<b>(860.9)</b>	<b>(44.0)</b>	<b>1 093.8</b>
<b>The Hague branch</b>								
Post	1 380.6	1 264.1	–	–	(652.9)	(652.9)	(51.6)	611.2
Non-post	346.3	97.8	–	–	22.3	22.3	22.8	120.1
Staff assessment	280.9	228	–	–	(119.3)	(119.3)	(52.3)	108.7
<b>Subtotal</b>	<b>2 007.8</b>	<b>1 589.9</b>	<b>–</b>	<b>–</b>	<b>(749.9)</b>	<b>(749.9)</b>	<b>(47.2)</b>	<b>840.0</b>
<b>Total</b>	<b>5 122.9</b>	<b>3 544.6</b>	<b>–</b>	<b>–</b>	<b>(1 610.8)</b>	<b>(1 610.8)</b>	<b>(45.4)</b>	<b>1 933.8</b>
<b>Post resources by category</b>								
Professional and higher		12	–	–	(6)	(6)	(50.0)	6
General Service and related		10	–	–	(6)	(6)	(60.0)	4
<b>Total</b>		<b>22</b>	<b>–</b>	<b>–</b>	<b>(12)</b>	<b>(12)</b>	<b>(54.5)</b>	<b>10</b>

Figure X  
**Records management and archives: distribution of proposed resources for 2023 (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

85. 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 2023 in the present report.

86. As reflected in table 23, the proposed budget for 2023 amounts to \$5,064,200, reflecting a net increase of \$364,500 compared with the appropriation for 2022, as explained in paragraph 63 (e) above.

Table 23

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

(Thousands of United States dollars)

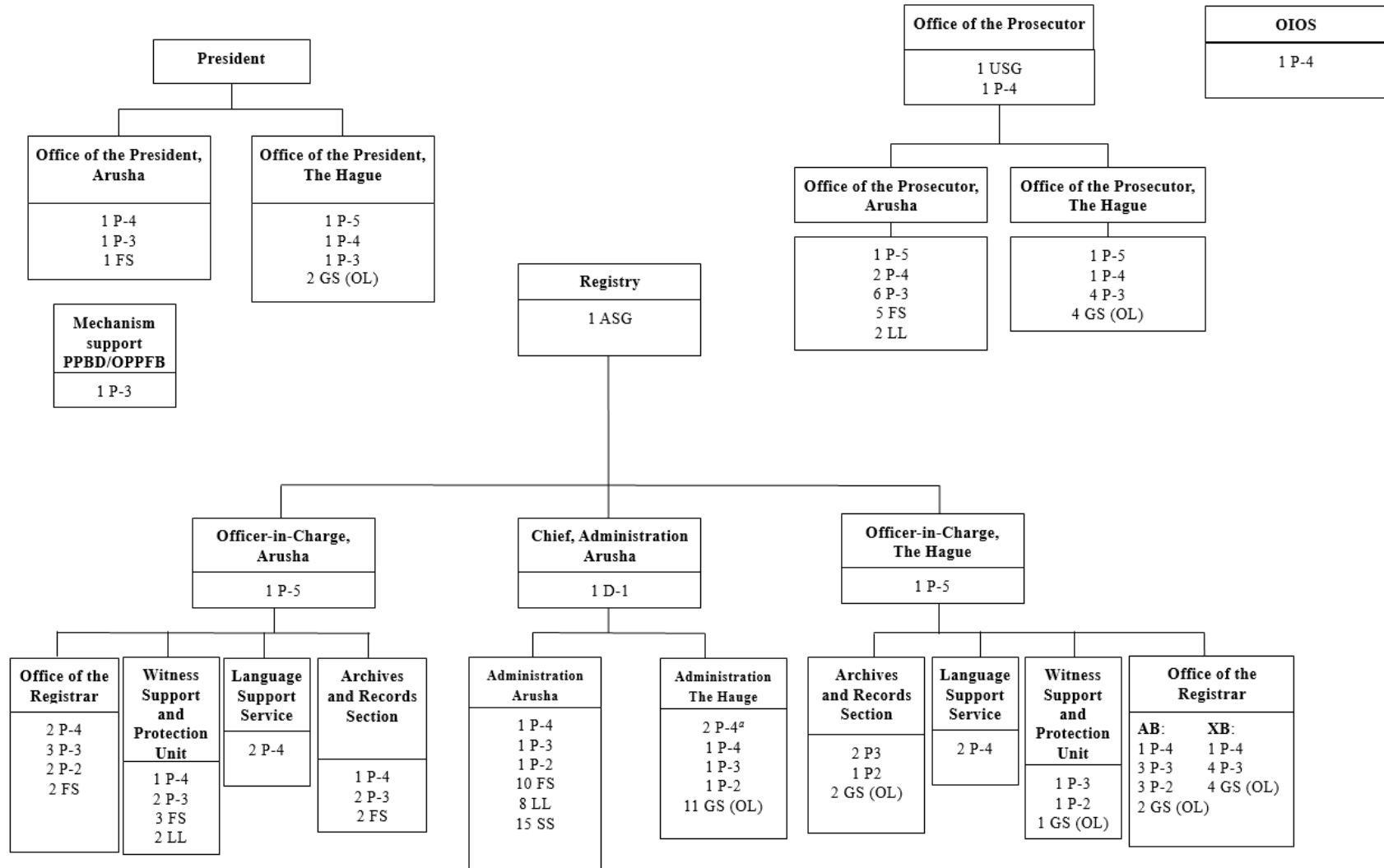
	2021 expenditure	2022 appropriation	Changes			2023 estimate (before recosting)	
			Technical adjustments	Other	Total		Percentage
Non-post	4 518.4	4 699.7	–	364.5	364.5	7.8	5 064.2
<b>Total</b>	<b>4 518.4</b>	<b>4 699.7</b>	<b>–</b>	<b>364.5</b>	<b>364.5</b>	<b>7.8</b>	<b>5 064.2</b>

## C. Actions of the General Assembly

87. The Secretary-General requests the General Assembly to approve an appropriation of \$78,992,300 gross (\$72,288,600 net), before recosting, for the Mechanism for 2023.

# Annex I

## Organizational structure and temporary post distribution for 2023



Abbreviations: AB, assessed budget; ASG, Assistant Secretary-General; FS, Field Service; GS (OL), General Service (Other level); LL, Local level; OIOS, Office of Internal Oversight Services; 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> Redeployment.

## Annex II

### Summary of follow-up action taken to implement relevant recommendations of advisory and oversight bodies

*Brief description of the recommendation*

*Action taken to implement the recommendation*

#### Advisory Committee on Administrative and Budgetary Questions (A/76/577)

The Advisory Committee considers that the Mechanism should improve the rate and timeliness of the implementation of the recommendations of the Board of Auditors. The Committee trusts that, in the next reporting periods, the Mechanism will fully cooperate with the Board and enhance its collaboration, in particular regarding the recommendations that have been partially accepted, not accepted or for which closure had been requested. The Committee also stresses that the recommendations should be implemented effectively and thoroughly and trusts that detailed information on the planned and undertaken implementation measures will be provided in the next reports of the Secretary-General (see also [A/76/554](#), paras. 47–51) (para. 5).

The Advisory Committee notes the completion of key judicial activities in 2021 and reiterates its recommendation that the General Assembly again request the Secretary-General to ensure that the Mechanism makes every effort to promptly conclude its remaining work, and to report thereon in the next budget submission (see also [A/75/632](#), para. 5) (para. 8).

The Mechanism substantially improved its rate of implementation of the recommendations of the Board of Auditors during the most recent reporting period, increasing the number of implemented recommendations by more than 150 per cent compared with the previous two reporting periods. The Mechanism continues to fully cooperate with the Board of Auditors, with whom it has a productive and constructive relationship.

The Mechanism has made considerable progress in 2022 towards the completion of judicial activities, with the completion of the *Fatuma et al.*, appeal, the advancement of the appeal proceedings in the *Stanišić and Simatović* case, and the commencement of the trial in the case of Mr. Félicien Kabuga. The Appeals Chamber pronounced the judgment in the *Fatuma et al.* case in June 2022. The appeal proceedings in the *Stanišić and Simatović* case, which commenced in 2021, are expected to be completed in June 2023. The *Kabuga* trial began in September 2022, following his arrest in France in May 2020 and transfer to the Mechanism's custody in October 2020. Working towards the timely completion of these cases is one of the Mechanism's main priorities for 2023, and the current proposal outlines the overall requirements to conduct these proceedings. Reflecting the importance of continuous improvement and responding to the needs and requests of Member States, the proposed programme plan for 2023 incorporates lessons learned and best practices related to adjustments to and adaptation of the programme as a result of the COVID-19 pandemic. This includes, for example, ensuring expeditious judicial hearings by using technology platforms that allow courtroom participants to attend hearings remotely.

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

The Advisory Committee recommends that the General Assembly request the Secretary-General to provide detailed information on the workload of all the temporary posts provided in the next budget submission for the Mechanism (see also paras. 12 above and 25 below) (para. 17).

The Advisory Committee acknowledges the reduction of 103 positions. The Committee, however, also notes the continued high level of resources notwithstanding the reduced judicial activities, in particular at The Hague branch. Without comprehensive information on the workload of the continuous temporary posts (see para. 17 above) and more specific and clear information on the workload of general temporary assistance positions as well as their scalability over time, in particular as regards positions performing administrative functions and supplementing continuous activities, the Committee is not convinced that the proposed resource levels are fully justified. Taking also into account the activities at each branch, the Committee therefore recommends a reduction of 5 per cent (or \$1,039,400) in The Hague and a reduction of 3 per cent (or \$433,600) in Arusha under other staff costs. The Committee also encourages the Mechanism to seek greater efficiencies and apply lessons learned with a view to achieving further reductions under other staff costs in the next budget submission, in line with the progressive completion of its work (para. 25).

The Advisory Committee encourages the Secretary-General to make further efforts to promote nationalization, as appropriate, including in The Hague, and provide an update in the context of the next budget submission (para. 20).

Considering the actions undertaken thus far and a history of relatively low compliance, the Advisory Committee is of the view that the Mechanism should adopt more stringent measures, including the establishment of tighter internal controls, to improve its compliance rate with the advance booking policy and report thereon in the next budget submission (para. 27).

The Mechanism undertook a thorough review of the staffing resources required for 2023 based on the judicial calendar of proceedings and other drivers affecting the projected workload, taking full consideration of the recommendations of the Advisory Committee on Administrative and Budgetary Questions, as endorsed by the General Assembly in its resolution 76/243. The review encompassed both temporary posts as well as general temporary assistance positions. The functions of each post and position were thoroughly reviewed in relation to the projected workload and scalability. In addition, programme managers were encouraged to maximize efficiencies to arrive at further reductions by considering the redistribution of functions, the merging of organizational units and the reprioritization of activities, as appropriate. In addition, opportunities for business process outsourcing were reviewed with a view to arriving at recommendations for the outsourcing of services/functions to external contractors and United Nations service centres in the administrative and security areas.

The outcome of the comprehensive staffing review outlined above is reflected in the present report and includes notable reductions in staffing levels under temporary posts and general temporary assistance positions, compared with the approved resources for 2022.

The Mechanism will continue to explore opportunities for nationalization in the support functions, as appropriate. At the Arusha branch, currently 67 per cent of all support functions are performed by Tanzanian nationals, 20 per cent by nationals of other African States and the remaining 13 per cent by staff who are nationals of the other regional groups. At the branch in The Hague, 31 per cent of all support functions are performed by nationals of the Netherlands, 21 per cent by nationals of other States in the Group of Western European and Other States and the remaining 48 per cent by nationals of the other regional groups.

The compliance rate with the advance booking policy in 2020 and 2021 was affected by the COVID-19 pandemic. While the rate for 2021 (42 per cent) is higher than that realized in 2020 (27 per cent), it is still well below the desired target. Therefore, the Mechanism will continue to address the need to improve its travel compliance rate through the establishment of tighter internal controls, especially on entitlement-related travel and other non-judicial activity-related travel, which are more predictable in character.

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*Brief description of the recommendation*

The Advisory Committee notes the efforts made to improve collaboration across branches. The Committee, however, emphasizes that enhanced collaboration should not translate into an amalgamation of posts and functions, and stresses that resources should be utilized in accordance with the purpose and functions approved by the General Assembly. The Committee underscores that budget submissions should present resource requirements in an accurate, transparent and comprehensive manner (para. 34).

*Action taken to implement the recommendation*

The Mechanism continues to strive to make the most efficient and effective use of the approved resources, leveraging cross-branch collaboration and back-stopping when needed. As an example, although the *Kabuga* proceedings will be held in The Hague, the Mechanism will use staffing and facilities capacity in Arusha and Kigali, as needed, in instances where it provides efficiency and serves the interests of justice. The budget proposal for 2023 transparently reflects how resources will be used to achieve the Mechanism's mandate.

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## Annex III

Summary of proposed changes in temporary posts,  
by component

<i>Component</i>	<i>Posts</i>	<i>Level</i>	<i>Description</i>	<i>Reason for change</i>
Registry	(1)	P-4	<b>Abolishment</b> of 1 post of Chief of Unit, Procurement, Arusha	With the strategic shift from reliance on in-house staffing to perform procurement functions to greater reliance on service centres, the capacity of this post is no longer required
	(1)	P-3	<b>Abolishment</b> of 1 post of Chief of Unit, Information Systems, The Hague, effective 1 July 2023	Owing to the reduced need for support in administrative information and related systems, the capacity of this post is no longer required
	(1)	P-2	<b>Abolishment</b> of 1 post of Associate Procurement Officer, Arusha, effective 1 July 2023	With the strategic shift from reliance on in-house staffing to perform procurement functions to greater reliance on service centres, the capacity of this post is no longer required
	(1)	FS	<b>Abolishment</b> of 1 post of Witness Protection and Support Assistant, Arusha	Owing to the reduced use of the Arusha premises for the appearance of witnesses and the consolidation of the Witness Support and Protection Unit at the Arusha branch, the capacity of this post is no longer required
	(1)	FS	<b>Abolishment</b> of 1 Finance and Budget Assistant, Arusha, effective 1 July 2023	With the strategic shift from reliance on in-house staffing to perform finance and human resources functions to greater reliance on service centres, the capacity of these three posts is no longer required
	(1)	FS	<b>Abolishment</b> of 1 post of Human Resources Assistant, Arusha, effective 1 July 2023	
	(1)	FS	<b>Abolishment</b> of 1 post of Administrative Assistant, Arusha, effective 1 July 2023	
	(1)	FS	<b>Abolishment</b> of 1 post of Information Systems Assistant, Arusha, effective 1 May 2023	With the judicial decision to move the <i>Kabuga</i> trial from Arusha to The Hague, this function is required in The Hague. The post will be abolished in Arusha and established as a general temporary assistance position in The Hague
	(1)	FS	<b>Abolishment</b> of 1 post of Senior Nurse, Arusha	Owing to the determination that the required capacity can be fully provided by nurses available nationally, the capacity of this post is no longer required
	(4)	FS	<b>Abolishment</b> of 4 posts of Security Officer, Arusha	With the judicial decision to move the <i>Kabuga</i> trial from Arusha to The Hague, the need for a security presence is diminished, leading to the proposed abolishment of posts in the Security Section
	(1)	GS (OL)	<b>Abolishment</b> of 1 post of Witness Protection and Support Assistant, The Hague	Owing to the closure of the Sarajevo field office and the consolidation of the Witness Support and Protection Unit at The Hague, the capacity of this post is no longer required
	(23)	SS	<b>Abolishment</b> of 23 posts of Security Officer, Arusha	With the judicial decision to move the <i>Kabuga</i> trial from Arusha to The Hague, the need for a security presence is diminished, leading to the proposed abolishment of posts in the Security Section
	(1)	LL	<b>Abolishment</b> of 1 post of Administrative Assistant, Arusha	With the judicial decision to move the <i>Kabuga</i> trial from Arusha to The Hague, the capacity provided by this post in the area of administration assistance in external relations is no longer required

<i>Component</i>	<i>Posts</i>	<i>Level</i>	<i>Description</i>	<i>Reason for change</i>
	(1) 1	P-4 P-4	<b>Redeployment</b> of 1 post of Chief Security Officer from Arusha to The Hague	With the judicial decision to move the <i>Kabuga</i> trial from Arusha to The Hague, the capacity of this post is required in The Hague
	(1) 1	P-4 P-4	<b>Redeployment</b> of 1 post of Finance and Budget Officer from Arusha to The Hague	With the judicial decision to move the <i>Kabuga</i> trial from Arusha to The Hague, the capacity of this post is required in The Hague
Records management and archives	(1)	P-5	<b>Abolishment</b> of 1 post of Senior Administrative Officer, The Hague	The proposed reduction in staffing levels in the Records Management and Archives Section follows a comprehensive review of its staffing requirements with a view to maintaining the leanest possible profile, while expeditiously servicing judicial proceedings and prioritizing those functions which are most directly related to in-court judicial activity
	(1)	P-3	<b>Abolishment</b> of 1 post of Administrative Officer, The Hague	
	(1)	P-3	<b>Abolishment</b> of 1 post of Administrative Officer, Arusha	
	(1)	P-2	<b>Abolishment</b> of 1 post of Associate Administrative Officer, The Hague	
	(1)	P-2	<b>Abolishment</b> of 1 post of Associate Administrative Officer, Arusha	
	(1)	P-2	<b>Abolishment</b> of 1 post of Associate Information Systems Officer, Arusha	
	(1)	FS	<b>Abolishment</b> of 1 post of Administrative Assistant, Arusha	
	(1)	FS	<b>Abolishment</b> of 1 post of Archives Assistant, Arusha	
	(1)	GS (OL)	<b>Abolishment</b> of 1 post of Archives Assistant, The Hague	
	(1)	GS (OL)	<b>Abolishment</b> of 1 post of Archives Assistant, The Hague, effective 1 July 2023	
	(1)	GS (OL)	<b>Abolishment</b> of 1 post of Administrative Assistant, The Hague	
	(1)	LL	<b>Abolishment</b> of 1 post of Administrative Assistant, Arusha	

*Abbreviations:* FS, Field Service; General Service (Other level); LL, Local level; SS, Security Service.