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Financing of the International Residual Mechanism for Criminal Tribunals

Proposed budget for the International Residual Mechanism for Criminal Tribunals for 2024

Report of the Secretary-General

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Foreword

In 2023, the International Residual Mechanism for Criminal Tribunals completed a key, historically resource-intensive function with the end of ad hoc judicial activity for core crimes cases transferred from the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda. The appeal judgment in the *Stanišić and Simatović* retrial was rendered in May 2023, and in September 2023, following an earlier decision of the Appeals Chamber, the Trial Chamber imposed an indefinite stay of proceedings in the case against Félicien Kabuga. The conclusion of these final two core crimes cases of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda, respectively, is a watershed moment in the history of the Mechanism. The conclusions follow the closure of the United Nations Detention Facility in Arusha, United Republic of Tanzania, in February 2023, and the field office in Sarajevo in April 2023, which also represent substantial strides towards a more reduced organizational footprint. The proposed budget for 2024 consequently reflects the Mechanism's start as a truly residual entity consistent with the Security Council's vision of a small, temporary and efficient structure, whose functions and size will diminish over time, with a small number of staff commensurate with its reduced functions.

In 2024, the Mechanism will narrow its focus to the execution of mandated continuous activities, in particular the provision of assistance to national jurisdictions, the protection of victims and witnesses, the management of the archives, the supervision of the enforcement of sentences and other continuous judicial activity. In addition, there may be some ancillary judicial activity in the *Kabuga* case, in connection with the indefinite stay of proceedings. The tracking of the three remaining fugitives indicted by the International Criminal Tribunal for Rwanda, whose cases were referred to Rwanda for trial, will remain a priority. The Mechanism will also continue to monitor previous referral cases, including that of Fulgence Kayishema, who was arrested in South Africa in May 2023 following the successful efforts of the Office of the Prosecutor. In accordance with Security Council resolution [2637 \(2022\)](#), the Mechanism will continue its efforts to expeditiously find durable solutions for the relocation of the acquitted and released persons who have completed serving their sentences.

Under the leadership of the President, significant changes have already been made, while further adaptations will be implemented in 2024, in particular to further reduce the Mechanism's footprint as a result of the completion of core crimes trials and appeals. Looking forward, and in performing its residual functions, the Mechanism will continue to contribute to international criminal justice, strengthen regional and State cooperation, model best practices and the transfer of knowledge and provide public access to the archives, all of which will better equip the international community and national authorities to combat impunity, ensure accountability for victims and enhance reconciliation. As the Mechanism embarks on this new phase of its existence, it will progressively reduce its resource requirements as appropriate. Simultaneously, it is paramount that the Mechanism continue to receive full cooperation and support from all relevant stakeholders in its effort to successfully carry out its mandated functions.

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

A. Proposed programme plan for 2024 and programme performance in 2022

Overall orientation

Mandates and background

1. The International Residual Mechanism for Criminal Tribunals is responsible for mandated residual activities, including the protection of victims and witnesses, the supervision of the enforcement of sentences, the provision of assistance to national jurisdictions, in particular those in the countries of the former Yugoslavia and in Rwanda, the preservation and management of the archives of the Mechanism and the predecessor tribunals for the former Yugoslavia and Rwanda, the monitoring of cases referred by the two ad hoc Tribunals to national jurisdictions and the tracking of the three remaining fugitives indicted by the International Criminal Tribunal for Rwanda. To the extent that any ad hoc judicial activity arises (e.g. requests for review of judgments, *non bis in idem* or contempt proceedings, etc.), the Mechanism is responsible for conducting such proceedings. The duties above arise because the Mechanism continues the jurisdiction, as well as the rights and obligations, of the ad hoc Tribunals, with its mandate based on relevant Security Council resolutions, in particular resolution [1966 \(2010\)](#).

Strategy and external factors for 2024

2. With the conclusion of ad hoc judicial activity in core crimes cases, the Mechanism's focus in 2024 will shift to its mandated, continuous activities, as outlined above, and on the future of its operations, including its shift to a truly residual institution. In line with resolution [2637 \(2022\)](#) and the recommendations of the Office of Internal Oversight Services (OIOS) (see [S/2018/206](#) and [S/2020/236](#)), the Mechanism's management, under the leadership of the President, has made significant progress in relation to scenario-based workforce planning and completion projections for the Mechanism's longer-term residual functions, as well as possible options regarding the transfer of its remaining activities in due course. Simultaneously, the Mechanism will:

- (a) Retain jurisdiction over Félicien Kabuga, addressing ad hoc procedural matters related to the indefinite stay of proceedings imposed in that case;
- (b) Support ongoing investigations by assigned amici curiae into possible contempt (and any contempt proceedings that ultimately transpire);
- (c) Undertake any further ad hoc judicial activity that may arise (e.g. in the event that a review proceeding is authorized);
- (d) Track the remaining fugitives;
- (e) Monitor cases referred to national jurisdictions.

3. With regard to cooperation with other entities at the global, regional, national and local levels, the Mechanism will continue to rely on collaborative relationships with national authorities in Rwanda, in the countries of the former Yugoslavia and elsewhere to carry out its functions. Such coordinated efforts will include the search for the remaining fugitives, the conduct of any ad hoc judicial proceedings, witness protection programmes, the enforcement of sentences and the monitoring of cases referred to national jurisdictions. In addition, the Mechanism will continue to assist national authorities in Rwanda and in countries of the former Yugoslavia, as well as

in other States, in responding to requests for assistance on domestic investigations and trials for serious violations of international humanitarian law and related judicial proceedings.

4. 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 premises in Africa; 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 the coronavirus disease (COVID-19). In The Hague, Kingdom of the 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.

5. With regard to the external factors, the proposed programme plan for 2024 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.

6. The Mechanism continues to integrate a gender perspective into its operational activities, deliverables and results, as appropriate. The Witness Support and Protection Unit's witness management operations incorporate gender-sensitive approaches into all interactions. This sensitivity is crucial to victims and witnesses who, as beneficiaries, are conscious of, and potentially affected by, the gender of the staff providing support services. The Office of the Prosecutor will continue to apply best practices and fully incorporate a gender perspective into its staffing and activities, as well as transfer knowledge about the investigation and prosecution of sexual and gender-based crimes to national authorities. Furthermore, the Mechanism has revised its downsizing policy to improve gender parity in all boards, committees and review bodies to allow for the inclusion of gender perspectives in all deliberations and decisions.

7. In line with the United Nations Disability Inclusion Strategy, the Mechanism will continue to integrate disability inclusion into 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 2022

Impact of the pandemic and lessons learned

8. The continuation of the COVID-19 pandemic into 2022 had a modest impact on the implementation of the Mechanism's mandated functions. In particular, improved technological infrastructure and reliance on remote platforms allowed the Mechanism to leverage technology platforms that enabled courtroom participants to attend hearings remotely and to engage with evidence presented in court from different geographic locations, which ensured the continuous implementation of key mandated programmes. Moving forward, the Mechanism will continue to mainstream lessons learned from the pandemic, and will update, adjust and adapt best practices implemented to overcome challenges posed by the pandemic.

Legislative mandates

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

Security Council resolutions

1966 (2010) 2637 (2022)
2256 (2015)

Deliverables

10. Table 1 lists all cross-cutting deliverables, by category and subcategory, for the period 2022–2024.

Table 1
Cross-cutting deliverables for the period 2022–2024, by category and subcategory

<i>Category and subcategory</i>	<i>2022 planned</i>	<i>2022 actual</i>	<i>2023 planned</i>	<i>2024 planned</i>
A. Facilitation of the intergovernmental process and expert bodies				
Parliamentary documentation (number of documents)	1	1	1	1
1. Annual report to the General Assembly	1	1	1	1
Substantive services for meetings (number of three-hour meetings)	3	3	3	3
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
C. Substantive deliverables				
Databases and substantive digital materials: publicly available unified court records database.				
D. Communication deliverables				
Outreach programmes, special events and information materials: diplomatic/external relations outreach and liaison with external partners, including biannual presentations and briefings for the diplomatic and legal community.				
External and media relations: 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.				
Digital platforms and multimedia content: the Mechanism website and its social media channels.				
Library services: knowledge services such as virtual and on-site reference services and search platform design.				

Evaluation activities

11. The report of OIOS on the review of the methods and work of the International Residual Mechanism for Criminal Tribunals (S/2022/148), completed in 2022, has guided the proposed programme plan for 2024.

12. The results and lessons of the review referenced above have been taken into account in the proposed programme plan for 2024. For example, the Mechanism has and will continue to place a great emphasis on scenario-based workforce planning. A concept note and road map, which were shared with the Security Council's Informal Working Group on International Tribunals in 2021 and 2022 respectively, laid the foundation for the Mechanism-wide scenario-based workforce plan, which is a dynamic document that is intended to capture all remaining Mechanism activities, provide projections as to their expected duration and intensity and provide scenarios for each activity that outlines potential consequences. The Mechanism will present the workforce plan to the Security Council by the end of 2023, in time for the next review of its mandate. Scenario-based planning will guide operations in 2024 and beyond by mapping future workload requirements, which in turn will better inform downsizing requirements more generally. The Mechanism will also continue to implement the overall initiative for cross-branch gender parity across staff categories and levels while maintaining the geographic diversity of staff.

13. An OIOS evaluation on the methods and work of the Mechanism, pursuant to Security Council resolution 2637 (2022), was undertaken on-site in 2023, and will culminate in the delivery of a related report in early 2024.

Programme of work

Office of the Prosecutor

Objective

14. 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

15. To contribute to the objective, the component will: (a) track the remaining fugitives indicted by the International Criminal Tribunal for Rwanda; (b) 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; (c) protect and litigate matters related to witnesses; (d) detect, investigate and prosecute contempt of court, litigate review proceedings and litigate matters related to enforcement of sentences; and (e) manage the component's specific evidence collection.

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

(a) The identification of the whereabouts of fugitives from justice indicted by the International Criminal Tribunal for Rwanda;

(b) The processing of criminal case files by national authorities prosecuting serious violations of international humanitarian law committed in Rwanda and the former Yugoslavia;

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

(d) The continued integrity of proceedings conducted by the International Criminal Tribunal for Rwanda, the International Criminal Tribunal for the former Yugoslavia and the Mechanism.

Programme performance in 2022

Progress in the search for missing persons

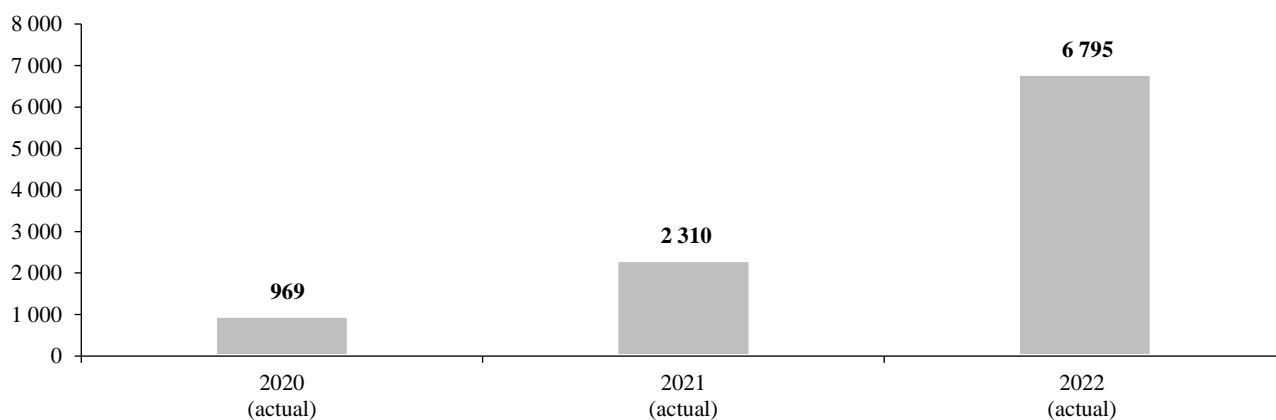
17. In 2022, the Office of the Prosecutor provided assistance to the search for persons still missing during the conflicts in the former Yugoslavia. While 30,000 missing persons have been located and identified, the families of approximately 10,000 missing persons still do not know the fates and whereabouts of their loved ones. Recognizing the humanitarian imperative to account for these missing persons, the Office of the Prosecutor and the International Committee of the Red Cross (ICRC) initiated cooperation to resolve this challenge in October 2018.

18. Pursuant to this cooperation, the Office of the Prosecutor responds to requests from ICRC for information in the Office's evidence collection, which contains valuable material that can assist in clarifying the fates and whereabouts of missing persons. The Office further hosts at its premises ICRC researchers who conduct additional searches of the Office's evidence collection. In addition, the Office of the Prosecutor and ICRC work jointly, in accordance with their respective mandates, to analyse information, identify new leads and provide files to domestic missing persons authorities for action. The Office of the Prosecutor also provides investigative and operational assistance to national authorities searching for missing persons.

19. As of the end of 2022, the Office of the Prosecutor had searched in its evidence collection for information concerning 6,795 of the 10,000 remaining missing persons and provided relevant material (392,219 pages) to ICRC. Progress towards the objective is presented in the performance measure below (see figure I).

Figure I

Performance measure: number of missing persons for which evidence is available provided to domestic missing persons authorities (cumulative)



Planned results for 2024

Result 1: improved access to Rwanda-related evidence

Programme performance in 2022 and target for 2024

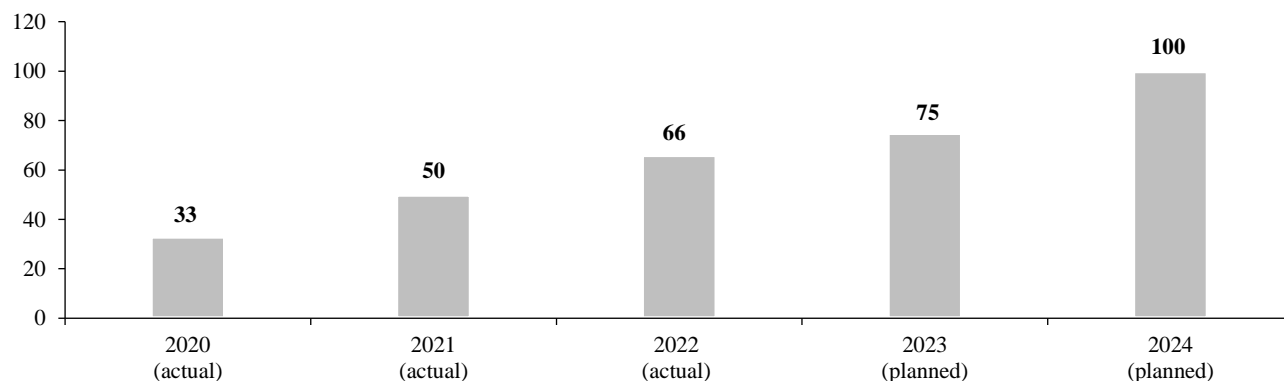
20. The work of the Office of the Prosecutor contributed to 66 per cent of the evidence collected by the former International Criminal Tribunal for Rwanda being prepared for access through a web-based portal, which did not meet the planned target of 100 per cent. The target was not met owing to the increased volume of Rwanda-related evidence as a result of the trial in the *Kabuga* case, which was not anticipated when the project was planned.

21. Progress towards the objective and the target for 2024 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 2: national investigations and prosecutions related to the former Yugoslavia receive critical evidence and support

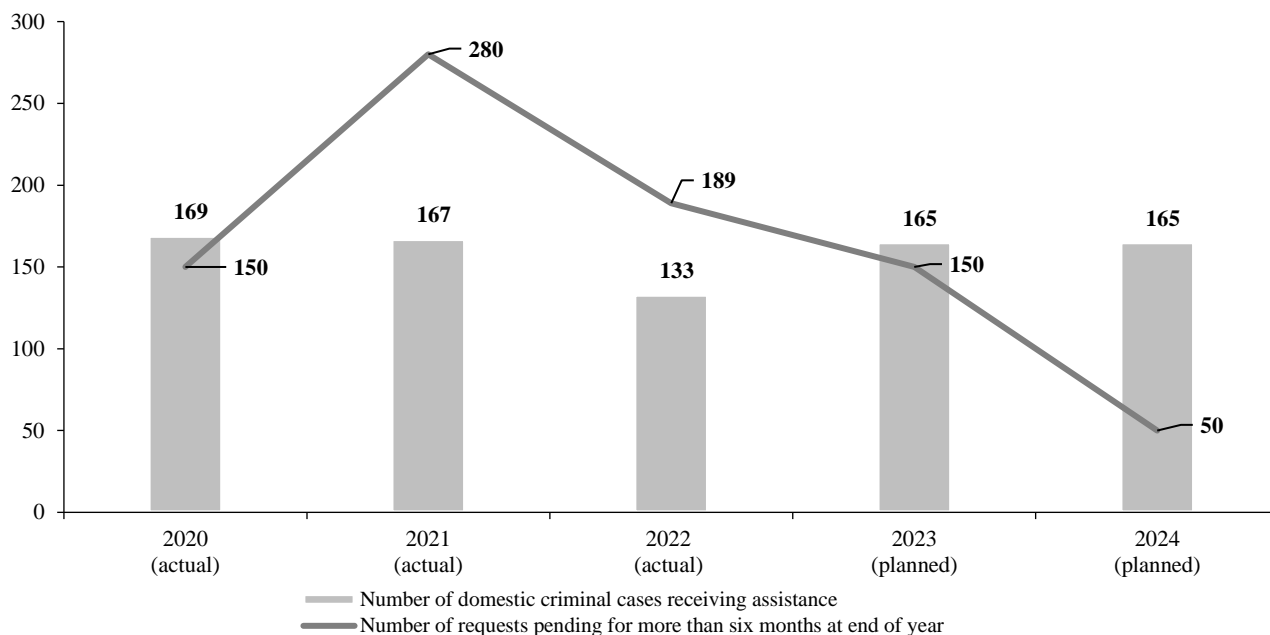
Programme performance in 2022 and target for 2024

22. The work of the Office of the Prosecutor contributed to a reduction in the backlog of requests for assistance pending for more than six months to 189, which exceeded the planned target of a reduction to 250, and also contributed to assisting 133 domestic war crimes cases related to the former Yugoslavia, which did not meet the planned target of 165 cases. The latter target was not met owing to a temporary reduction in the number of cases processed in 2022 by national investigators and prosecutors, which in turn reduced the number of requests for assistance submitted in 2022.

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

Figure III

Performance measure: domestic criminal cases related to the former Yugoslavia receiving assistance



Result 3: accounting for Rwanda-related fugitives

Proposed programme plan for 2024

24. There are still more than 1,000 persons suspected of genocide crimes committed during the 1994 genocide against the Tutsi in Rwanda who have not yet been prosecuted in national courts, including individuals who were investigated by the International Criminal Tribunal for Rwanda but not indicted. This ongoing impunity gap is distressing to the victims of these crimes and undermines the rule of law. Having arrested two Rwandan fugitives and confirmed the deaths of three more since May 2020, the Office has a proven track record of success and has developed unique expertise in this specialized area of work. Pursuant to article 28 (3) of the statute of the Mechanism, the Office is mandated to respond to requests for assistance from national authorities.

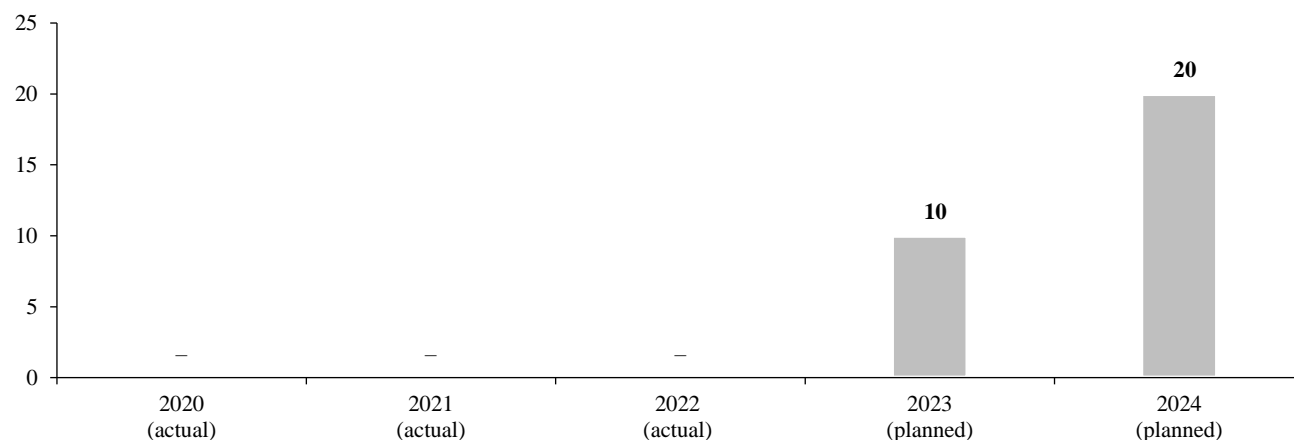
Lessons learned and planned change

25. The lesson for the Office was that the Office's methods, practices and approach to tracking Rwandan genocide fugitives could equally support national efforts to bring these individuals to justice. Notably, the Prosecutor General of Rwanda has identified a strong need for and requested the Office to provide such assistance. In applying this lesson, the Office will engage directly with national authorities to prioritize locating and accounting for these fugitives through direct operational, investigative, legal and diplomatic support to national partners with regard to specific fugitive files. The Office will also work to transfer its knowledge and expertise in Rwandan genocide fugitive tracking to national investigators.

26. Progress towards the objective and the target for 2024 are presented in the performance measure below (see figure IV).

Figure IV

Performance measure: number of Rwanda-related fugitives tracked by national authorities



Deliverables

27. Table 2 lists all deliverables of the component.

Table 2

Office of the Prosecutor: deliverables for the period 2022–2024, by category and subcategory

Category and subcategory	2022 planned	2022 actual	2023 planned	2024 planned
A. Facilitation of the intergovernmental process and expert bodies				
Parliamentary documentation (number of documents)	2	2	2	2
1. Reports for the Security Council	2	2	2	2
Substantive services for meetings (number of three-hour meetings)	2	2	2	2
2. Meetings of the Security Council	2	2	2	2
B. Generation and transfer of knowledge				
Technical materials (number of materials)	350	180	350	350
3. Evidence and information transferred to national authorities	350	180	350	350
Fact-finding, monitoring and investigation missions (number of missions)	12	20	12	12
4. Fact-finding missions for fugitives, contempt and review proceedings	12	20	12	12
C. Substantive deliverables				
Direct service delivery: location of fugitives; litigation related to contempt of court, review proceedings and enforcement of sentences; protection of witnesses.				
Consultation, advice and advocacy: technical assistance and advice to national authorities investigating and prosecuting serious violations of international humanitarian law committed in Rwanda and the former Yugoslavia.				
D. Communication deliverables				
External and media relations: statements, press releases and other media products on the work of the Office of the Prosecutor.				

Registry

Objective

28. 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

29. To contribute to the objective, the component will: (a) provide judicial and legal support to the President and Chambers, as and when needed; (b) provide support to the President's representational and managerial functions; (c) deliver court support services, as and when necessary; (d) 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; (e) support national judicial actors by providing evidence, facilitating the collection of information and offering technical support, as and when requested; (f) supervise the enforcement of sentences; (g) manage the United Nations Detention Unit in The Hague; and (h) monitor cases referred to national jurisdictions pursuant to article 6 (5) of the statute of the Mechanism.

30. All of these efforts will involve a continued focus on enhancing cross-branch coordination and cooperation.

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

- (a) Adherence to projected timelines in any ad hoc judicial proceedings;
- (b) The 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 unique to an ageing population;
- (f) The timely submission of monitoring reports on proceedings referred to Rwanda and France.

Programme performance in 2022

Expeditious pursuit of ad hoc judicial proceedings

32. In 2022, the component again made substantial progress in supporting the conclusion of ad hoc judicial activity, thereby strengthening the rule of law and furthering reconciliation. This was achieved through, inter alia, highly coordinated cross-branch efforts which resulted in: (a) the conclusion of appeal proceedings in the *Fatuma et al.* contempt case, with the pronouncement of the appeal judgment on 29 June 2022; (b) the commencement of trial proceedings in the *Kabuga* case on 29 September 2022; (c) progress in the appeal phase of the retrial proceedings in the *Stanišić and Simatović* case; and (d) support to investigations into potential contempt by assigned amici curiae. The technology that was put in place early on during the COVID-19 pandemic continued to enable remote access, allowing the component to provide support services with flexibility and urgency and enabling efficient reaction to continuously evolving circumstances and fluid requirements.

33. Progress towards the objective is presented in the performance measure below (see table 3).

Table 3
Performance measure

2020 (actual)	2021 (actual)	2022 (actual)
–	Conclusion of 1 appeal and 2 trial proceedings in 3 cases	Conclusion of 1 appeal in a contempt proceeding

Planned results for 2024

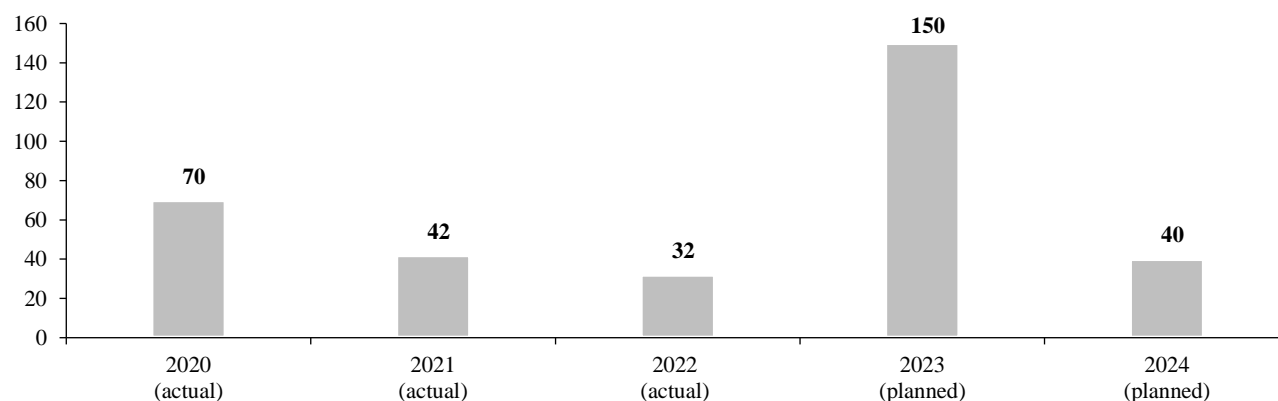
Result 1: provision of judicial support services and access to judicial records and information

Programme performance in 2022 and target for 2024

34. The component's work contributed to the availability of judicial records in response to 32 requests, consisting of 872 total records, which did not meet the planned target of 113 requests. The target was not met as the total number of requests received fell short of projected inquiries. Because the Mechanism is purely reactive to such requests, which are generated externally, it is challenging to accurately forecast the number of requests received. Nonetheless, all requests received were promptly and fully addressed by the component.

35. Progress towards the objective and the target for 2024 are presented in the performance measure below (see figure V).

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



Result 2: fair, efficient and timely judicial process, enhanced by cross-branch coordination and cooperation

Programme performance in 2022 and target for 2024

36. The component met the planned target by providing 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. To ensure the success of this programme plan, the component has been strengthening its cross-branch coordination and cooperation, as evidenced by the

standard of service provided in the *Kabuga* trial, which originated from the International Criminal Tribunal for Rwanda but is being undertaken at The Hague branch.

37. Progress towards the objective and the target for 2024 are presented in the performance measure below (see table 4).

Table 4

Performance measure

<i>2020 (actual)</i>	<i>2021 (actual)</i>	<i>2022 (actual)</i>	<i>2023 (planned)</i>	<i>2024 (planned)</i>
–	–	No witnesses refusing to testify for security reasons; no delayed judicial hearings; and no unaddressed breaches of protective measures identified	No witnesses refusing to testify for security reasons; no delayed judicial hearings; and no unaddressed breaches of protective measures identified	No witnesses refusing to testify for security reasons; no delayed judicial hearings; and no unaddressed breaches of protective measures identified

Result 3: enforcement of sentences**Proposed programme plan for 2024**

38. Pursuant to article 25 of its statute, the Mechanism continues to supervise the enforcement of sentences pronounced by the International Tribunal for the Former Yugoslavia, the International Criminal Tribunal for Rwanda or the Mechanism – a programme activity that will continue until the final sentence is served. This effort relies heavily on the cooperation of Member States, as 44 convicted persons are currently serving their sentences in the territory of 13 countries. At present, three convicted persons are currently in the United Nations Detention Unit awaiting transfer. The Registry also relies on partners on the ground in relevant States to assist with administering Mechanism payments for medical treatment for convicted persons in some jurisdictions, and for undertaking processes for refurbishing prison facilities as required, to ensure international standards are met.

39. In 2022, the component supervised the enforcement of sentences in enforcement States and engaged with relevant authorities as appropriate. More specifically, the Mechanism: (a) obtained the agreement of an enforcement State to enforce a sentence; and (b) completed two transfers (one of a convicted person granted early release to his home country, and the second from an enforcement State back to the United Nations Detention Unit, as a result of the enforcement State's inability to continue enforcement).

Lessons learned and planned change

40. The lesson for the component was the need to adjust its internal processes and communications to foster more efficient and effective cooperation with Member States and relevant partners. In applying the lesson, the President and the Registrar will explore the feasibility of a strategic restructuring effort that would further streamline processes, including communications, while adhering to the applicable legal framework. The Registry will also endeavour to improve the implementation and speed of the cooperative efforts with these partners, including by further streamlining administrative processes and improving communication with partners in enforcement States.

41. Expected progress towards the objective is presented in the performance measure below (see table 5).

Table 5
Performance measure

2020 (actual)	2021 (actual)	2022 (actual)	2023 (planned)	2024 (planned)
Enforcement States, with the cooperation and support of the Mechanism, implement relevant recommendations by ICRC and other inspecting bodies, in particular regarding family communications and access to health care	Transfer of 2 convicted persons to enforcement States; transfer of 3 convicted persons from Mali to Senegal; finalization of evacuation plan in Mali, implementing OIOS recommendation	Meaningful and engaged supervision of enforcement of sentences in enforcement States	Transfer of 2 convicted persons to enforcement States; meaningful and engaged supervision of enforcement of sentences in enforcement States	Transfer of 2 convicted persons to enforcement States; meaningful and engaged supervision of enforcement of sentences in enforcement States

Deliverables

42. Table 6 lists all deliverables of the component.

Table 6
Registry: deliverables for the period 2022–2024, by category and subcategory

Category and subcategory	2022 planned	2022 actual	2023 planned	2024 planned
A. Facilitation of the intergovernmental process and expert bodies				
Parliamentary documentation (number of documents)	3	3	2	3
1. Periodic reports for the Security Council	1	1	–	1
2. Progress reports for the Security Council	2	2	2	2
Substantive services for meetings (number of three-hour meetings)	3	2	3	2
3. Meetings of the Security Council	3	2	3	2
Judicial documentation (number of documents)	1	249	1	0
4. Decisions and orders issued by Chambers and the President	unforeseeable ^a	248	unforeseeable ^a	unforeseeable ^a
5. Judgments issued by Chambers	1	1	1	0
Substantive services for judicial proceedings (number of documents)	70	41	80	5
6. Transcripts	70	41	80	5
Documentation services for judicial proceedings (thousands of words)	5 550	6 034	5 100	4 500
7. Translation	5 550	6 034	5 100	4 500
B. Generation and transfer of knowledge				
Technical materials (number of materials)	113	32	150	400
8. Evidence and information transferred to national authorities	113	32	150	400

<i>Category and subcategory</i>	<i>2022 planned</i>	<i>2022 actual</i>	<i>2023 planned</i>	<i>2024 planned</i>
Fact-finding, monitoring and investigation missions (number of missions)	29	15	31	26
9. Monitoring missions for the referred cases to national jurisdictions	12	10	10	6
10. Supervision of the enforcement of sentences missions	17	5	21	20

C. Substantive deliverables

Direct service delivery: 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 approximately 3,200 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 convicted persons and their transfer to enforcement States, and liaison with and technical advice to enforcement States related to 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.

^a 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

43. 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

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

- (a) Manage physical repositories at both branches;
- (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, and produce publicly accessible versions of audiovisual recordings of the court proceedings of the Tribunals and the Mechanism.

45. 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 2022

Increased public awareness of the Tribunals' archives through online and physical exhibitions

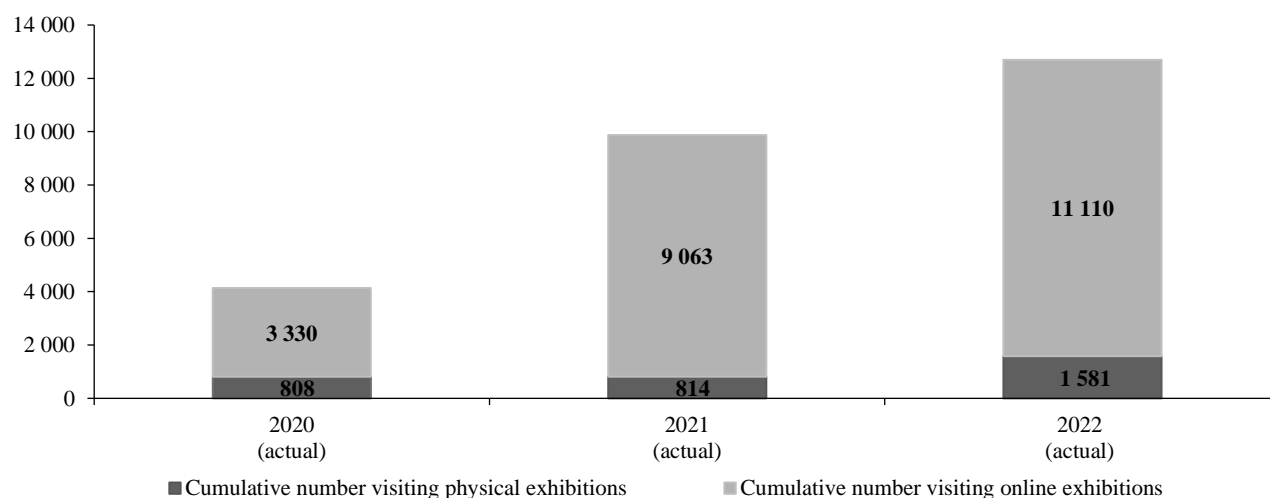
46. Archiving Tribunal records allows the public, researchers and future generations to access information about all aspects of the work of the Tribunals, including trials, evidence and verdicts. By analysing archived records, academics and policymakers can determine legal, administrative, political and diplomatic precedents, learn from previous experience and work to advance social cohesion. Understanding the legal processes and mechanisms used in the Tribunals can also contribute to the further development of international law and national justice systems. The Tribunals' archives comprise judicial case records, records relating to the judicial process that are not part of the case records and records relating to the administration of the Tribunals. While awareness of the judicial case records is widespread, there is relatively limited awareness of what else is in the Tribunals' archives. To raise awareness, the Mechanism curated and launched a thematic physical exhibition entitled "The role of expert witnesses at the ad hoc Tribunals and Mechanism" and an online exhibition entitled "To support and protect". It also loaned an artefact to a Hague-based museum for the museum's "One planet, let's unite!" exhibition. These exhibitions not only showcased items from the archives but also served to educate and to promote the use of the archives.

47. This resulted in an additional 2,814 members of the public learning about the Tribunals' archives through visiting the online and physical exhibitions in 2022. These audiences were also provided with new insights into the workings of the Tribunals through storytelling. For example, "The role of expert witnesses at the ad hoc Tribunals and Mechanism" showed how expert witnesses differed from other types of witnesses and the broad range of topics on which they testified, while "To support and protect" displayed the evolution of the witness programmes of the Tribunals and the unique challenges they faced.

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

Figure VI

Performance measure: number of visitors to the physical and online exhibitions (cumulative)



Planned results for 2024

Result 1: preserved complex formats

Programme performance in 2022 and target for 2024

49. The component's work contributed to the transfer of 4,263 files, corresponding to 2.24 terabytes of content, including the Tribunals' legacy websites and the Mechanism's X (formerly Twitter) page, which did not meet the planned target of 100 terabytes. The planned target could not be met owing to technological issues with the digital repository's storage systems. Nonetheless, an additional 33.4 terabytes of data were prepared and packaged for transfer.

50. Progress towards the objective and the target for 2024 are presented in the performance measure below (see table 7).

Table 7
Performance measure

<i>2020 (actual)</i>	<i>2021 (actual)</i>	<i>2022 (actual)</i>	<i>2023 (planned)</i>	<i>2024 (planned)</i>
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 2.24 terabytes, including legacy websites and the Mechanism's X (formerly Twitter) page 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 50 terabytes, including websites, email and audiovisual recordings of Mechanism hearings, 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 20 terabytes transferred into the digital preservation system, and corresponding archival descriptions, for unclassified/public records available to external users through the public online catalogue)

Result 2: continued access to archives through pre-emptive and comprehensive preservation

Programme performance in 2022 and target for 2024

51. The subprogramme's work contributed to the digitization of 443 audiovisual recordings and the migration of 504 recordings from optical discs, the transfer and preservation of a cumulative total of 255,607 digital files in the digital preservation system and archival packing for the long-term preservation of 1,060 physical files and items, which met the planned target.

52. Progress towards the objective and the target for 2024 are presented in the performance measure below (see table 8).

Table 8
Performance measure

<i>2020 (actual)</i>	<i>2021 (actual)</i>	<i>2022 (actual)</i>	<i>2023 (planned)</i>	<i>2024 (planned)</i>
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. (443 audiovisual recordings digitized and 504 migrated from optical discs, cumulative total of 255,607 digital files preserved in the digital preservation system and 1,060 physical files and items packed for long-term preservation)	Users have continued access to an increased volume of records	Users have continued access to an increased volume of records

Result 3: expedited preservation of at-risk audiovisual recordings

Proposed programme plan for 2024

53. The Mechanism is responsible for the preservation, including the management and access, of the archives of the Tribunals and the Mechanism. The archives provide a historical record of the crimes that were committed and how the Tribunals investigated the crimes and conducted proceedings against those accused. The audiovisual recordings of the court proceedings allow the victims and witnesses who testified to their experiences in court to be heard in their own words and voices. The recordings in the archives, some dating back to 1994, are in formats and storage media that are old, outdated and at risk of obsolescence. To ensure their continued availability and usability for end users, these recordings must be digitized to mitigate the risk of obsolescence of formats, the degradation of storage media or their inaccessibility due to lack of playback equipment. While most of the audiovisual recordings of court proceedings have been digitized, a significant percentage have not and remain at risk. In addition to recordings of court proceedings, the archives also contain recordings of press briefings, legacy conferences, interviews with senior figures and judges' plenary meetings, all of which still need to be digitized and preserved.

Lessons learned and planned change

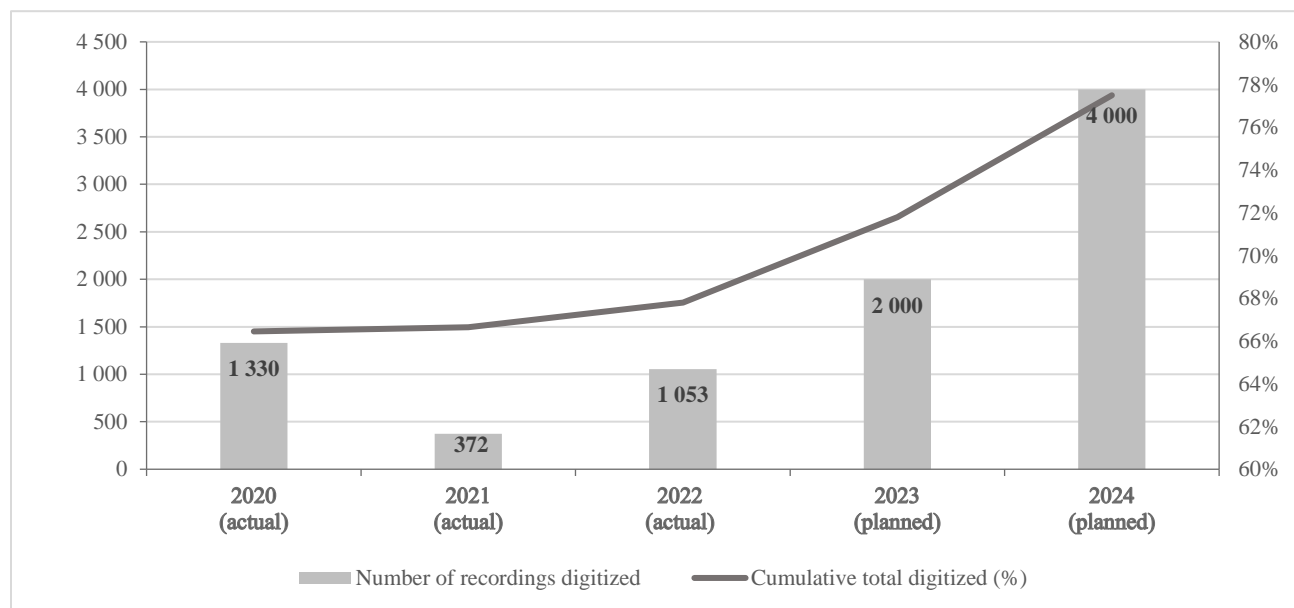
54. The lesson for the subprogramme that emerged with the downsizing of the Mechanism was that the current rates of digitization by Mechanism staff are not sufficient to mitigate the loss of vital records. The limited availability of playback equipment that is still in good working order for digitization has also created challenges. In applying the lesson, the subprogramme will utilize the expertise and resources of third-party vendors and consultants to expedite the work with the aim of completing the digitization of all audiovisual recordings in the archives by the end of 2026. The work will focus on expedited digitization as the first step in preservation. The second step will be the transfer of the digital files into the Mechanism's digital

preservation system to safeguard their authenticity and integrity and to ensure that the recordings are publicly accessible.

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

Figure VII

Performance measure: audiovisual recordings digitized and preserved



Deliverables

56. Table 9 lists all deliverables of the component.

Table 9

Records management and archives: deliverables for 2024, 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; online 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 2024

Overview

57. The proposed budget resources for 2024, including the breakdown of resource changes, as applicable, are reflected in tables 10 to 12.

Table 10

Overall: evolution of financial resources by object of expenditure

(Thousands of United States dollars)

Object of expenditure	2022 expenditure	2023 appropriation	Changes				Total	Percentage	2024 estimate (before recosting)	Recosting	2024 estimate (after recosting)
			Technical adjustments	New/ expanded mandates	Other						
Posts	21 608.3	17 416.8	(480.0)	–	(1 776.6)	(2 256.6)	(13.0)	15 160.2	445.2	15 605.4	
Other staff costs	32 570.3	30 399.9	(81.9)	–	(8 830.2)	(8 912.1)	(29.3)	21 487.8	564.4	22 052.2	
Non-staff compensation	4 373.6	5 482.4	–	–	(1 161.0)	(1 161.0)	(21.2)	4 321.4	114.4	4 435.8	
Hospitality	5.4	11.5	–	–	–	–	–	11.5	0.3	11.8	
Experts	170.6	74.6	–	–	(38.6)	(38.6)	(51.7)	36.0	1.0	37.0	
Consultants	0.1	13.0	(13.0)	–	–	(13.0)	(100.0)	–	–	–	
Travel of representatives	229.1	203.0	–	–	84.8	84.8	(41.8)	287.8	7.8	295.6	
Travel of staff	1 308.2	1 488.3	(33.0)	–	(449.0)	(482.0)	(32.4)	1 006.3	27.2	1 033.5	
Contractual services	5 833.3	8 709.7	(1.7)	–	(2 623.6)	(2 625.3)	(30.1)	6 084.4	159.5	6 243.9	
General operating expenses	6 278.1	8 080.1	(0.7)	–	(425.6)	(426.3)	(5.3)	7 653.8	200.8	7 854.6	
Supplies and materials	453.9	549.8	–	–	(12.4)	(12.4)	(2.3)	537.4	14.2	551.6	
Furniture and equipment	1 798.1	808.1	–	–	(197.5)	(197.5)	(24.4)	610.6	16.0	626.6	
Improvement of premises	0.3	103.2	–	–	(32.3)	(32.3)	(31.3)	70.9	1.9	72.8	
Grants and contributions	265.3	1 610.8	–	–	(326.5)	(326.5)	(20.3)	1 284.3	33.9	1 318.2	
Other expenditures	73.1	–	–	–	–	–	–	–	–	–	
Staff assessment	7 739.9	6 994.1	(69.0)	–	(1 546.7)	(1 615.7)	(23.1)	5 378.4	91.2	5 469.6	
Total	82 707.6	81 945.3	(679.3)	–	(17 335.2)	(18 014.5)	(22.0)	63 930.8	1 677.8	65 608.6	

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 11
Overall: proposed posts and post changes for 2024

	Number	Level
Approved 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
Redeployment	–	1 Witness Protection and Support Officer from Kigali to Arusha
Reclassification	–	2 Associate Legal Officer (P-2) to Legal Officer (P-3)
Abolishment	(20)	4 P-4, 2 P-3, 2 P-2, 3 GS (OL), 5 LL, 4 FS
Proposed for 2024	117	1 USG, 1 ASG, 1 D-1, 5 P-5, 16 P-4, 28 P-3, 5 P-2/1, 19 GS (OL), 15 SS, 7 LL, 19 FS

Table 12
Evolution of temporary post resources by category, location and entity

Category and grade	2023 approved	Changes			2024 proposed
		Technical adjustments	Other	Total	
Professional and higher					
Arusha branch					
USG	1	–	–	–	1
ASG	1	–	–	–	1
D-1	1	–	–	–	1
P-5	2	–	–	–	2
P-4	12	–	(4)	(4)	8
P-3	15	–	–	–	15
P-2/1	3	–	(2)	(2)	1
Subtotal	35	–	(6)	(6)	29
The Hague branch					
P-5	3	–	–	–	3
P-4	7	–	–	–	7
P-3	12	–	–	–	12
P-2/1	6	–	(2)	(2)	4
Subtotal	28	–	(2)	(2)	26
OIOS					
P-4	1	–	–	–	1
Subtotal	1	–	–	–	1
Mechanism support, New York					
P-3	1	–	–	–	1
Subtotal	1	–	–	–	1
Total, Professional and higher	65	–	(8)	(8)	57
General Service and related					
Arusha branch					
SS	15	–	–	–	15
LL	12	–	(5)	(5)	7

Category and grade	2023 approved	Changes			2024 proposed
		Technical adjustments	Other	Total	
FS	23	–	(4)	(4)	19
Subtotal	50	–	(9)	(9)	41
The Hague branch					
GS (OL)	22	–	(3)	(3)	19
Subtotal	22	–	(3)	(3)	19
Total, General Service and related	72	–	(12)	(12)	60
Total	137	–	(20)	(20)	117

58. Additional details on the distribution of the proposed resources for 2024 are reflected in tables 13 to 15 and figure VIII.

59. As reflected in tables 13 (1) and 14 (1), the overall resources proposed for 2024 amount to \$63,930,800 (gross) before recosting, reflecting a net decrease of \$18,014,500 (or 22.0 per cent) compared with the appropriation for 2023. Resource changes result from two factors, namely: (a) technical adjustments; and (b) other changes. The proposed level of resources provides for the full, efficient and effective implementation of mandates.

Table 13

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

(Thousands of United States dollars)

(1) *Assessed budget*

	2022 expenditure	2023 appropriation	Changes				2024 estimate (before recosting)	Recosting	2024 estimate (after recosting)	
			Technical adjustments	New/expanded mandates	Other	Total				Percentage
A. Chambers	1 434.8	1 884.7	–	–	(886.4)	(886.4)	(47.0)	998.3	27.4	1 025.7
1. Arusha branch	659.0	86.2	–	–	282.2	282.2	327.4	368.4	12.5	380.9
2. The Hague branch	775.8	1 798.5	–	–	(1 168.6)	(1 168.6)	(65.0)	1 166.5	14.9	1 181.4
B. Office of the Prosecutor	14 903.4	15 797.8	–	–	(3 847.4)	(3 847.4)	(24.4)	11 950.4	307.0	12 257.4
1. Arusha branch	7 222.5	8 009.8	–	–	(1 664.2)	(1 664.2)	(20.8)	6 345.6	104.9	6 450.5
2. The Hague branch	7 680.9	7 788.0	–	–	(2 183.2)	(2 183.2)	(28.0)	3 536.6	202.1	3 738.7
C. Registry	57 889.6	56 869.3	(628.1)	–	(12 274.8)	(12 902.9)	(22.7)	43 966.4	1 151.4	45 117.8
1. Arusha branch	24 360.0	21 592.4	(438.6)	–	(4 320.2)	(4 758.8)	(22.0)	833.6	287.7	17 121.3
2. The Hague branch	33 314.7	34 721.9	(45.1)	–	(7955.2)	(8 000.3)	(23.0)	537.5	845.9	1 383.4
3. OIOS	214.9	334.9	(144.4)	–	0.6	(143.8)	(42.9)	191.1	15.8	206.9
4. Mechanism support, New York	–	220.1	–	–	–	–	–	220.1	2.1	222.2
D. Records management and archives	3 592.1	1 967.3	(51.2)	–	(50.4)	(101.6)	(5.2)	1 865.7	56.6	1 922.3
1. Arusha branch	1 677.2	1 153.8	–	–	(50.3)	(50.3)	(4.4)	1 103.5	13.8	1 117.3
2. The Hague branch	1 914.9	813.5	(51.2)	–	(0.1)	(51.3)	(6.3)	–	42.8	42.8

	2022 expenditure	2023 appropriation	Changes				Total	Percentage	2024 estimate (before recosting)	Recosting	2024 estimate (after recosting)
			Technical adjustments	New/ expanded mandates	Other						
E. Liabilities for payment of pensions of retired judges and after-service health insurance for former staff members	4 887.7	5 426.2	—	—	(276.2)	(276.2)	(5.1)	5 150.0	135.3	5 285.3	
Subtotal, 1	82 707.6	81 945.3	(679.3)	—	(17 335.2)	(18 014.5)	(22.0)	63 930.8	1 677.8	65 608.6	

(2) *Extrabudgetary*

	2022 expenditure	2023 estimate	Change	Percentage	2024 estimate
C. Registry					
The Hague branch	1 195.2	1 000.0	50.2	5.0	1 050.2
Subtotal, 2	1 195.2	1 000.0	50.2	5.0	1 050.2
Total	83 902.7	82 945.3	(16 286.5)	(19.6)	66 658.8

Table 14
Evolution of post resources by component

(1) *Assessed budget*

	2023 approved	Changes				Total	2024 proposed
		Technical adjustments	New/expanded mandates	Other			
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	62	—	—	(14)	(14)	48	
2. The Hague branch	35	—	—	(5)	(5)	30	
3. OIOS	1	—	—	—	—	1	
4. Mechanism support, New York	1	—	—	—	—	1	
D. Records management and archives							
1. Arusha branch	5	—	—	(1)	(1)	4	
2. The Hague branch	5	—	—	—	—	5	
Subtotal, 1	137	—	—	(20)	(20)	117	

(2) *Extrabudgetary*

	2023 estimate	Change	2024 estimate
C. Registry			
The Hague branch	9	(1)	8
Subtotal, 2	9	(1)	8
Total	146	(21)	125

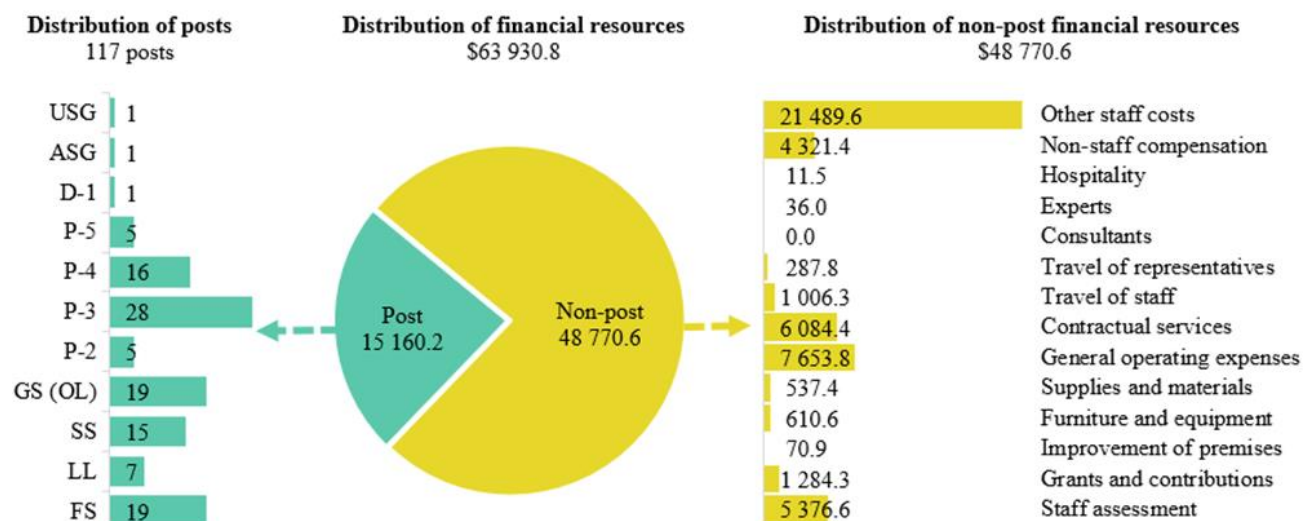
Table 15
Overall: evolution of financial and post resources by category

(Thousands of United States dollars/number of posts)

	2022 expenditure	2023 appropriation	Changes					2024 estimate (before recosting)
			Technical adjustments	New/expanded mandates	Other	Total	Percentage	
Financial resources by main category of expenditure								
Post	21 608.3	17 416.8	(480.0)	–	(1 776.6)	(2 256.6)	(13.0)	15 160.2
Non-post	61 099.3	64 528.5	(199.3)	–	(15 558.6)	(15 757.9)	(24.4)	48 770.6
Total	82 707.6	81 945.3	(679.3)	–	(17 335.2)	(18 014.5)	(22.0)	63 930.8
Post resources by category								
Professional and higher	74	65	–	–	(8)	(8)	(12.3)	57
General Service and related	113	72	–	–	(12)	(12)	(16.7)	60
Total	187	137	–	–	(20)	(20)	(14.6)	117

Figure VIII
Distribution of proposed resources for 2024 (before recosting)

(Number of posts/thousands of United States dollars)



Explanation of variances by factor and component

Overall resource changes

Technical adjustments

60. As reflected in table 13 (1), resource changes reflect a decrease of \$679,300, as follows:

(a) **Registry.** The decrease of \$628,100 mainly reflects the net effect of:

(i) A decrease under posts (\$439,500) and staff assessment (\$44,200), owing to adjustments related to the phased abolishment of six temporary posts during the 2023 period;

(ii) A decrease under other staff costs (\$81,900), consultants (\$13,000), travel of staff (\$33,000), contractual services (\$1,700), general operating expenses (\$700) and staff assessment (\$14,100), owing to the removal of non-recurrent provisions for evaluation activities undertaken by OIOS in 2023;

(b) **Records management and archives.** A decrease of \$51,200, comprising a decrease under posts (\$40,500) and staff assessment (\$10,700), owing to adjustments related to the phased abolishment of one temporary post during the 2023 period.

Other changes

61. As reflected in tables 13 (1) and 14 (1), resource changes reflect a net decrease of \$17,335,200 as follows:

(a) **Chambers.** The proposed decrease of \$886,400 mainly reflects the net effect of:

(i) A decrease of \$971,200 under non-staff compensation (honorariums to judges) mainly owing to:

a. The Appeals Chamber's decision instructing the Trial Chamber to impose an indefinite stay of proceedings in the *Kabuga* case, which resulted in a reduction in the number of judges assigned to this case from four (including a reserve judge) to three as of October 2023 and a reduction in the number of days of judges' compensation from 1,440 days to 108 days per year;

b. The completion of the *Stanišić and Simatović* appeal in 2023;

(ii) An increase of \$84,800 under travel of representatives (travel of judges), owing to the convening of the in-person plenary conference of judges in Arusha in 2024, offset in part by reduced travel requirements due to the suspension of the proceedings in the *Kabuga* case and the completion of appeal proceedings in the *Stanišić and Simatović* case in 2023;

(b) **Office of the Prosecutor.** The proposed decrease of \$3,847,400 mainly reflects the effect of:

(i) A decrease under other staff costs (\$3,111,500) and staff assessment (\$481,500), owing primarily to the reduced need for general temporary assistance positions. The reductions reflect mainly:

a. The decrease in judicial workload following the Appeals Chamber's decision instructing the Trial Chamber to impose an indefinite stay of proceedings in the *Kabuga* case, as well as the conclusion of the appeal proceedings in the *Stanišić and Simatović* case in The Hague in May 2023;

b. The anticipated completion of fugitive tracking activities by July 2024;

c. The planned closure of the field office in Kigali in September 2024, owing to a significant reduction in the judicial workload of the Mechanism due to the conclusion of its remaining core crimes trials and appeals and the indefinite stay in the *Kabuga* case by the Trial Chamber;

(ii) A decrease of \$217,300 for travel of staff due mainly to the Appeals Chamber's decision instructing the Trial Chamber to impose an indefinite stay of proceedings in the *Kabuga* case resulting in reduced travel requirements in Arusha;

(c) **Registry.** The proposed decrease of \$12,274,800 mainly reflects the net effect of:

(i) A decrease of \$1,586,300 under posts and staff assessment (\$1,055,400) as a result of the proposed abolishment of a total of 19 temporary posts. This would include the abolishment of 8 temporary posts (3 P-4, 1 P-3, 2 P-2, 1 Field Service and 1 General Service (Other level)) in January 2024 and 11 temporary posts (1 P-3, 3 Field Service and 7 General Service (Other level)) in a phased manner, offset in part by the proposed reclassification of 2 Associate Legal Officer (P-2) posts to Legal Officer (P-3) posts and the redeployment of 1 Witness Protection and Support Officer (P-3) from Kigali to Arusha as detailed in annex III. The decrease of \$5,780,000 under other staff costs for general temporary assistance positions takes into account:

a. The decrease in judicial workload following the Appeals Chamber's decision instructing the Trial Chamber to impose an indefinite stay of proceedings in the *Kabuga* case, as well as the conclusion of the appeal proceedings in the *Stanišić and Simatović* case in The Hague in May 2023;

b. The planned closure of the field office in Kigali in September 2024;

c. The shift into the residual phase, in which the focus of the Registry will be mainly on the Mechanism's mandated, continuous activities;

(ii) A decrease of \$231,500 under travel of staff due mainly to the Appeals Chamber's decision instructing the Trial Chamber to impose an indefinite stay of proceedings in the *Kabuga* case;

(iii) A decrease of \$2,601,900 under contractual services owing mainly to the Appeals Chamber's decision instructing the Trial Chamber to impose an indefinite stay of proceedings in the *Kabuga* case, which resulted in reductions for the defence counsel and verbatim reporting line items;

(iv) A decrease of \$412,700 under general operating expenses attributable mainly to the Appeals Chamber's decision instructing the Trial Chamber to impose an indefinite stay of proceedings in the *Kabuga* case as well as the proposed reductions in the number of posts and positions for 2024;

(v) A decrease of \$197,500 under furniture and equipment, owing to reduced requirements for the acquisition of equipment for 2024 as a result of acquisitions that took place in previous years and the reduction in the proposed number of posts and positions in 2024;

(vi) A decrease of \$326,500 under grants and contributions, owing mainly to reduced requirements for contributions under jointly administered services, based on the pattern of reimbursements for services provided by the United Nations Office at Geneva as well as lower requirements under defence counsel due to the suspension of proceedings in the *Kabuga* case;

(d) **Records management and archives.** The proposed net decrease of \$50,400 mainly reflects a decrease under posts (\$190,300) and staff assessment (\$9,800), owing to the proposed abolishment of one post of Administrative Officer (P-4), as detailed in annex III, offset in part by an increase under other staff costs (\$152,400) owing to provisions for a general temporary assistance position. The proposed staffing revision takes into account the transition of the Mechanism towards its residual phase following the indefinite stay of proceedings in the *Kabuga* case and the consequent shift of resources in support of archiving and other full-time continuous functions;

(e) **Liabilities for payment of pensions of retired judges and after-service health insurance for former staff members.** The proposed decrease of \$276,200 mainly reflects the effects of:

- (i) The proposed decrease of \$189,800 under non-staff compensation, owing to revised projections for pension payments to retired judges in 2024 based on patterns of expenditure;
- (ii) The proposed decrease of \$91,100 under other staff costs, which reflects expenditure experience with regard to after-service health insurance benefits for former staff members.

Extrabudgetary resources

62. As reflected in tables 13 (2) and 14 (2), the Mechanism receives extrabudgetary contributions, which complement assessed resources and continue to be vital for the delivery of its mandates. In 2024, projected extrabudgetary resources of \$1,050,200, including eight 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. Extrabudgetary resources represent 1.6 per cent of the total resources for the Mechanism.

Other information

63. In 2024, the Mechanism will continue to work towards sustaining the environmental improvements already implemented. The Mechanism conducted a sustainability study for its premises in Arusha, with a focus on energy efficiency, environmental preservation and the optimization of water and energy use. Its facilities maintenance programme focuses on increasing energy efficiency, including using energy-efficient light-emitting diode (LED) bulbs, and the installation of a new power generator aimed at reducing energy consumption. Other initiatives include expanding green areas in the campus while optimizing the use of water for irrigation, improving waste collection and disposal and minimizing printing and the use of paper. In addition, the Mechanism has improved waste management in The Hague by removing waste bins from all offices and conference rooms and instead placing them in the hallways, and separating recyclable materials from organic and general waste. The Mechanism is connected to a local grid that uses wind and solar sources for electricity. Other initiatives were implemented to reduce the Mechanism's environmental footprint, including the installation of LED bulbs and water-minimizing showerheads, automatic sensors in nearly all washbasins and motion sensors in all

bathrooms/toilets. Staff are also encouraged to use bikes, with on-site (monitored) bicycle parking.

64. Information on compliance with regard to the timely submission of documentation and advance booking for air travel is reflected in table 16. With regard to advance booking for air travel, the performance in 2022 was affected by the COVID-19 pandemic. While the rate for 2022 (50 per cent) is higher than that realized in 2021 (43 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, in particular for unavoidable travel on short notice, for example travel related to fugitive tracking and witness-related movements.

Table 16
Compliance rate
(Percentage)

	<i>Actual 2020</i>	<i>Actual 2021</i>	<i>Actual 2022</i>	<i>Planned 2023</i>	<i>Planned 2024</i>
Timely submission of documentation	100	100	100	100	100
Air tickets purchased at least 2 weeks before the commencement of travel	27	42	50	100	100

Chambers

65. 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.

66. 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.

67. 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 17, the proposed budget for 2024 amounts to \$998,300 before recosting and reflects a net decrease of \$886,400 compared with the appropriation for 2023, as explained in paragraph 61 (a) above. Additional details are reflected in figure IX.

Table 17
Chambers: evolution of financial resources

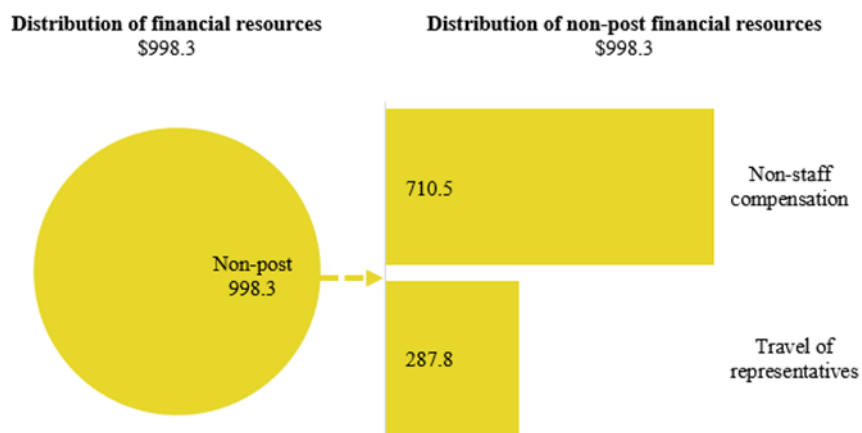
(Thousands of United States dollars)

	2022 expenditure	2023 appropriation	Changes				Total	Percentage	2024 estimate (before recosting)
			Technical adjustments	New/expanded mandates	Other				
Arusha branch									
Non-post	659.0	86.2	–	–	282.2	282.2	327.4	368.4	
Subtotal	659.0	86.2	–	–	282.2	282.2	327.4	368.4	
The Hague branch									
Non-post	775.8	1 798.5	–	–	(1 168.6)	(1 168.6)	(65.0)	629.9	
Subtotal	775.8	1 798.5	–	–	(1 168.6)	(1 168.6)	(65.0)	629.9	
Total	1 434.8	1 884.7	–	–	(886.4)	(886.4)	(47.0)	998.3	

Figure IX

Chambers: distribution of proposed resources for 2024 (before recosting)

(Thousands of United States dollars)



Office of the Prosecutor

68. The Office of the Prosecutor is responsible for performing prosecutorial activities in relation to the 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 the International Criminal Tribunal for Rwanda, the International Tribunal for the Former Yugoslavia and the Mechanism.

69. The Office of the Prosecutor comprises the Prosecutor, an Officer-in-Charge for each branch and the legal, investigative, analytical, support 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.

70. The core responsibility of the Office of the Prosecutor is to perform continuous residual functions arising from completed cases and the completion strategies of the Tribunals, namely the provision of assistance to national authorities prosecuting serious violations of international humanitarian law committed in the former Yugoslavia and Rwanda, enforcement of sentences, witness protection and other continuous judicial activities. Associated with these functions, the Office also manages its evidence collection, which comprises more than 10 million pages of evidence and thousands of hours of audiovisual files and physical artefacts, and performs related diplomatic and external relations functions. The Office of the Prosecutor is also responsible for performing prosecutorial activities in relation to ad hoc residual functions should they arise.

71. The proposed structure and core staffing for the Office of the Prosecutor for 2024 are based on its continuous residual activities. Temporary resources are also proposed under general temporary assistance for additional workload, in particular with regard to the significantly greater-than-anticipated number and complexity of requests for assistance from national authorities in Rwanda, the former Yugoslavia and elsewhere. The temporary resources will also provide for the Office's reduced fugitive tracking team for six months in the light of the anticipated completion of this work in that time frame. No resources are proposed in 2024 for ad hoc residual functions.

72. The resources proposed under the Office of the Prosecutor would provide for post and non-post requirements of the Office. As reflected in table 18, the proposed budget for 2024 amounts to \$11,950,400 and reflects a net decrease of \$3,847,400 compared with the appropriation for 2023, as explained in paragraph 61 (b) above. Additional details are reflected in figure X.

Table 18
Office of the Prosecutor: evolution of financial and post resources

(Thousands of United States dollars/number of posts)

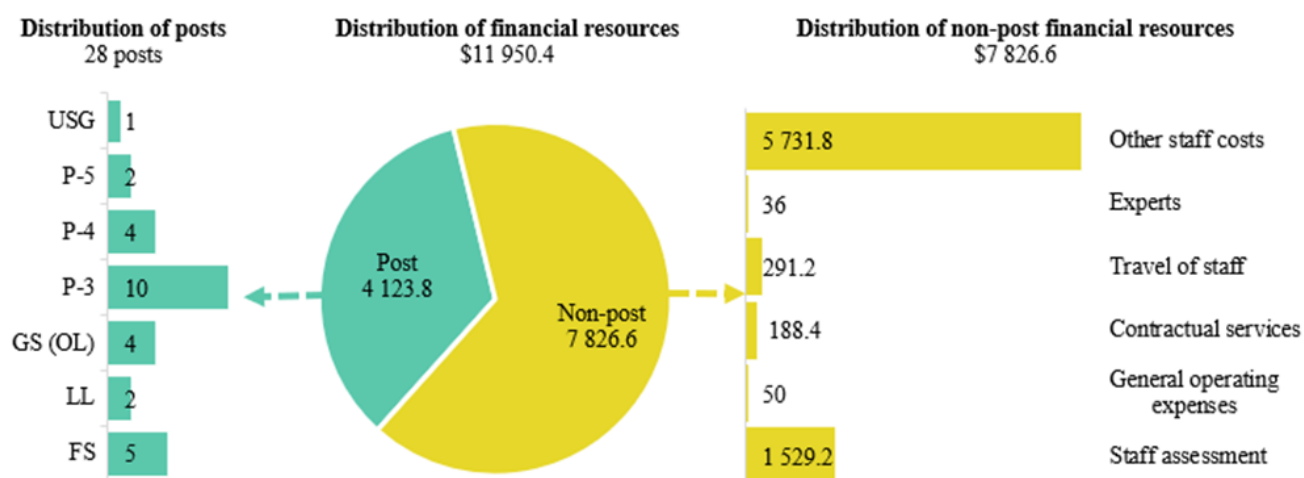
	2022 expenditure	2023 appropriation	Changes				2024 estimate (before recosting)
			Technical adjustments	New/expanded mandates	Other	Total	
Financial resources by main category of expenditure							
Arusha branch							
Post	2 922.8	2 957.3	–	–	–	–	2 957.3
Non-post	4 299.7	4 248.2	–	–	(1 492.4)	(1 492.4)	(35.1) 2 755.8
Staff assessment	762.5	804.3	–	–	(171.8)	(171.8)	(21.4) 632.5
Subtotal	7 222.5	8 009.8	–	–	(1 664.2)	(1 664.2)	(20.8) 6 345.6
The Hague branch							
Post	1 386.4	1 166.5	–	–	–	–	1 166.5
Non-post	5 123.3	5 415.1	–	–	(1 873.5)	(1 873.5)	(34.6) 3 541.6
Staff assessment	1 171.2	1 206.4	–	–	(309.7)	(309.7)	(25.7) 896.7
Subtotal	7 680.9	7 788.0	–	–	(2 183.2)	(2 183.2)	(28.0) 5 604.8
Total	14 903.4	15 797.8	–	–	(3 847.4)	(3 847.4)	(24.4) 11 950.4

	2022 expenditure	2023 appropriation	Changes				2024 estimate (before recosting)
			Technical adjustments	New/expanded mandates	Other	Total	
Post resources by category							
Professional and higher		17	–	–	–	–	17
General Service and related		11	–	–	–	–	11
Total		28	–	–	–	–	28

Figure X

Office of the Prosecutor: distribution of proposed resources for 2024 (before recosting)

(Number of posts/thousands of United States dollars)

**Registry**

73. 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.

74. 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.

75. 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.

76. The resources proposed under the Registry would provide for its post and non-post requirements. As reflected in table 19, the proposed budget for 2024 amounts to \$43,966,400 and reflects a net decrease of \$12,902,900 compared with the appropriation for 2023, as explained in paragraphs 60 (a) and 61 (c) above. Additional details are reflected in figure XI.

77. The Registry is supported by extrabudgetary resources, including eight posts, as reflected in tables 13 (2) and 14 (2) and paragraph 62 above.

Table 19

Registry: evolution of financial and post resources

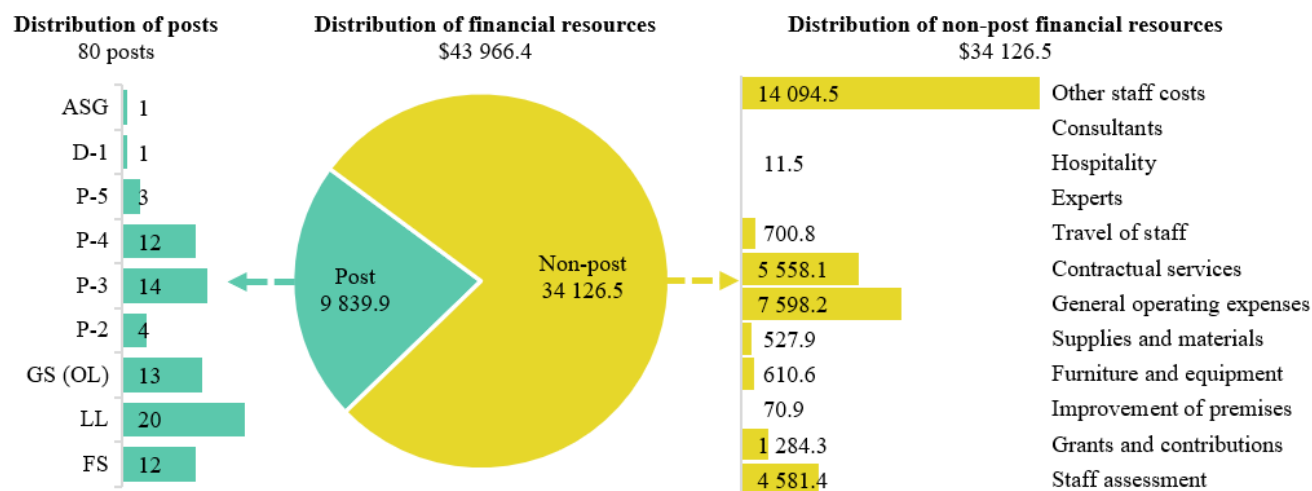
(Thousands of United States dollars/number of posts)

	2022 expenditure	2023 appropriation	Technical adjustments	Changes			Total	Percentage	2024 estimate (before recosting)
				New/expanded mandates	Other				
Financial resources by main category of expenditure									
Arusha branch									
Post	9 785.1	7 575.4	(400.1)	–	(1 224.6)	(1 624.7)	(21.4)	5 950.7	
Non-post	12 607.8	12 537.6	–	–	(2 769.8)	(2 769.8)	(22.1)	9 767.8	
Staff assessment	1 967.1	1 479.4	(38.5)	–	(325.8)	(364.3)	(24.6)	1 115.1	
Subtotal	24 360.0	21 592.4	(438.6)	–	(4 320.2)	(4 758.8)	(22.0)	16 833.6	
The Hague branch									
Post	4 270.1	3 937.7	(39.4)	–	(361.7)	(401.1)	(10.2)	3 536.6	
Non-post	25 608.2	27 538.6	–	–	(6 863.9)	(6 863.9)	(24.9)	20 674.7	
Staff assessment	3 436.4	3 245.6	(5.7)	–	(729.6)	(735.3)	(22.7)	2 510.3	
Subtotal	33 314.7	34 721.9	(45.1)	–	(7 955.2)	(8 000.3)	(23.0)	26 721.6	
OIOS									
Post	168.0	153.6	–	–	–	–	–	153.6	
Non-post	19.3	142.4	(130.3)	–	0.6	(129.7)	(91.1)	12.7	
Staff assessment	27.6	38.9	(14.1)	–	–	(14.1)	(36.2)	24.8	
Subtotal	214.9	334.9	(144.4)	–	0.6	(143.8)	(42.9)	191.1	
Mechanism support, New York									
Post	–	199.0	–	–	–	–	–	199.0	
Non-post	–	1.6	–	–	–	–	–	1.6	
Staff assessment	–	19.5	–	–	–	–	–	19.5	
Subtotal	–	220.1	–	–	–	–	–	220.1	
Total	57 889.6	56 869.3	(628.1)	–	(12 274.8)	(12 902.9)	(22.7)	43 966.4	
Post resources by category									
Professional and higher		42	–	–	(7)	(7)	(16.7)	35	
General Service and related		57	–	–	(12)	(12)	(21.1)	45	
Total		99	–	–	19	19	(19.2)	80	

Figure XI

Registry: distribution of proposed resources for 2024 (before recosting)

(Number of posts/thousands of United States dollars)

**Records management and archives**

78. 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.

79. 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.

80. 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.

81. 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 20, the proposed budget for 2024 amounts to \$1,865,700 and reflects a net decrease of \$101,600 compared with the appropriation for 2023, as explained in paragraph 61 (d) above. Additional details are reflected in figure XII.

Table 20

Records management and archives: evolution of financial and post resources

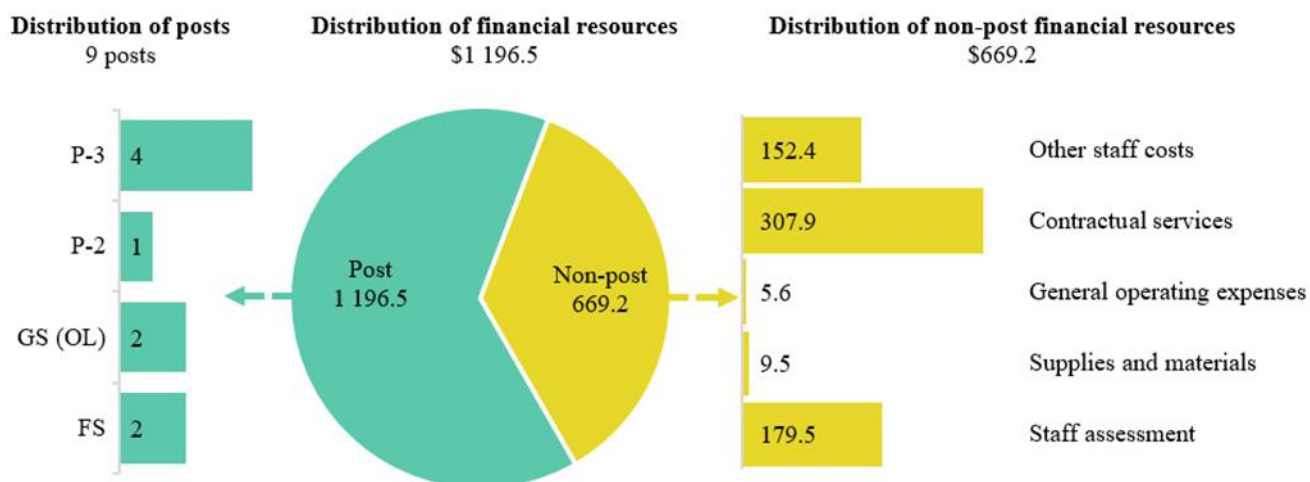
(Thousands of United States dollars/number of posts)

	2022 expenditure	2023 appropriation	Changes				Total	Percentage	2024 estimate (before recosting)
			Technical adjustments	New/expanded mandates	Other				
Financial resources by main category of expenditure									
Arusha branch									
Post	1 534.5	849.3	–	–	(190.3)	(190.3)	(22.4)	659.0	
Non-post	(40.3)	211.5	–	–	149.8	149.8	70.8	361.3	
Staff assessment	183.0	93.0	–	–	(9.8)	(9.8)	(10.5)	83.2	
Subtotal	1 677.2	1 153.8	–	–	(50.3)	(50.3)	(4.4)	1 103.5	
The Hague branch									
Post	1 541.4	578.0	(40.5)	–	–	(40.5)	(7.0)	537.5	
Non-post	102.7	128.5	–	–	(0.1)	(0.1)	(0.1)	128.4	
Staff assessment	270.8	107.0	(10.7)	–	–	(10.7)	(10.0)	96.3	
Subtotal	1 914.9	813.5	(51.2)	–	(0.1)	(51.3)	(6.3)	762.2	
Total	3 592.1	1 967.3	(51.2)	–	(50.4)	(101.6)	(5.2)	1 865.7	
Post resources by category									
Professional and higher		6	–	–	(1)	(1)	(16.7)	5	
General Service and related		4	–	–	–	–	–	4	
Total		10	–	–	(1)	(1)	(10.0)	9	

Figure XII

Records management and archives: distribution of proposed resources for 2024 (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

82. 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 2024 in the present report.

83. As reflected in table 21, the proposed budget for 2024 amounts to \$5,150,000, reflecting a net decrease of \$276,200 compared with the appropriation for 2023, as explained in paragraph 61 (e) above.

Table 21

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

(Thousands of United States dollars)

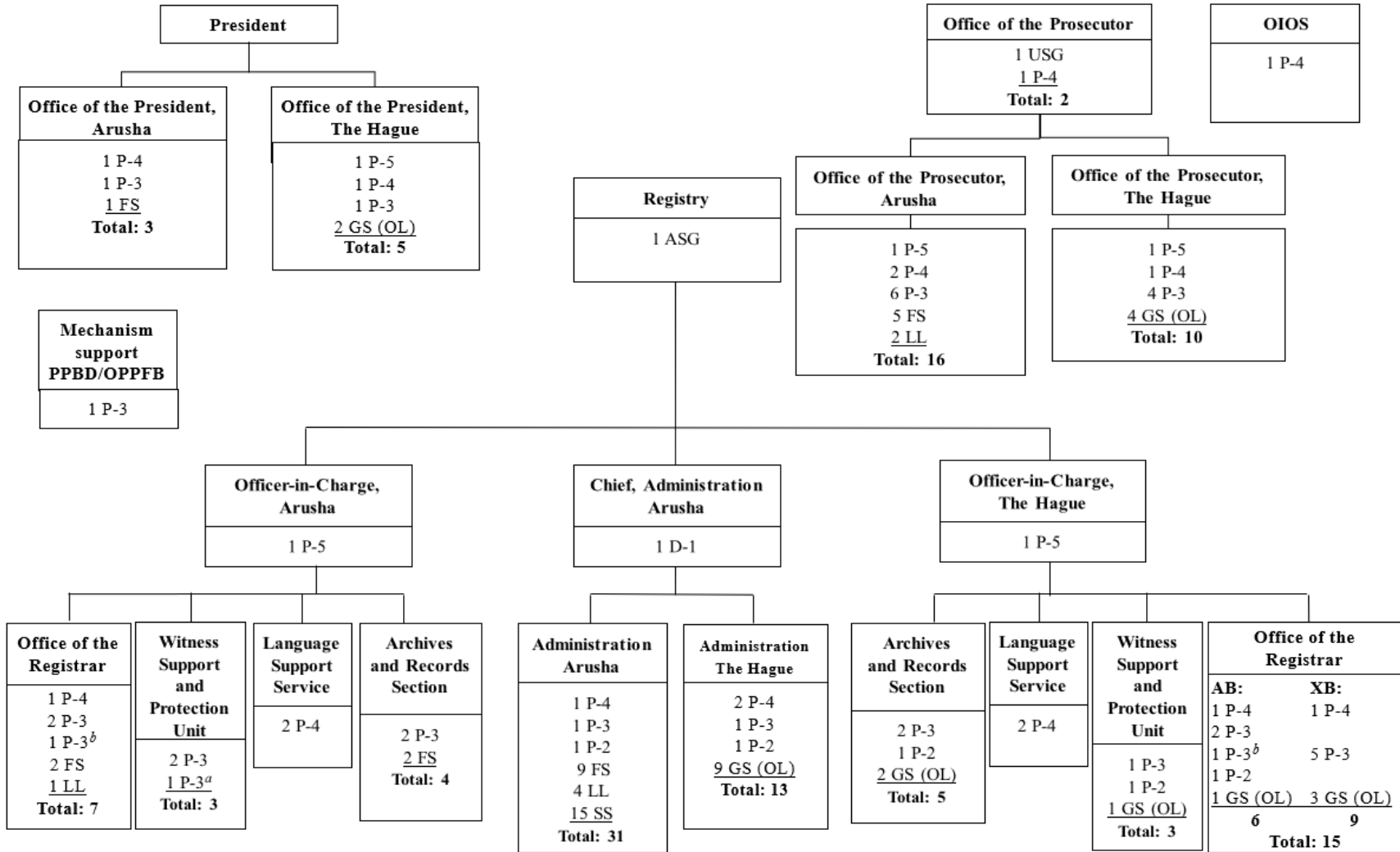
	2022 expenditure	2023 appropriation	Changes				2024 estimate (before recosting)
			Technical adjustments	Other	Total	Percentage	
Non-post	4 887.7	5 426.2	–	(276.2)	(276.2)	(5.1)	5 150.0
Total	4 887.7	5 426.2	–	(276.2)	(276.2)	(5.1)	5 150.0

C. Actions of the General Assembly

84. The Secretary-General requests the General Assembly to approve an appropriation of \$63,930,800 gross (\$58,552,400 net), before recosting, for the Mechanism for 2024.

Annex I

Organizational structure and temporary post distribution for 2024



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; OP, Office of the Prosecutor; OPPFB, Office of Programme Planning, Finance and Budget; PPBD, Programme Planning and Budget Division; SS, Security Service; USG, Under Secretary-General; XB, extrabudgetary.

^a Redeployment.

^b Reclassification.

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/77/626)

The Advisory Committee notes the delays in the *Kabuga* case and trusts that the Mechanism will undertake all efforts necessary to expedite its completion (see also para. 13 below). The Committee also trusts that any updates on the location of the trial and efficiency measures put in place, as well as their budgetary implications, will be provided to the General Assembly during the consideration of the present report and an update included in the next budget report (para. 8).

Félicien Kabuga was deemed not fit for trial due to his medical condition on 7 August 2023, and as a result the Trial Chamber indefinitely stayed the trial on 8 September 2023. Since then, the functions of the Trial Chamber, prosecution and defence are limited principally to matters of Mr. Kabuga's release, including monitoring the conditions of such release, and monitoring Mr. Kabuga's health. No evidentiary motions will be entertained during the stay, but there may be limited periodic status conferences to the extent that Mr. Kabuga remains in detention. Based on medical advice, although not impossible, it is unlikely that Mr. Kabuga will recover. While the Mechanism will continue to retain jurisdiction over Mr. Kabuga, monitor his health and deal with ad hoc procedural matters, imposing an indefinite stay effectively ends major judicial activity in the case, specifically related to the evidentiary aspects of the case. Given the indefinite stay, the President has removed the reserve judge from the case.

During the conduct of the case, the prosecution reduced its list of witnesses and presented as much evidence as possible in written form, resulting in a reduction in the number of estimated hours for presenting the case from 168 hours to around 40.

The Trial Chamber also formally admitted the evidence of 47 prosecution witnesses, in accordance with the rules, in written form, and adjudicated the potential admissibility of the substantial body of evidence – nearly 50 per cent of the prosecution's witnesses – during the pretrial phase, making efficient use of the additional time required during that period to consider matters related to Mr. Kabuga's fitness for trial.

In addition to the evidence of 47 witness admitted exclusively in written form, the prosecution proposed that 50 of its witnesses be heard in court. In order to minimize court time, the prosecution proposed that the direct examination of a majority of these witnesses would have been admitted, in accordance with the rules, in written form, and that they would have appeared principally for cross-examination. The Trial Chamber used the pretrial phase to assess the potential

The Advisory Committee stresses the critical importance of preserving the archives of the International Criminal Tribunals for Rwanda and the Former Yugoslavia and making them accessible in accordance with applicable policies. The Committee encourages the Mechanism to seek voluntary contributions aimed at advancing and completing the digitization of the archives and to report thereon in the next budget submission (para. 11).

The Advisory Committee notes the completion of most judicial activities 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, including through increased efficiency and expedited proceedings, and to report thereon in the next budget submission (see also [A/76/577](#), para. 8, and [A/75/632](#), para. 5) (para. 13).

admissibility of the written part of this specific body of evidence, which would not have been admitted until the witnesses were present in court and fulfilled certain conditions set forth under the rules.

The Mechanism manages the physical and digital archives of the ad hoc Tribunals, which are co-located with the respective branches of the Mechanism. The work involves taking measures to prevent deterioration, damage or loss throughout the life of the records. It is active and ongoing work which will need to be carried out for as long as the archives exist. Archives are, by definition, records which are to be retained permanently, therefore the management of the archives has no end date. The Mechanism is a temporary organization that is actively downsizing, which involves reductions in the available resources to work on the preservation and provision of access to the archives. When the Mechanism closes, it should be in a position to hand over complete, trustworthy, accessible and usable records to whichever institution(s) assumes custody and responsibility for them. To realize this goal, while still meeting its downsizing obligations, the Mechanism plans to seek voluntary contributions aimed at advancing ongoing projects to preserve the archives as well as provide access to them. While the development of funding proposals is still in the early stages, progress has been made in identifying priority projects and scoping them. Lessons learned from the Total Digital Access to the League of Nations Archives Project of the United Nations Office at Geneva, which was successfully funded from voluntary contributions, are informing the process.

In December 2022, the Mechanism shared with the Informal Working Group on International Tribunals a road map for the Mechanism-wide scenario-based workforce plan. This road map identified three phases of the Mechanism's future work. In phase 1, projected for 2022–2026, the Mechanism will complete its ad hoc judicial activity and its tracking of fugitives function, leaving only the continuous residual functions. This phase advanced substantially in 2023 with the end of the final core crimes cases, and the projection is now that fugitive tracking activities will be completed in 2024 or 2025. The monitoring of cases referred to national courts will continue beyond phase 1 given the recent arrest of Fulgence Kayishema in May 2023.

The Mechanism concluded its remaining core crimes trials and appeals in the past year. Specifically, the Appeals Chamber delivered its judgment and

The Advisory Committee notes the staffing review carried out by the Mechanism and the efforts made to downsize resources and streamline operations. The Committee trusts that the next proposed budgets will reflect further efficiencies and appropriate resource requirements, commensurate to the progressive completion of the Mechanism's work (see also [A/76/577](#), para. 12) (para. 19).

concluded the *Stanišić and Simatović* case in May 2023, one month ahead of its prior projection. In addition, as a consequence of the Trial Chamber's decision of 6 June 2023 finding Félicien Kabuga unfit for trial and the Appeals Chamber's decision of 7 August 2023, the *Kabuga* case has been indefinitely stayed by the Trial Chamber's decision of 7 September, and major judicial activity, in particular related to evidentiary matters, will cease. Although the Mechanism retains jurisdiction over Mr. Kabuga, this will result in a significant reduction in judicial activity in relation to the matter and the overall judicial workload of the Mechanism.

At the request of the Security Council in its resolution [2637 \(2022\)](#), the Mechanism provides in its biannual reports detailed projections of the duration of residual functions. The principals and management of the Mechanism have paid particular attention to scenario-based workforce planning and completion projections for the Mechanism's longer-term residual functions, as well as possible options regarding the transfer of its remaining activities in due course. As detailed below (see comments pertaining to [A/77/626](#), para. 31), a panel of judges has been established to assess the nature and likely duration of the Mechanism's remaining judicial activities, together with their potential transferability. The Mechanism also presents an annual report on its activities to the Council. In addition, the Mechanism is conducting a review of options for the possible transfer of its remaining activities in due course. Pursuant to a recommendation from the Office of Internal Oversight Services (OIOS), the Mechanism is currently engaged in a cross-organ strategic planning process for its future workload and resources, which includes different scenarios.

The Mechanism has progressively downsized its operations commensurate with the advancing completion of its work. With the presentation of the 2024 budget proposal, the Mechanism's staffing resources will be reduced from 606 posts and general temporary assistance positions in 2020 to 246 posts and general temporary assistance positions by the end of 2024, representing a reduction of over 60 per cent within a period of four years. The 2024 budget proposal reflects further efficiencies and downsizing with the proposed reduction of 97 posts and general temporary assistance positions compared with 93 in 2023. In financial terms, the proposed budget reflects a reduction of \$18 million compared with the 2023 appropriation, an acceleration of the reduction of \$10 million presented in 2023 compared with 2022.

The Advisory Committee notes the measures being implemented by the Mechanism to support staff during the downsizing process and trusts that further efforts will be made to assist staff in identifying opportunities for future employment, and that an update will be provided in the next budget report (para. 25).

The Advisory Committee trusts that the Mechanism's review of service providers for the planned expansion of outsourced administrative support services will yield further efficiencies. The Committee also trusts that an update will be provided to the General Assembly at the time of its consideration of the present report and that detailed information on the concluded arrangements and related efficiency gains will be included in the next budget submission (para. 26).

The Mechanism implemented a number of measures to support staff in the downsizing process. Starting in September 2022, a qualified staff counsellor has been available to consult with staff members on individual basis and conduct group sessions for departments and sections, including a number of workshops on specific subjects, such as psychological first aid. The Mechanism also provided an opportunity for staff to have professional career coaching through the Humanitarian Coaching Network and other learning and development courses on the online platform LinkedIn. The Mechanism also offered computer-based language courses and is now working on providing staff access to language courses developed by the United Nations.

The Mechanism supports staff at every opportunity with regard to working at other United Nations organizations. In 2023, Mechanism staff transferred to the Department of Safety and Security of the Secretariat, the United Nations Office at Geneva, the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant, the United Nations Military Observer Group in India and Pakistan and the International Criminal Court.

In the context of the implementation of the 2023 budget, the Mechanism sought to conclude agreements with United Nations service centres with regard to outsourcing finance, human resources and procurement functions. With the assistance of the Department of Operational Support of the Secretariat, agreements are in place with both the United Nations Office at Nairobi and the United Nations Office at Geneva. Financial support services provided by the United Nations Office at Geneva have expanded to include full payroll support and asset accounting. It is expected that the majority of procurement services will be outsourced by the end of 2023, leaving in place only those resources needed for the coordination of the outsourced services. The Mechanism also plans to outsource part of its security operations with the use of individual contractors. This effort has proven to be partly successful, with implementation completed in Arusha, but not in The Hague, owing to difficulties in securing work permits for individual contractors there. For 2024, the Mechanism will shift its security outsourcing approach to the use of a commercial provider, which will result in the proposed abolishment of eight general temporary assistance positions of Security Officer in The Hague.

Brief description of the recommendation

The Advisory Committee acknowledges the reduction of 93 positions by the end of 2023. The Committee trusts that the Secretary-General will provide information to the General Assembly, at the time of its consideration of the present report and in the next budget submission, on the possibility of the earlier reduction of some positions, in view of the progressive completion of the Mechanism's work and the forthcoming conclusion of outsourcing arrangements (para. 31).

Considering the progressive completion of the Mechanism's operations, the Advisory Committee trusts that the Secretary General will review the functions of the Legal Officer (P-4) position and provide support within the existing capacity of the Office of Legal Affairs and an update in the next budget submission (para. 32).

Action taken to implement the recommendation

Due to the indefinite suspension of proceedings related to the *Kabuga* case in 2023, as well as natural attrition, savings under other staff costs of \$3.5 million were realized in 2022. Looking forward, further significant reductions of 97 staffing positions are proposed for 2024.

In line with Security Council resolution [2637 \(2022\)](#) and the recommendation of OIOS, a cross-organ working group began discussions in early 2023. Simultaneously, the President appointed a committee of judges to assess the Mechanism's remaining judicial functions, including the possibility of their transfer to other bodies. The work of both Mechanism planning bodies is proceeding well, and it is anticipated that the first results will be compiled by the end of 2023, with a view to sharing initial views with the Informal Working Group on International Tribunals in conjunction with the Security Council's upcoming review of the Mechanism in mid-2024.

The Office of Legal Affairs remains an indispensable pillar of support for the Mechanism. The complexity of legal matters transcends the ongoing judicial proceedings, revealing a nuanced relationship between the Mechanism's progress in core crime adjudication and the emergence of legal issues from its broad mandate. The majority of this legal support pertains to the institutional framework and status of the Mechanism and its officials. The Office provides invaluable counsel on a range of topics, from host country agreements to United Nations privileges, contract negotiations and vendor claims.

In addition, the Office of Legal Affairs offers guidance on archival considerations, including revisions to retention schedules. Functioning in tandem with the Mechanism's statute, the Office dutifully fulfils the Secretary-General's statutory obligations, in particular with regard to the appointment of judges and senior officials. Moreover, it plays a central role in facilitating substantive secretariat services for the Informal Working Group on International Tribunals, acting as a crucial liaison between the Informal Working Group and the Mechanism, especially in the context of reviewing its work in alignment with Security Council resolution [1966 \(2010\)](#). Given the ongoing demands, it is anticipated that the need for the Office's indispensable legal support will remain and cannot be absorbed by the existing resources of the Office of Legal Affairs in the near future.

The Advisory Committee also reiterates its view that the Mechanism should adopt more stringent measures, including tighter internal controls, to improve its compliance rate with the advance booking policy, and report thereon in the next budget submission (see [A/76/577](#), para. 27) (para. 33 (a)).

The Advisory Committee trusts that comprehensive lessons learned related to remote participation in judicial proceedings will be provided in the next budget report (para. 35).

During the course of trials, much of the travel associated with witnesses and accompanying protection staff could not be anticipated in compliance with the guidance on advance purchase of tickets for air travel. In addition, travel with regard to fugitive tracking often occurs on very short notice, which has contributed to the issue. With the cessation of trial activity, the Mechanism expects to improve advance purchases in line with the policy.

During the coronavirus disease (COVID-19) pandemic, videoconferences became a regular feature of court proceedings at the Mechanism and its use expanded and allowed for the remote participation of counsel, judges and/or accused persons from multiple locations. The parties could appear from different countries while accused persons could request to participate remotely from their place of detention or a medical facility owing to reasons of health. Judges appeared from the courtroom or remotely. When accused persons and their counsel were not in the same location during a hearing, technical solutions were developed to ensure that privileged communication between them could still take place. All remote participants received relevant live interpretation in one of the official languages of the Mechanism (English or French), or in the language of the accused.

For example, four of the five Appeals Chamber judges in the *Mladić* case appeared remotely from their home countries for the appeal hearing and judgment delivery. In addition, a dedicated room at The Hague branch allowed for the remote participation of certain counsel and members of defence teams in the *Nzabonimpa et al.* trial throughout the proceedings, which took place at the Arusha branch. A witness was also heard remotely from the field office in Kigali and two others from a remote location in the United Kingdom of Great Britain and Northern Ireland. Furthermore, a convicted person serving his sentence in Senegal and his defence counsel appeared remotely at the delivery of the appeal judgment in the *Fatuma et al.* case.

In the *Kabuga* case, videoconferencing was extensively used to facilitate the testimony of witnesses and the appearance of prosecution counsel from the Arusha branch and the Kigali field office while the judges, the accused and other counsel appeared at The Hague branch. In addition, the accused regularly appeared by videoconference from the United Nations Detention Unit to facilitate his participation in relation to his health condition.

Moreover, several judges of the Trial Chamber have appeared by way of videoconferencing to conduct status conferences while the presiding judge appeared in person. All court participants at the videoconferencing locations had access to the audio and video feed from the courtroom through their monitors in a language they understood, as well as to the live transcript and to the evidence presented. Witnesses testifying from these remote locations were also able to mark the documents presented to them during testimony remotely, using the technology available at the locations, when required. These developments have led to increased efficiency in proceedings by shortening the time required for a hearing to be organized and decreasing the possibility of postponements, resulting in the lowering of the overall costs involved.

In each of these proceedings, the use of remote participation resulted in significant cost savings in relation to the movement of witnesses and the travel of court participants.

The expanded use of videoconferencing has shown that it can be an effective tool to facilitate proceedings, in particular when prevailing circumstances make it difficult or prohibitory for individuals to travel to the relevant branch of the Mechanism.

The conduct of hybrid proceedings is most effective when it involves hearings of relatively short duration, such as appeal hearings, status conferences or judgment deliveries, or for proceedings of longer duration or intensity (such as the hearing of multiple witnesses over a long period of time) when the remote location is a Mechanism facility with pre-existing infrastructure and personnel to support the proceeding. The connectivity with each of the remote participants depends on the quality of the Internet connection at the relevant remote location, as well as on the technical equipment used by the remote participant. The difficulties inherent in such proceedings include the need to ensure the confidentiality of the remote location, the need to potentially coordinate over disparate time zones and the possibility of disruption due to technical difficulties, which are greatly mitigated by the use of one of the Mechanism's facilities, which are secure and have dedicated information technology personnel.

While the use of videoconferencing has shown to be effective for the participation of judges in appeal hearings, its use is less suited for the participation of judges in evidentiary hearings before a trial chamber,

The Advisory Committee trusts that the Secretary-General will provide more detailed information on the anticipated agreement with the Department of Political and Peacebuilding Affairs, including on the related cost-recovery arrangements and their recording, to the General Assembly at the time of its consideration of the present report and in the next budget submission (see also para. 39 below) (para. 38).

The Advisory Committee trusts that more detailed information on the cost-recovery arrangements with the Residual Special Court for Sierra Leone will be provided to the General Assembly at the time of its consideration of the present report and in the next budget submission (see also para. 38 above) (para. 39).

The Advisory Committee trusts that updated information on possible efficiencies arising from the cooperation with the International Court of Justice will be provided in the next budget report (para. 41).

where the judges are routinely required to deliberate on the bench in a given session in response to procedural and evidentiary objections. In such cases, videoconferencing would require regularly adjourning proceedings to set up a separate virtual room for short deliberations. The use of this technology for hearing witnesses has generally been done at the request of the party calling the witness, and not as a policy dictated by a chamber or judge, and has been subject to the judge's preference in how best to assess the credibility of the witness and whether videoconferencing allows for such an assessment in a particular situation. While hybrid proceedings offer extensive flexibility in the conduct of court proceedings and have proven to be a cost-saving tool, the extent to which videoconferencing can be utilized remains a case-by-case assessment and falls squarely within the discretion of the judge(s) conducting the proceedings.

The Department of Political and Peacebuilding Affairs of the Secretariat has developed a concept for co-location with the Mechanism at its Arusha premises and awaits the approval by the General Assembly of the proposed relocation of the liaison team to Arusha. Once the redeployment is approved by the Assembly, the Department of Political and Peacebuilding Affairs and the Mechanism will finalize the co-location agreement and related cost-recovery arrangement in conformity with the guidelines from the Controller.

The Residual Special Court for Sierra Leone co-locates with the Mechanism at its Hague branch premises, and receives administrative and logistical support on a cost-reimbursable basis.

The Mechanism remains in contact with the International Court of Justice in relation to a number of administrative issues, including finance, budget, human resources and medical coverage, and possible collaboration had been discussed on a number of issues. The Mechanism provided training and implementation support to the International Court of Justice in its recent transition to Umoja.

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	Abolishment of 1 Witness Protection and Support Officer, Arusha	With the imposition of an indefinite stay of proceedings against Félicien Kabuga, the functions will be covered by the remaining post of Legal Officer (P-3) in the Witness Support and Protection Unit as well as a Witness Protection and Support Officer (P-3), who is proposed for redeployment from the Kigali field office.
	(1)	P-4	Abolishment of 1 Finance and Budget Officer, Arusha	With the proposed downsizing of the administrative support component of the Mechanism, the work of the Finance and Budget Officer (P-4) will be carried out by a Budget Officer (P-3), and the capacity of the P-4 post is no longer required.
	(1)	P-4	Abolishment of 1 Legal Officer	With the imposition of an indefinite stay of proceedings against Félicien Kabuga and the shift of the Mechanism into its residual phase, the capacity of this post is no longer required, as work will be undertaken by other existing capacity.
	(2)	P-3	Abolishment of 2 External Relations Officers, Arusha and The Hague	With the end of courtroom trials for core crimes cases, it is anticipated that the need for External Relations Officers in Arusha and The Hague will be reduced, and the capacities of the posts are no longer required.
	(1)	P-2	Abolishment of 1 Associate Public Information Officer, Arusha	With the end of courtroom trials for core crimes cases, it is anticipated that the need for a Public Information Officer will be reduced and the capacity of the post is no longer required.
	(1)	P-2	Abolishment of 1 Associate Legal Officer, The Hague	With the imposition of an indefinite stay of proceedings against Félicien Kabuga and the shift of the Mechanism into its residual phase, the capacity of the post is no longer required.
	(1)	LL	Abolishment of 1 Administrative Assistant, Arusha, effective 1 July 2024	In harmony with the progressive downsizing of the administrative support component, the duties of this post have been absorbed by other staff, and the capacity of this post is no longer required.
	(1)	GS (OL)	Abolishment of 1 Finance Assistant, The Hague, effective 1 July 2024	With the reduction of transactional processing in finance and payroll, the capacity of this post is no longer required.
	(1)	FS	Abolishment of 1 Administrative Assistant, Arusha	Owing to the closure of the Kigali field office and the consolidation of the Witness Support and Protection Unit at the Arusha branch, the capacity of the post is no longer required.
	(2)	LL	Abolishment of 2 Witness Protection and Support Assistants, Arusha, effective 1 September 2024	Owing to the closure of the Kigali field office and the consolidation of the Witness Support and Protection Unit at the Arusha branch, the capacities of the posts are no longer required.
	(1)	FS	Abolishment of 1 Security Officer, Arusha, effective 1 September 2024	Owing to the closure of the Kigali field office, the function of this post is no longer required.
	(1)	FS	Abolishment of 1 Administrative Assistant, Arusha, effective 1 September 2024	Owing to the closure of the Kigali field office, the capacity of this post is no longer required.

<i>Component</i>	<i>Posts</i>	<i>Level</i>	<i>Description</i>	<i>Reason for change</i>
	(1)	FS	Abolishment of 1 Security Officer, Arusha, effective 1 October 2024	Owing to the closure of the Kigali field office, the capacity of this post is no longer required.
	(1)	LL	Abolishment of 1 General Service Assistant, Arusha, effective 1 October 2024	Owing to the closure of the Kigali field office, the capacity of this post is no longer required.
	(1)	LL	Abolishment of 1 Information Systems Assistant, Arusha, effective 1 October 2024	Owing to the closure of the Kigali field office, the capacity of this post is no longer required.
	(1)	GS (OL)	Abolishment of 1 Administrative Assistant, The Hague, effective 1 July 2024	With the imposition of an indefinite stay of proceedings against Félicien Kabuga and the shift of the Mechanism into its residual phase, the capacity of this post is no longer required.
	(1)	GS (OL)	Abolishment of 1 Light Vehicle Driver, The Hague, effective 1 July 2024	As the Mechanism shifts into its residual phase, the function of this post is no longer required.
	(1)	P-3 1	Redeployment of 1 Witness Protection and Support Officer from Kigali to Arusha, effective 1 September 2024	With the closure of the Kigali field office, this post will support the only remaining post in Arusha, where a post of Witness Protection and Support Officer (P-4) has been proposed for abolishment. The Witness Support and Protection Unit provides witness protection and support to thousands of victims and witnesses in the Rwandan situation, and assists national jurisdictions in closing the impunity gap.
	(2)	P-2 2	Reclassification of Associate Legal Officer (P-2) to Legal Officer (P-3) in Arusha and The Hague	It is proposed that 2 posts of Associate Legal Officer (P-2) be reclassified to Legal Officer (P-3) to strengthen the legal capacity of the Arusha and The Hague branches. With further prioritization of continuous residual functions, including the enforcement of sentences, the relocation of acquitted or released persons and the provision of support to the management of the United Nations Detention Unit, the proposed reclassification is commensurate with the duties and responsibilities of the posts.
Records management and archives	(1)	P-4	Abolishment of 1 Administrative Officer, Arusha	With the imposition of an indefinite stay of proceedings against Félicien Kabuga and the shift of the Mechanism into its residual phase, the functions of this post would be undertaken by other existing resources within the Mechanism Archives and Records Section.

Abbreviations: FS, Field Service; GS (OL), General Service (Other level); LL, Local level.