



Agenda item 144
Financing of the International Criminal Tribunal for Rwanda

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Financing of the International Tribunal for the former Yugoslavia

FIFTH COMMITTEE

Statement by

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13 December 2011

Mr. Chairman,
Distinguished delegates,

1. I have the honour to introduce two reports of the Secretary-General in respect of each International Tribunal under agenda item 144, financing of the International Criminal Tribunal for Rwanda (ICTR), and agenda item 145, financing of the International Tribunal for the former Yugoslavia (ITY), respectively, as well as the report of the Secretary-General on the International Residual Mechanism for Criminal Tribunals.

ICTR proposed budget for the biennium 2012-2013

2. Let me start with the proposed budget for ICTR for the biennium 2012-2013 contained in document A/66/368. The proposed budget has been prepared taking into account the revised and updated version of the ICTR completion strategy as outlined in the report to the Security Council (S/2011/317) dated 18 May 2011. The report demonstrates that ICTR has almost completed all its work at the trial level. It also expects that the biennium 2012-2013 will be its busiest period in terms of appeals as there will be prosecution and defense of at least 40 appeals. The referral of cases from ICTR to national jurisdictions for trial remains a key pillar of the completion strategy. The tracking and arrest of the remaining 9 fugitives remains one of the top priorities of the strategy of the Prosecutor.

3. The overall resource requirements for ICTR for the biennium 2012-2013 amount to \$174,318,200 gross (\$157,938,900 net) before recosting, reflecting a decrease in real terms of \$83,485,900 gross or 32.4 percent (\$77,388,500 net or 32.9 percent) as compared to the revised appropriation for 2010-2011.

4. ICTR proposes the retention of 416 posts during the biennium 2012-2013, representing a decrease through abolition of 212 posts, or 33.8 per cent (93 Professional and 119 General Service posts) over the current authorized staffing level of 628.

ICTR second performance report for the biennium 2010-2011

5. With regard to the second performance report for the biennium 2010-2011 (A/66/557), the Secretary-General proposes a final appropriation of \$257,081,500 gross (\$233,691,800 net) which reflects a decrease in requirements of \$722,600 gross (\$1,635,600 net) as compared to the revised appropriation of \$257,804,100 (gross) for the biennium 2010-2011 approved by the General Assembly in its resolution 65/252 of 24 December 2010.

6. The net reduction is the result of reduced requirements under post incumbency and other changes (\$1,366,400 gross (\$2,224,100 net)), partially offset by additional requirements for changes with respect to the combined effect of exchange rates and inflation (\$643,800 gross (\$588,500 net)).

ITY proposed budget for the biennium 2012-2013

7. Turning now to agenda item 145, the proposed budget for ITY for the biennium 2012-2013 is contained in document A/66/386. During the biennium 2012-2013, four main developments will affect the workload of ITY namely: (a) the completion of six trials in 2012 resulting in a decrease in first instance trial activity as from the third quarter of 2012; (b) the increase in the number and complexity of appeals, both interlocutory and appeals on merits, associated with trials of multiple and self-represented accused completed during 2011 and 2012; (c) the preparation for the transition to the

Residual Mechanism; and (d) the implementation of The Hague Branch of the Residual Mechanism as of July 2013.

8. The overall level of resources required for the biennium 2012-2013 for ITY amounts to \$280,158,300 gross (\$249,637,000 net) before recosting, reflecting a decrease in resources of \$40,353,500 gross, or 12.6 per cent (\$40,173,000 net, or 13.9 per cent), compared to the revised appropriation for the biennium 2010-2011.

9. Regarding the staffing complement, for the biennium 2012-2013, ITY proposes to maintain the current level of staffing of 546 posts. The number of positions funded under general temporary assistance will however be gradually reduced during the biennium by 163 positions from a starting point of 319 positions at the beginning of the biennium.

ITY second performance report for the biennium 2010-2011

10. With regard to the second performance report for the biennium 2010-2011 (A/66/555), the Secretary-General proposes a final appropriation of \$327,472,300 gross (\$286,012,600 net), which reflects an increase of \$6,960,500 gross (a decrease of \$3,797,400 net) as compared to the revised appropriation of 2010-2011 approved by the General Assembly in its resolution 65/253 of 24 December 2010.

11. The increase in gross requirements is due to the net effect of an increase due to the effect of exchange rate fluctuations (\$7,230,300 gross (\$6,881,900 net)) and an increase resulting from the effect of inflation (\$2,273,500 gross (\$1,878,300 net)), partly offset by a decrease in post incumbency and other changes (\$2,543,300 gross (\$12,557,600 net)).

Proposed budget for the International Residual Mechanism for the biennium 2012-2013

12. Turning now to the International Residual Mechanism, the proposed budget for the Mechanism for the biennium 2012-2013 is contained in document A/66/537. By its resolution 1966 (2010) dated 22 December 2010, the Security Council established the International Residual Mechanism for

Criminal Tribunals (“the Mechanism”) with two branches. The Mechanism shall commence functioning on 1 July 2012 with the commencement of the Arusha branch for the International Criminal Tribunal for Rwanda (ICTR), and the commencement of the Hague branch for the International Tribunal for the former Yugoslavia (ITY) on 1 July 2013. By the same resolution, the Council also adopted the Statute of the Mechanism and the Transitional Arrangements. Furthermore, the Council decided that the Mechanism would be responsible for continuing the jurisdiction, rights and obligations and essential functions of ICTR and ITY, respectively.

13. During the biennium 2012-2013, the Mechanism will commence operations and begin carrying out the residual functions of the Tribunals. In view of the substantially reduced nature of the residual functions, the Mechanism will be a small structure. As the Mechanism will co-exist with the two Tribunals during the biennium 2012-2013, the Mechanism and the two Tribunals will share resources and provide mutual support, particularly through the use of double-hatting of staff and common services.

14. The initial resource requirement for the Mechanism is estimated at \$50,434,400 gross (\$46,827,900 net), before recosting, for the biennium 2012-2013.

15. It is proposed that the staffing for the continuous functions of the Mechanism consist of 97 posts. Taking into account the anticipated distribution of workload between the two Tribunals and the Mechanism, the commencement date of the Arusha and the Hague branches and other operational considerations, it is proposed that 67 posts be established for the Mechanism in the biennium 2012-2013, and the functions and responsibilities of the remaining 30 posts be covered by staff from ICTR and ITY through the “double-hatting” arrangement.

Thank you, Mr. Chairman.