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**Meeting of States Parties****Eighteenth meeting**

New York, 13-20 June 2008

**Draft budget proposals of the International Tribunal for the Law of the Sea for 2009-2010****Prepared by the Tribunal****Introduction**

1. During its twenty-fifth session, held from 3 to 14 March 2008, the Tribunal considered and approved the budget proposals for 2009-2010. In accordance with the Financial Regulations of the Tribunal, the budget has been prepared in euros; it covers a biennial financial period and has been divided into parts and sections.
2. In line with established practice, the budgetary requirements of the Tribunal for 2009-2010 are based on: (a) the expected volume of judicial work; (b) the Tribunal's administrative work; and (c) the operation of the Tribunal's premises.
3. Any consideration of the budget resources necessary for the work programme and administration of the Tribunal also needs to take account of the fact that the Tribunal, as a judicial organ established under the United Nations Convention on the Law of the Sea, is responsible for its own administrative and financial management.
4. The budget for 2009-2010 follows an overall zero growth approach compared with the equivalent value in euros of the 2007-2008 budget. There are decreases in the budget lines concerning the judges' annual allowance, judges' common costs, reimbursement of national taxes, representation allowance, and alterations to premises (see paras. 17, 36, 47, 56, 65 and 84). The increases are beyond the control of the Tribunal as they are the result of changes in United Nations standard salary costs, additional pension appropriations for eight judges, an increase in the daily subsistence allowance (DSA) applicable to Hamburg, inflation and changes in the remuneration of freelance translators, interpreters and verbatim reporters (see paras. 16, 21, 41, 42, 54, 64, 66, 67, 71, 72, 74-77, 80, 81, 83, 86-88 and 91).
5. During 2007, the Tribunal dealt with two new cases: the *Hoshinmaru Case* (*Japan v. Russian Federation*), *Prompt Release*, and the *Tomimaru Case* (*Japan v. Russian Federation*), *Prompt Release*. These two urgent proceedings were instituted under article 292 of the Convention on 6 July 2007 and the Tribunal delivered its respective judgments on 6 August 2007.



6. The *Case concerning the Conservation and Sustainable Exploitation of Swordfish Stocks in the South-Eastern Pacific Ocean (Chile/European Community)*, which was submitted to the Special Chamber established by order of the Tribunal of 20 December 2000, is still pending. At the request of the Parties, proceedings in the case were postponed twice by orders of the President of the Special Chamber dated 15 March 2001 and 16 December 2003 and again by order of the Special Chamber dated 29 December 2005. In November 2007, the Parties requested that the time limits for the proceedings before the Special Chamber be further extended for a period of one year. The Special Chamber met on 29 and 30 November 2007 to consider the request and issued an order on 30 November 2007, pursuant to which proceedings in the case were postponed for a further year.

7. In 1999, the ninth Meeting of States Parties established a contingency provision for case-related expenses. Pursuant to the decision of the thirteenth Meeting of States Parties, this part of the budget was renamed “Case-related costs” (SPLOS/96, para. 2). In line with past practice, the budget estimates in the 2009-2010 budget proposals allow for two urgent cases each year. Provision has been made for six weeks of meetings, including hearings and deliberations and the rendering of orders and judgments, in each calendar year (see part C).

8. The budgetary arrangements first established for the Tribunal were based on the determination of the Meeting of States Parties that there should be an evolutionary approach, optimizing efficiency. The number of staff members has remained at 37 since 2003 and, on the basis of the workload experienced in previous years, no additional posts have been requested for 2009-2010.

9. Although, in accordance with the Tribunal’s Financial Regulations, the proposed budget for the financial period (2009-2010) is presented in euros, it should be noted that the United States dollar remains the reference currency for some budget lines, such as judges’ allowances, judges’ common costs, judges’ pension scheme and representation allowance. The United States dollar is also used as the reference currency for the budget estimates of staff costs (Professional category), which are issued by the United Nations. Accordingly, these budget lines are subject to exchange rate fluctuations between the United States dollar and the euro. It may be noted, however, that the floor/ceiling mechanism for judges’ remuneration and the post adjustment mechanism for Professional staff will alleviate and largely absorb the effects of exchange rate movements between the United States dollar and the euro.

10. Pursuant to the decision of the thirteenth Meeting of States Parties (SPLOS/98, para. (a)), budgetary appropriations in respect of established posts have been calculated on the basis of gross salary. Assessments of States Parties’ contributions have included a credit in respect of the amount of staff assessment relating thereto. Consequently, separate budget lines, indicating the gross salary and the staff assessment credit, have been established in the budget proposals.

11. The thirteenth Meeting of States Parties had requested the Tribunal to negotiate bilateral agreements concerning tax reimbursements by States which levy national taxes on remuneration paid by the Tribunal and, if necessary, to include in its budget proposals for 2005-2006 a budget line to reimburse members and officials of the Tribunal for national taxes paid in respect of remuneration paid by the Tribunal (SPLOS/98, paras. (d) and (e)). Steps taken with a view to conducting negotiations with the authorities of the States concerned remain inconclusive. In the meantime, budget lines were created for the reimbursement of national taxes paid by

members and officials of the Tribunal, and were approved by the Meeting of States Parties for the financial periods (2005-2006 and 2007-2008). As concerns staff, no provision is envisaged for tax reimbursement for the financial period (2009-2010) as there are currently no staff members serving at the Tribunal who are liable for income tax in the country of which they are nationals. The term of office of one judge who is currently liable for national income tax will expire on 30 September 2008. If he is re-elected, it is proposed that part of the provision envisaged for his pension be used to meet his tax obligation (see para. 46).

12. The fifteenth Meeting of States Parties decided on 21 June 2005, as an interim measure, and pending a decision by States Parties based on a report by the Registrar, taking into account the report requested in paragraph 8 of part III of General Assembly resolution 59/282, to approve an adjustment of the maximum annual remuneration of the members of the Tribunal to the level of the emoluments of the members of the International Court of Justice established in resolution 59/282, that is, US\$ 170,080, effective 1 January 2005, as well as an adjustment of pensions in payment in accordance with article 7, paragraph 2, of the pension regulations for members of the International Tribunal for the Law of the Sea, effective 1 January 2005 (SPLOS/132, para. 1).

13. The fifteenth Meeting of States Parties further decided on 21 June 2005 to apply to the annual allowance and the special allowance of the members of the Tribunal, effective 1 July 2005, the same floor/ceiling mechanism as is applicable to the emoluments of the members of the Court, on the understanding that any adjustment made to the mechanism in respect of the Court would equally apply to the mechanism in respect of the Tribunal (SPLOS/133, para. 1).

14. Pursuant to these decisions, the estimates for annual and special allowances of judges of the Tribunal for 2009-2010 contained in annexes V and VII to the present document were calculated by applying the current floor rate (1.0272) to the adjusted remuneration of judges.

15. The provision for common staff costs in the financial period (2007-2008) was based on a projection of actual costs, amounting to €1,991,900. The same approach is proposed for 2009-2010. On the basis of the estimated actual requirements, the common staff costs for 2009-2010 will remain at the same level.

16. As pointed out in paragraph 4, the Tribunal, in preparing the budget proposals for 2009-2010, continues, wherever possible, to be guided by the principle of zero growth in respect of expenditure. For reasons beyond its control, the Tribunal is obliged to request increases as follows:

(a) An increase in the standard costs for staff, as determined by the Programme Planning and Budget Division of the United Nations has led to a net increase of €95,800 for 2009-2010;

(b) In 2008 the terms of office of seven judges will expire; they will be entitled to a pension as from October 2008. An amount of €452,124 has accordingly been envisaged to meet the corresponding obligations for the financial period (2009-2010). In addition, a further increase of €36,173 is added for the pension payment to a judge who resigned on 15 August 2007. A total of €887,100 is proposed to meet the requirement for 2009-2010, which represents an increase of €299,600 compared with the appropriation approved for 2007-2008. The amount which will be utilized to meet the actual needs of the Tribunal will depend on the results of the 2008

election. Any appropriations not utilized will be surrendered in accordance with the Financial Regulations;

(c) Expenditure incurred in euros has been adjusted to allow for inflation, giving rise to an increase of €159,200. An inflation rate of 2.1 per cent, as determined by the German Statistical Office for 2007, has been taken into account in respect of the following items:

- Judges' travel to sessions and meetings
- Training
- Official travel
- Hospitality
- Maintenance of premises
- Rental and maintenance of equipment
- Communications
- Miscellaneous services and charges (including bank charges)
- Supplies and materials
- Library — procurement of books and publications
- External printing and binding
- Purchase of equipment.

(d) Owing to the increase in the rates applied to translators, interpreters and verbatim reporters as well as the increase of €39 in DSA applicable to Hamburg (from €228 to €267), an increase of €26,600 has been envisaged for the budget line "Temporary assistance for meetings" under "Case-related costs";

(e) On the basis of the average of the quotations received from internationally recognized audit firms, an increase of €7,100 is proposed for the budget line "Special services";

(f) Owing to the increase of €39 in DSA applicable to Hamburg (from €228 to €267), an increase of €189,100 has been envisaged for judges' special allowances and compensation for judges ad hoc.

17. On the basis of previous experience, the assessment of the current requirement and the current rate of exchange between the euro and the United States dollar, it has been possible to plan reductions amounting to €27,000 in the following budget lines: judges' annual allowance; judges' common costs; reimbursement of national taxes; representation allowance; and alteration to the premises.

18. On the basis of the performance in the previous financial periods, the same amounts as approved in the 2007-2008 budget have been proposed without the application of inflation in respect of the following budget lines:

- "Common staff costs"
- "Overtime" under "Recurrent expenditure" and "Case-related costs"
- "General temporary assistance"
- "Temporary assistance for meetings" under "Recurrent expenditure".

19. Taking into account the increases proposed in paragraph 16 (€777,400) and the decreases referred to in paragraph 17 (€227,000), a total increase of €550,400 is envisaged for 2009-2010.

20. In 1998, the eighth Meeting of States Parties authorized the establishment of a working capital fund amounting to \$650,000. In addition, pursuant to the decision adopted by the Meeting of States Parties in 2002 (SPLOS/L.28), an appropriation of \$500,000 was made to the Fund, on an exceptional basis, in order to provide the Tribunal with the necessary financial means to consider cases. As explained in paragraphs 93 to 96, the Tribunal is not requesting any increase in the Working Capital Fund.

21. The following parameters have been utilized for preparing the budget proposals:

(a) The United States dollar/euro exchange rate of 0.661 as fixed by the United Nations in March 2008;

(b) The DSA rate for Hamburg in March 2008, fixed at €267 by the International Civil Service Commission (ICSC);

(c) Estimates relating to staff costs are based on standard costs determined by the United Nations (version 4, applicable to The Hague, 2009).

22. A table showing the proposed 2009-2010 budget of the Tribunal is contained in annex I to the present document. The table also includes approved budgets for the financial periods (2005-2006 and 2007-2008) and performance records for the financial period (2005-2006).

## **Part A**

### **Recurrent expenditure**

23. The budget proposals for the 2009-2010 biennium envisage the convening of meetings of the Tribunal for a total of 10 weeks during each calendar year, in line with the level approved by the Meeting of States Parties in the past seven years.

24. As noted in paragraph 6 above, six weeks of meetings each year are specifically devoted to proceedings in cases submitted to the Tribunal. In accordance with the decision of the Meeting of States Parties, expenses for those meetings are included in a separate part of the budget in the form of a provision for case-related costs.

25. As in previous years, the Tribunal will hold four weeks of meetings during each calendar year to deal with legal matters related to the discharge of its judicial functions as well as administrative and organizational issues. One two-week session will be held in February/March and another in September/October of each year. The legal matters for consideration at the sessions include a review of the Rules and judicial procedures of the Tribunal. This review is undertaken both in the Committee on Rules and Judicial Practice and in the plenary. Some of the main issues which were dealt with during the period 2006-2007 are: competence of the Tribunal in delimitation cases; the guide to proceedings before the Tribunal; procedure for the posting of a bond in prompt release proceedings; amendments to article 43 of the Rules of the International Court of Justice; submissions of applications for the

prompt release of a vessel in cases concerning pollution of the marine environment; legal issues relating to pipelines and illegal, unreported and unregulated fishing. The administrative and organizational matters dealt with at the sessions include: staff appointments; supervision of the work and organization of the Registry; maintenance of the premises and related facilities of the Tribunal; public relations; and preparation of the draft budget, the annual report and other proposals for submission to the Meeting of States Parties. In order to ensure that these issues are dealt with efficiently, the Tribunal has established special committees composed of judges to give detailed consideration to various matters referred to them and present recommendations for approval by the plenary. The committees are: Committee on Rules and Judicial Practice; Committee on Budget and Finance; Committee on Staff and Administration; Committee on Public Relations; Committee on Buildings and Electronic Systems; and Committee on Library, Archives and Publications.

26. Whenever possible, the Tribunal arranges to hold the sessions in conjunction with proceedings in cases submitted to the Tribunal.

## **Section 1**

### **Judges**

27. The second Meeting of States Parties decided that the level of remuneration of judges at the International Court of Justice (ICJ) would be used as the comparator (SPLOS/4). Taking ICJ judges' remuneration effective 1 January 2005 as a basis, the maximum annual remuneration of judges at the Tribunal has been fixed at \$170,080 since 1 January 2005 (SPLOS/132).

28. The fourth Meeting of States Parties decided that the annual remuneration of judges other than the President would consist of three elements (see SPLOS/8 and SPLOS/WP.3/Rev.1):

(a) An annual allowance, payable monthly, which is one third of the maximum annual remuneration (based on the current level of remuneration);

(b) A special allowance for each day that a judge is engaged on the business of the Tribunal;

(c) A subsistence allowance for each day that a judge is required to be present at the seat of the Tribunal.

29. In June 2005, the fifteenth Meeting of States Parties decided to apply to the annual and special allowances of judges of the Tribunal, effective 1 July 2005, the same floor/ceiling mechanism as is applicable to the emoluments of the members of ICJ (see para. 12 above).

30. The budgetary estimates for the remuneration of judges for 2009-2010 are set out in annexes V and VII to the present document.

31. As in previous years, appropriations relating to cases will be placed under "Case-related costs" and will be utilized for such purposes only (see part C and annex VII).

## 1.1 Annual allowances

32. This budget line consists of the following: the annual allowances of the President and the other members of the Tribunal and the special allowances of the President and the Vice-President.

33. The President is required to reside at the seat of the Tribunal and receives an annual remuneration of \$170,080. In addition, he is paid a special allowance of \$15,000 per annum. The President is not entitled to a special allowance or subsistence allowance for attendance at meetings of the Tribunal.

34. The Vice-President receives a special allowance for each day on which he acts as President. As in the case of ICJ, the rate for this special allowance is fixed at \$94 per day. Budgetary appropriations have been calculated on the basis of the same assumption that was applied to the budget for the financial period 2007-2008, i.e. that the Vice-President is present at the seat of the Tribunal to act as President for two weeks per annum (this includes 14 days' DSA, 10 days' special allowance when the Vice-President is engaged in the business of the Tribunal, and 10 days' special allowance when the Vice-President acts as President). Accordingly, a provision of €8,501 per annum is made to meet the requirement. This amount represents an increase of €595 compared with the appropriation approved for 2007-2008 (€7,906). The increase is due to the increase in DSA applicable to Hamburg.

35. The annual allowance of the other members of the Tribunal amounts to one third of the maximum annual remuneration (\$56,693.33).

36. A slight decrease of €4,300 has been envisaged under this budget line owing to the exchange rate applied to the special allowances of the President and the Vice-President, which are fixed in United States dollars.<sup>1</sup>

## 1.2 Special allowances

37. Judges are paid a special allowance for each day that they are engaged in the business of the Tribunal during its sessions. A subsistence allowance is also paid for each day that a judge is required to be present at the seat of the Tribunal.

38. Judges may be paid a special allowance for preparatory work which they undertake before meetings of the Tribunal. A subsistence allowance is also payable to judges when they carry out preparatory work related to the activities of the Tribunal away from their normal place of residence.

39. In respect of meetings for a total of 10 weeks each year, it is proposed, as in the past, that provision be made for a special allowance for preparatory work for a total of 45 days each for 20 judges. Payment of this allowance will be subject to authorization by the President.

40. In previous budgetary periods, provisions were approved regarding subsistence allowance for preparatory work for a total of seven days for up to 10 judges per annum. On the basis of the same criteria (70 days of DSA), an amount of €52,332 is proposed for 2009-2010. Subject to authorization by the President, this provision may be utilized to pay DSA to judges when they carry out preparatory work away

<sup>1</sup> The United States dollar/euro exchange rate of 0.844 for March 2006 was applied to the 2007-2008 budget, while the exchange rate of 0.661 for March 2008 is applied to the 2009-2010 budget.

from their normal place of residence, or special and daily subsistence allowances when they are engaged in the business of the Tribunal.

41. Compared with the appropriation approved for 2007-2008, an increase of €69,000 has been envisaged under this budget line owing to the increase in the DSA rate applicable to Hamburg.

### **1.3 Travel to sessions**

42. This budget line covers the costs of judges travelling to Hamburg to attend sessions during the financial period (2009-2010). A provision of €267,600 has been envisaged to meet the requirements. The sum of €133,800, representing the amount per annum, is usually intended to cover 20 judges travelling each year to two sessions not necessarily related to proceedings in cases. This is the same amount as the appropriation approved for 2007-2008, with a 2.1 per cent adjustment for inflation.

### **1.4 Pension scheme**

43. The ninth Meeting of States Parties approved the Pension Scheme Regulations for members of the International Tribunal for the Law of the Sea (SPLOS/47).

44. At present, pensions are payable to eight former judges, including one judge who resigned on 15 August 2007 and to two surviving spouses. The continued payment of these pensions is required in 2009-2010. In 2008, the terms of office of seven judges will expire. These judges will be entitled to a pension as from October 2008. Therefore, the 2009-2010 budget estimates include a provision to cover pension payments for the full 2009-2010 financial period for 15 judges (including three former Presidents).

45. In order to cover the costs of pension payments, a total amount of €887,100 is proposed for 2009-2010. This represents an increase of €299,600 compared with the provision made for 2007-2008 (see annex VIII to the present document). The amount that will be utilized to meet the actual needs of the Tribunal will depend on the result of the election in 2008. Any part of the proposed appropriation not utilized will be surrendered in accordance with the Financial Regulations.

### **1.5 Common costs**

46. This budget line includes the common costs in respect of the President, the insurance scheme for work-related accidents, the reimbursement of national taxes (see annex VI) as well as removal costs of personal effects of judges whose mandate ends during the financial period concerned.<sup>2</sup> No provision for removal costs is required for the 2009-2010 budget of the Tribunal. Likewise, no provision for the reimbursement of national taxes is proposed for the financial period 2009-2010. The term of office of the judge who is currently liable for national income tax will expire on 30 September 2008. In case of his re-election, it is proposed that part of the provision envisaged for his pension be used to meet his tax obligation.

47. A total amount of €24,400 is proposed for 2009-2010 under this budget line, which represents a decrease of €77,900 compared with the provision made for

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<sup>2</sup> The removal costs of household and personal effects of the President whose mandate also ends in 2008 are covered under the President's common costs.



2007-2008. This reduction is largely due to the fact that there will be no election for the President of the Tribunal in the financial period (2009-2010) and consequently no installation and repatriation costs for the incoming and outgoing Presidents will be incurred during this period.

## **Section 2**

### **Registry<sup>3</sup>**

48. The Registry is responsible for the entire administration of the Tribunal. In particular, the Registry provides the full range of support and assistance required by the Tribunal for dealing with cases submitted to it, including legal research, preparation of documentation and notices for the judges, the parties in the cases and other interested States and organizations. It also provides all administrative and logistical support for the travel of judges engaged in the business of the Tribunal.

49. The Registry is also responsible for maintaining the court facilities of the Tribunal, and for preparing and distributing case records, publications and press releases.

50. The Registry is further responsible for the management of the Tribunal's finances, including the execution of the budget and the collection of budget contributions; staff and personnel matters; the operation and maintenance of the premises of the Tribunal, including security matters; the provision of library services and maintenance of archives; and the operation and maintenance of the electronic systems, including equipment, databases and the Tribunal's website.

51. The Registry assists in maintaining relations with the United Nations and other international organizations as well as with relevant departments and agencies of the Government of the host country and the Governments of States Parties.

#### **2.1 Established posts**

52. No request for additional posts is made with respect to the 2009-2010 financial period.

53. The 2009-2010 post requirements for staff in the Professional category are set out in annex II to the present document and those for staff in the General Service category in annex III.

54. Budgetary estimates relating to staff costs are based on standard costs determined by the United Nations (standard salary costs, version 4, applicable to The Hague for 2009). On this basis, it is proposed to appropriate €5,790,400 for the established posts in 2009-2010. This represents a net increase of €95,800, after deduction of the amount of staff assessment, compared with the amount appropriated for 2007-2008.

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<sup>3</sup> For the purposes of the estimates, the rates of remuneration have been computed on the basis of the applicable rates of the United Nations common system, using the 2009 standard costs (version 4) applicable to The Hague.

## **2.2 Staff assessment/credit**

55. In accordance with the decision of the thirteenth Meeting of States Parties (SPLOS/98, para. (a)), the 2009-2010 budget proposals contain a separate budget line for a credit in respect of the amount of staff assessment, which is included in the costs for established posts. Accordingly, the contributions of States Parties will be assessed on the basis of net salaries.

## **2.3 Reimbursement of national taxes**

56. As there are currently no staff members serving at the Tribunal who are liable for income tax in the country of which they are nationals, no provision for reimbursement of national taxes is required.

## **2.4 Common staff costs**

57. Common staff costs comprise the various entitlements of staff, including pension contributions, medical insurance contributions, education grants and language and dependency allowances, as required under the Staff Regulations and Rules of the Tribunal. In accordance with United Nations practice, the applicable appropriation is calculated by applying a certain percentage to the net remuneration of the staff. The Programme Planning and Budget Division of the United Nations is responsible for determining different percentages in respect of common staff costs to be applied to different duty stations around the world.

58. The United Nations has not so far determined a separate rate applicable to Hamburg and the Tribunal used The Hague as a comparator for the purpose of budgeting common staff costs with respect to the budgets of the Tribunal for the financial periods from 1996 to 2005-2006. For the financial period 2007-2008, the Tribunal based its common staff costs on the estimates of actual requirements.

59. The common staff costs rate for 2009, applicable to The Hague, is fixed at 42 per cent by the United Nations standard salary costs, version 4, in comparison with 47.52 per cent applicable to the 2007-2008 budget. However, as was the case for the financial period 2007-2008, estimates have been prepared on the basis of actual requirements for the financial period 2009-2010. They amount to €95,950 per annum, which is the same amount as the appropriation approved for 2007-2008 (see annex X to the present document).

## **2.5 Overtime**

60. The nature of the work of the Tribunal makes the requirement for some staff members to work beyond normal working hours unavoidable, particularly during meetings. Overtime payments cannot always be replaced by compensatory time off, particularly in a small secretariat. The provision requested for 2009-2010 amounts to €39,000. This is the same amount as the appropriation approved for 2007-2008.

## **2.6 Temporary assistance for meetings**

61. In line with the practice of other international judicial institutions, the Tribunal does not employ on a permanent basis the personnel needed for conference services. This provision covers emoluments and costs of travel for interpreters, revisers, translators, audio equipment operators and additional linguistic typists recruited specifically for meetings not directly related to cases. The provision also covers the

costs of other conference-related staff and personnel to service meetings. The amount proposed takes into account the fact that not all personnel are readily available at the seat of the Tribunal, particularly translators and interpreters.

62. While there is an increase in the rates applied to translators and interpreters as well as in the DSA rate applicable to Hamburg, the Tribunal does not propose an increase for this budget line. A provision of €210,500 is proposed for 2009-2010, which represents the same amount as the appropriation approved for 2007-2008.

## **2.7 General temporary assistance**

63. The Tribunal employs temporary assistance personnel to deal with peak workloads and to accommodate other specific requirements. General temporary assistance is predominantly used for translating, editing, photocopying and disseminating documents and for providing assistance to conference staff. On the basis of experience in 2007, the total provision proposed for general temporary assistance for 2009-2010 is €121,100, which is the same amount as the appropriation approved for 2007-2008.

## **2.8 Training**

64. Staff training is required for the use of the computer network and specialized software, which is continually being updated for word-processing and database functions, including bibliographic and other information systems. Training in specialized matters, such as desktop publishing or referencing for Conference and Linguistic Services, is also necessary to ensure the efficient functioning of the Registry. In addition, language training is required to promote proficiency in both official languages of the Tribunal as well as efficiency in relations between the Tribunal and the host country. Since the Tribunal is part of the United Nations common system, staff training is essential to ensure compliance with its norms and practices. A provision of €72,100 is proposed for 2009-2010. This is the same amount as the appropriation approved for 2007-2008, with a 2.1 per cent adjustment for inflation.

## **Section 3 Representation allowance**

65. A representation allowance is payable to the President, the Registrar and the Deputy Registrar in accordance with United Nations practice. The total amount proposed for 2009-2010 is €10,000. This represents a decrease of €2,800 compared with the appropriation approved for 2007-2008, which is due to the exchange rate fluctuations between the United States dollar and the euro.

## **Section 4 Official travel**

66. This provision is to cover the travel costs of the President and of other judges, as necessary, and the Registrar and staff when on official business of the Tribunal. The appropriation proposed for official travel in 2009-2010 is €185,300. This is the

same amount as the appropriation approved for 2007-2008, with a 2.1 per cent adjustment for inflation.

## **Section 5**

### **Hospitality**

67. This provision is to cover the Tribunal's hospitality requirements. The amount proposed for 2009-2010 is €13,900, which is the same amount as the appropriation approved for 2007-2008, with a 2.1 per cent adjustment for inflation.

## **Section 6**

### **Operating expenditure**

#### **6.1 Maintenance of premises, including security**

68. The Tribunal has to run a large modern building containing complex equipment. Under the Premises Agreement, the technical equipment provided along with the building (security system, heating and cooling system, courtroom technology, electrical installations, lifts, sprinkler system, ventilation, fire alarm system, electrically operated doors, etc.) has to be maintained in accordance with the highest standards applicable in the host country. For this purpose, the Registry currently has 27 maintenance contracts, which are continually reviewed and regularly renegotiated.

69. Since November 2000, the Tribunal has had a contract with ThyssenKrupp Industrieservice for the provision of services related to the running, management and maintenance of the premises, such as cleaning, snow and ice removal, waste disposal, work related to the water and power supplies and gardening. In addition to the above, the Tribunal concluded a 24-hour security contract for its premises in September 2002.

70. Minor repairs, as provided for in the Premises Agreement with the host country, also have to be carried out from time to time by the Tribunal. Maintenance of the building requires utilities (electricity, gas, water) as well as supplies and insurance. On the basis of the evolution of utilities costs in previous years and the estimates for 2008, it is anticipated that the overall cost of utilities will be substantially higher in 2009-2010 than the amount approved for 2007-2008.

71. Despite the above-mentioned increase in utilities, a 2.1 per cent inflation rate is applied in order to mitigate the effect of the increase in this budget line. On this basis, an amount of €2,033,100 is proposed for 2009-2010, which represents an increase of €80,100 compared with the appropriation approved for 2007-2008. The details of the expenditure relating to the maintenance of the premises are shown in annex IX to the present document.

#### **6.2 Rental and maintenance of equipment**

72. The rental or lease of items of equipment has proved more economical than their purchase. Maintenance costs resulting from outright purchases are thus avoided. On the basis of previous experience, a provision of €361,400 is proposed

for 2009-2010. This is the same as the amount approved for 2007-2008, with a 2.1 per cent adjustment for inflation.

### **6.3 Communications**

73. The expenses for the communications of the Tribunal include postage and courier services; telephone calls; facsimile services and e-mail; tele-/video-conferencing; Internet connections; and access to databases.

74. The provision for communications by means of telephone, facsimile, Internet and courier services includes the cost of communication between the Registry and judges working from home. It also includes the cost of leasing the necessary telephone lines to optimize efficiency in maintaining a website, e-mail and Internet connections for the premises. In light of previous experience, an amount of €197,200 is proposed for 2009-2010. This represents an increase of €8,200 compared with the appropriation approved for 2007-2008. This is the same as the amount approved for 2007-2008, with a 2.1 per cent adjustment for inflation.

### **6.4 Miscellaneous services and charges (including bank charges)**

75. This provision is to cover the costs of miscellaneous services needed by the Tribunal where it is not appropriate to charge these costs to any of the specific budget lines. It includes items such as bank charges and adjustments for currency fluctuations. An amount of €41,200 is proposed for 2009-2010, which is the same as the amount approved for 2007-2008, with a 2.1 per cent adjustment for inflation.

### **6.5 Supplies and materials**

76. This provision is to cover the costs of office and other supplies, materials and services at the premises. On the basis of previous experience, an amount of €123,900 is proposed for 2009-2010. This is the same as the amount approved for 2007-2008, with a 2.1 per cent adjustment for inflation.

### **6.6 Special services (external audit)**

77. Pursuant to the Financial Regulations of the Tribunal, the Meeting of States Parties will appoint an auditor for the financial period 2009-2010. An amount of €14,600 is proposed for covering expenditure in this respect for 2009-2010 on the basis of the average of the quotations received from internationally recognized audit firms (see SPLOS/176). This amount represents an increase of €7,100 compared with the appropriation level approved for 2007-2008.

## **Section 7**

### **Library and related costs**

78. The availability of quality library facilities at the Tribunal is indispensable for the effective operation of the Tribunal. The judges and the staff of the Registry, as well as States and entities that may appear as parties before the Tribunal, need to have at their disposal a comprehensive collection of literature on public international law, the law of the sea, maritime law, commercial law, mining law and environmental law. Given the scope of the Tribunal's jurisdiction, the Library

should also include material on various scientific subjects which are closely connected with the work of the Tribunal.

### **7.1 Procurement of books and publications**

79. The Library needs to collect publications that form the basis of a core collection in international law. The annual cost of acquiring such materials, inter alia, serial publications, fluctuates and the associated costs, particularly for shipping, are often quite significant. The Library also subscribes to various databases which provide important and timely access to certain types of scientific and legal information. At present, the Library collections comprise 7,529 volumes, 6,500 serial volumes and approximately 2,300 treaty series volumes.

80. The price of books, publications and subscriptions has increased substantially. Online subscriptions also have significantly increased. It is therefore proposed to appropriate a total of €234,600 under the 2009-2010 budget, which represents an increase of €7,200 with respect to the amount approved for 2007-2008 to allow for a 2.1 per cent adjustment for inflation.

### **7.3 External printing and binding**

81. This provision is to cover the costs of producing and publishing documents and other material, such as judgments and pleadings of cases, and for disseminating other documentation, such as the yearbook, basic texts, the guide to proceedings before the Tribunal, the annual report and information brochures on the Tribunal as well as CDs. In addition, the Library has to bind monographs and journals. On the basis of the performance of previous years, the amount proposed for 2009-2010 is €92,400. This is the same as the amount approved for 2007-2008, with a 2.1 per cent adjustment for inflation.

## **Part B Non-recurrent expenditure**

### **Section 8 Furniture and equipment**

82. This provision is to cover the purchase of office equipment and furniture. The estimates for non-recurrent expenditure for 2009-2010 are based on the Tribunal's requirements in terms of office equipment, archive equipment (data-processing, storage and retrieval systems for archives and legal matters, etc.), software, hardware and website maintenance and development. Account is also taken of the need to replace obsolete equipment, in particular electronic equipment.

#### **8.1 Purchase of equipment**

83. The fifteenth Meeting of States Parties approved an amount of €150,000 for the purchase of equipment for 2007-2008. In light of the performance in 2007, an inflation factor of 2.1 per cent is added to the provision for 2009-2010. On this basis, a provision of €154,800 is proposed for 2009-2010.

## **Section 9**

### **Alterations to premises**

84. The relocation of the Tribunal Library to the first-level basement was completed in July 2007. No further provision is thus needed under this section for the financial period 2009-2010.

## **Part C**

### **Case-related costs**

85. In accordance with the practice in previous years, costs for six weeks of meetings per year and prorated associated costs for hearings, deliberations and rendering of orders and judgments are again proposed for inclusion under “Case-related costs”. The associated costs, that is, those covering judges’ travel to deal with cases and temporary assistance for meetings and overtime, have also been included here. The provision is detailed in annex VII to the present document and will be used only if the Tribunal meets to deal with cases.

## **Section 10**

### **Judges**

#### **10.1 Special allowances**

86. A provision of €1,604,000 is proposed for 2009-2010 to cover special and subsistence allowances in relation to cases. The proposed amount represents an increase of €115,500 compared with the level approved for 2007-2008, which results from the increase in the DSA rate applicable to Hamburg.

#### **10.2 Compensation to judges ad hoc**

87. A provision of €6,700 has been included to cover the compensation paid to two judges ad hoc for three weeks of meeting time and two and a half weeks of preparatory work. This represents an increase of €4,600 compared with the appropriation approved for 2007-2008. This increase is due to the increase in the DSA rate applicable to Hamburg.

#### **10.3 Travel of judges, including judges ad hoc, to meetings**

88. This provision is to cover the travel costs of judges, including judges ad hoc, to case-related meetings. The sum of €283,100 is proposed for 2009-2010 to cover this provision. This figure represents an increase of €12,000 compared with the appropriation approved for 2007-2008, owing to a 2.1 per cent adjustment for inflation.

## **Section 11**

### **Registry**

#### **11.1 Temporary assistance for meetings**

89. A separate provision is made for temporary assistance for meetings to cover case-related expenses. This provision covers emoluments and costs for the travel of interpreters, verbatim reporters, revisers, translators, audio equipment operators and additional linguistic typists recruited specifically for meetings, including hearings and judicial deliberations. The provision also covers the costs of other conference-related staff and personnel to service meetings. The amount proposed takes into account the fact that not all personnel are readily available at the seat of the Tribunal, particularly translators, interpreters and verbatim reporters.

90. Estimates for interpretation costs are based on the terms and conditions followed in the United Nations system, taking into account the need for interpretation services at short notice and during urgent proceedings. This requires work to be performed during week-ends, official holidays and night-time meetings. Estimates regarding the translation expenses take into account the volume of work that can be absorbed internally and an average number of pages that have to be sent out for translation. Regarding external translation, the Tribunal applies the contractual translation rates determined by the United Nations Office at Geneva.

91. In light of the increase in the rates applied to translators, interpreters and verbatim reporters, and the increase in the DSA rate applicable to Hamburg, an amount of €35,900 is proposed for 2009-2010, which represents an increase of €6,600 compared with the appropriation approved for 2007-2008.

#### **11.2 Overtime**

92. The requirement for many staff members to work beyond normal working hours, particularly during urgent proceedings, is unavoidable. This is required in order for the Tribunal to deliver its judgments within short periods of time. Overtime payments cannot always be replaced by compensatory time off, particularly in a small secretariat. An amount of €45,000 is proposed for this budget line, which is the same amount as the appropriation approved for 2007-2008.

## **Part D**

### **Working Capital Fund**

93. In 1998, the eighth Meeting of States Parties authorized the establishment of a working capital fund to ensure continuity of operation in the event of temporary shortfalls in funds and to provide the Tribunal with the necessary financial means to consider cases, in particular those involving urgent proceedings.

94. For the purposes of the Tribunal, an amount of approximately 8 per cent of its annual budget (4 per cent of its biennial budget) is considered appropriate in line with United Nations practice. The current amount available to the Tribunal is €42,118, which was converted from \$650,000 in November 2005 in accordance with the Financial Regulations of the Tribunal.



95. In addition to the \$650,000 referred to above, in 2002, the twelfth Meeting of States Parties approved, on an exceptional basis, the appropriation of \$500,000 (being part of the savings from the financial period (2001)) to the Working Capital Fund of the Tribunal, in order to provide the Tribunal with the necessary financial means, in the event of temporary shortfalls in funds, to consider cases where the expenditure could not be met from case-related costs or from the transfer of funds between appropriation sections (SPLOS/L.28). This amount was converted into €17,014 in November 2005 in accordance with the Financial Regulations of the Tribunal.

96. The current level of €542,118 represents 3.05 per cent of the proposed budget of the Tribunal for 2009-2010. An adequate level in the Working Capital Fund would be €710,604 (4 per cent of the biennial budget). Accordingly, additional funding of €168,486 would be necessary in order to bring the Working Capital Fund up to the appropriate level in line with United Nations practice. To minimize increases in the 2009-2010 budget, however, the Tribunal does not propose any increase in the Working Capital Fund for the financial period 2009-2010.

## Budgets of the Tribunal from 2005-2006 to 2009-2010

<i>Part/ section</i>	<i>Object of expenditure</i>	<i>Approved budget 2005-2006 (including supplement budget) In euros<sup>a</sup></i>	<i>Performance 2005-2006 In euros</i>	<i>Approved budget 2007-2008 In euros</i>	<i>Proposed budget 2009 In euros</i>	<i>Proposed budget 2010 In euros</i>	<i>Proposed budget 2009-2010 In euros</i>	<i>fn</i>	<i>Biennial Decrease/increase</i>
<b>A</b>	<b>Recurrent expenditure</b>								
<b>1</b>	<b>Judges</b>	<b>4 099 830</b>	<b>3 900 794</b>	<b>4 385 900</b>	<b>2 334 356</b>	<b>2 349 137</b>	<b>4 683 400</b>		<b>297 500</b>
1.1	Annual allowances	2 525 298	2 539 873	2 720 000	1 357 830	1 357 830	2 715 700		-4 300
1.2	Special allowances	722 932	676 760	719 600	394 318	394 318	788 600		69 000
1.3	Travel to sessions	246 300	238 271	256 500	132 420	135 201	267 600		11 100
1.4	Pension scheme	485 800	355 363	587 500	443 568	443 568	887 100		299 600
1.5	Insurance scheme	0	0	0	0	0	0		0
1.6	Common costs	119 500	90 527	102 300	6 220	18 220	24 400		-77 900
<b>2</b>	<b>Registry</b>	<b>6 632 700</b>	<b>6 344 400</b>	<b>6 985 800</b>	<b>3 521 520</b>	<b>3 533 139</b>	<b>7 054 600</b>		<b>68 800</b>
2.1	Established posts	5 661 500	4 205 062	5 668 800	2 895 200	2 895 200	5 790 400 <sup>b</sup>		121 600
2.2	Staff assessment/credit	-1 303 500		-1 144 600	-585 200	-585 200	-1 170 400		-25 800
2.3	Reimbursement of national taxes	30 000	30 000	30 000	0	0	0		-30 000
2.4	Common staff costs	1 792 900	1 724 489	1 991 900	995 952	995 952	1 991 900		0
2.5	Overtime	39 000	36 753	39 000	19 522	19 522	39 000		0
2.6	Temporary assistance for meetings	213 400	184 875	210 500	99 827	110 697	210 500		0
2.7	General temporary assistance	133 100	117 399	121 100	60 568	60 568	121 100		0
2.8	Training	66 300	45 822	69 100	35 651	36 400	72 100		3 000
<b>3</b>	<b>Representation allowance</b>	<b>12 200</b>	<b>12 188</b>	<b>12 800</b>	<b>5 024</b>	<b>5 024</b>	<b>10 000</b>		<b>-2 800</b>
<b>4</b>	<b>Official travel</b>	<b>172 200</b>	<b>169 348</b>	<b>177 600</b>	<b>91 695</b>	<b>93 621</b>	<b>185 300</b>		<b>7 700</b>
<b>5</b>	<b>Hospitality</b>	<b>13 200</b>	<b>12 929</b>	<b>13 500</b>	<b>6 894</b>	<b>7 039</b>	<b>13 900</b>		<b>400</b>
<b>6</b>	<b>Operating expenditures</b>	<b>2 653 700</b>	<b>2 483 931</b>	<b>2 654 100</b>	<b>1 371 390</b>	<b>1 400 037</b>	<b>2 771 400</b>		<b>117 300</b>
6.1	Maintenance of premises including security	1 953 000	1 905 245	1 953 000	1 005 997	1 027 124	2 033 100		80 100
6.2	Rental and maintenance of equipment	332 600	307 601	346 400	178 826	182 581	361 400		15 000
6.3	Communications	182 700	144 827	189 000	97 597	99 647	197 200		8 200
6.4	Miscellaneous services and charges (including bank charges)	37 900	29 779	39 500	20 374	20 802	41 200		1 700

<i>Part/ section</i>	<i>Object of expenditure</i>	<i>Approved budget 2005-2006 (including supplement budget) In euros<sup>a</sup></i>	<i>Performance 2005-2006 In euros</i>	<i>Approved budget 2007-2008 In euros</i>	<i>Proposed budget 2009 In euros</i>	<i>Proposed budget 2010 In euros</i>	<i>Proposed budget 2009-2010 In euros fn</i>	<i>Biennial Decrease/increase</i>
6.5	Supplies and materials	114 700	89 479	118 700	61 296	62 583	123 900	5 200
6.6	Special services (external audit)	32 800	7 000	7 500	7 300	7 300	14 600	7 100
<b>7</b>	<b>Library and related costs</b>	<b>317 000</b>	<b>301 325</b>	<b>317 000</b>	<b>161 829</b>	<b>165 228</b>	<b>327 000</b>	<b>10 000</b>
7.1	Procurement of books and publications	227 400	212 271	227 400	116 088	118 526	234 600	7 200
7.2	Start-up costs of library							
7.3	External printing and binding	89 600	89 054	89 600	45 741	46 702	92 400	2 800
<b>B</b>	<b>Non-recurrent expenditure</b>							
<b>8</b>	<b>Furniture and equipment</b>	<b>150 000</b>	<b>144 429</b>	<b>150 000</b>	<b>76 575</b>	<b>78 183</b>	<b>154 800</b>	<b>4 800</b>
8.1	Purchase of equipment	150 000	144 429	150 000	76 575	78 183	154 800	4 800
8.2	Purchase of special equipment							
<b>9</b>	<b>Alteration to premises</b>			<b>112 000</b>			<b>0</b>	<b>-112 000</b>
<b>C</b>	<b>Case-related costs</b>							
<b>10</b>	<b>Judges</b>	<b>1 797 869</b>	<b>19 669</b>	<b>1 851 700</b>	<b>990 472</b>	<b>993 414</b>	<b>1 983 800</b>	<b>132 100</b>
10.1	Special allowances	1 449 933	9 840	1 488 500	802 007	802 007	1 604 000	115 500
10.2	Compensation to judges ad hoc	88 436	0	92 100	48 368	48 368	96 700	4 600
10.3	Travel to meetings, including judges ad hoc	259 500	9 829	271 100	140 097	143 039	283 100	12 000
<b>11</b>	<b>Registry</b>	<b>538 200</b>	<b>4 616</b>	<b>554 300</b>	<b>290 431</b>	<b>290 431</b>	<b>580 900</b>	<b>26 600</b>
11.1	Temporary assistance for meetings	493 200	4 616	509 300	267 931	267 931	535 900	26 600
11.2	Overtime	45 000	0	45 000	22 500	22 500	45 000	0
<b>D</b>	<b>Working capital fund</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total</b>		<b>16 386 899</b>	<b>13 393 629</b>	<b>17 214 700</b>	<b>8 850 186</b>	<b>8 915 253</b>	<b>17 765 100</b>	<b>550 400</b>

Rate of exchange US\$ 1 = €0.661 (United Nations exchange rate for March 2008).

<sup>a</sup> Based on SPLOS/117, SPLOS/132 and SPLOS/133.

<sup>b</sup> Budget information system, standard salary costs, version 4, applicable to The Hague for 2009.

## Annex II

### Professional staff of the Registry in 2009-2010

<i>Level</i>	<i>Function</i>	<i>Number of posts</i>	<i>Standard costs in United States dollars</i>	<i>Net standard costs in United States dollars</i>	<i>Staff assessment in United States dollars</i>
ASG	Registrar	1	227 579	184 476	43 103
D-2	Deputy Registrar	1	207 570	169 422	38 148
P-5	Head of Administration and Management	1	149 881	124 168	25 713
P-5	Head of Conference and Linguistic Services	1	149 881	124 168	25 713
P-4	Librarian	1	140 344	114 725	25 619
P-4	Head of Budget and Finance	1	140 344	114 725	25 619
P-4	Translator/Reviser	1	140 344	114 725	25 619
P-4	Legal Officer	2	280 687	229 449	51 238
P-3	Legal Officer/Information	1	108 180	90 415	17 765
P-3	Information Technology Officer	1	108 180	90 415	17 765
P-3	Translator	1	108 180	90 415	17 765
P-3	Administrative Officer (Support/Building Management)	1	108 180	90 415	17 765
P-2	Contributions Officer/Budget	1	101 541	84 431	17 110
P-2	Associate Legal Officer/Research	1	101 541	84 431	17 110
P-2	Archivist	1	101 541	84 431	17 110
P-2	Press Officer	1	101 541	84 431	17 110
<b>Total</b>		<b>17</b>	<b>2 275 514</b>	<b>1 875 242</b>	<b>400 272</b>
<b>Total in euros (rounded)</b>			<b>1 668 000</b>	<b>1 374 600</b>	<b>293 400</b>
<b>Total for the biennium in euros (rounded)</b>			<b>3 336 000</b>	<b>2 749 200</b>	<b>586 800</b>

*Note:* Figures and exchange rate are based on the standard salary costs, version 4, applicable to The Hague for 2009.

## Annex III

### General Service staff of the Registry in 2009-2010

<i>Level</i>	<i>Function</i>	<i>Number of posts</i>	<i>Standard costs in United States dollars</i>	<i>Net standard costs in United States dollars</i>	<i>Staff assessment in United States dollars</i>
Principal level					
	Administrative Assistant (Personnel)	1	104 413	78 069	26 344
	Administrative Assistant (Procurement)	1	104 413	78 069	26 344
	Building Coordinator	1	104 413	78 069	26 344
	Computer Systems Assistant	1	104 413	78 069	26 344
	Publications/Personal Assistant (Registrar)	1	104 413	78 069	26 344
Other levels					
	Administrative Assistant	1	76 814	59 058	17 756
	Administrative Assistant (Contributions)	1	76 814	59 058	17 756
	Conference/Documentation Assistant	1	76 814	59 058	17 756
	Finance Assistant	1	76 814	59 058	17 756
	Finance Assistant (Accounts Payable)	1	76 814	59 058	17 756
	Library Assistant	1	76 814	59 058	17 756
	Linguistic Assistant/Judiciary Support	2	153 628	118 116	35 512
	Personnel Assistant	1	76 814	59 058	17 756
	Personal Assistant (Deputy Registrar)	1	76 814	59 058	17 756
	Personal Assistant (President)	1	76 814	59 058	17 756
	Receptionist	1	76 814	59 058	17 756
	Senior Security Officer/Building Superintendent	1	76 814	59 058	17 756
	Security Officer/Driver	2	153 628	118 116	35 512
<b>Total</b>		<b>20</b>	<b>1 674 275</b>	<b>1 276 215</b>	<b>398 060</b>
<b>Total in euros (rounded)</b>			<b>1 227 200</b>	<b>935 500</b>	<b>291 800</b>
<b>Total for the biennium in euros (rounded)</b>			<b>2 454 400</b>	<b>1 871 000</b>	<b>583 600</b>

*Note:* Figures and exchange rate are based on the standard salary costs, version 4, applicable to The Hague for 2009.

**Annex IV****Comparison of post requirements****POSTS  
APPROVED FOR 2005-2006**

ASG	D-2	D-1	P-5	P-4	P-3	P-2/1	Total Professional and above	General Service (Principal level)	General Service (Other levels)	Total General Service	Grand Total
<b>1</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>5</b>	<b>3</b>	<b>5</b>	<b>17</b>	<b>5</b>	<b>15</b>	<b>20</b>	<b>37</b>

**POSTS  
APPROVED FOR 2007-2008**

ASG	D-2	D-1	P-5	P-4	P-3	P-2/1	Total Professional and above	General Service (Principal level)	General Service (Other levels)	Total General Service	Grand Total
<b>1</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>5</b>	<b>4</b>	<b>4</b>	<b>17</b>	<b>5</b>	<b>15</b>	<b>20</b>	<b>37</b>

**POSTS  
PROPOSED FOR 2009-2010**

ASG	D-2	D-1	P-5	P-4	P-3	P-2/1	Total Professional and above	General Service (Principal level)	General Service (Other levels)	Total General Service	Grand Total
<b>1</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>5</b>	<b>4</b>	<b>4</b>	<b>17</b>	<b>5</b>	<b>15</b>	<b>20</b>	<b>37</b>

## Annex V

### Judges in 2009-2010 — judicial work not related to cases

		<i>In United States dollars</i>	<i>2009 In euros under floor and ceiling</i>	<i>2010 In euros under floor and ceiling</i>	<i>2009-2010 In euros under floor and ceiling</i>
1. Annual allowance	170 080 / 3 x 20	1 133 867	1 164 708	1 164 708	2 329 416
2. Special allowance (20 days /based on 220 working days per annum)	170 080 / 3 / 220 x 20 x 20	103 079	105 883	105 883	211 766
3. Subsistence allowance (28 days)	404 x 1.4 x 28 x 20	316 736	209 328	209 328	418 656
4. Special allowance for preparatory work (10 days/based on 220 working days per annum), to be authorized by the President	170 080 / 3 / 220 x 10 x 20	51 539	52 941	52 941	105 882
5. Preparatory work Subsistence allowance (7 days for 10 judges) to be authorized by the President	404 x 1.4 x 7 x 10	39 592	26 166	26 166	52 332
6. President, annual allowance	170 080	170 080	174 706	174 706	349 412
7. President, special allowance	15 000	15 000	9 915	9 915	19 830
8. Vice-President's special allowances					
14 days of Subsistence Allowance	14 x 404 x 1.4	7 918	5 233	5 233	10 466
10 days of Special Allowances	10 x (170 080 / 3 / 220) + 94)	3 517	3 268	3 268	6 536
<b>Total</b>		<b>1 841 328</b>	<b>1 752 148</b>	<b>1 752 148</b>	
<b>Total in euros for the biennial budget</b>					<b>3 504 296</b>
<b>Total in euros for the biennial budget (rounded)</b>					<b>3 504 300</b>
Annual allowances (President and other judges)			1 357 830	1 357 830	2 715 660
Total [Items 1, 6-8] in euros					
Special allowances (including DSA)			394 318	394 318	788 636
Total [Items 2-5] in euros					

*Note:* DSA is determined by ICSC and is subject to change.  
 DSA rate in United States dollars: 404 (plus 40% for judges).  
 DSA rate in euros: 267 (plus 40% for judges).  
 United Nations exchange rate for March 2008 = 0.661.  
 Floor rate = 1.0272.

## Annex VI

### Judges common costs in 2009-2010

<i>2009</i>	<i>In United States dollars</i>	<i>In euros</i>
1. President's common costs		
Home leave travel	0	0
2. Reimbursement of national taxes <sup>a</sup>	0	0
3. Insurance for work-related accidents	9 410	6 220
<b>Total</b>	<b>9 410</b>	<b>6 220</b>
<i>2010</i>		
1. President's common costs		
Home leave travel	18 154	12 000
2. Reimbursement of national taxes	0	0
3. Insurance for work-related accidents	9 410	6 220
<b>Total</b>	<b>27 564</b>	<b>18 220</b>
<b>Total in euros for the biennial budget</b>		<b>24 440</b>
<b>Total in euros for the biennial budget (rounded)</b>		<b>24 400</b>

<sup>a</sup> Any expenses for reimbursement of taxes should be financed by savings in "judges' pension".

United Nations exchange rate for March 2008 = 0.661.

DSA rate in United States dollars: 404 (plus 40% for judges).

DSA rate in euros: 267 (plus 40% for judges).



## Annex VII

## Case-related costs in 2009-2010 — judicial work related to cases

		<i>In United States dollars</i>	<i>2009 In euros under floor and ceiling</i>	<i>2010 In euros under floor and ceiling</i>	<i>2009-2010 In euros under floor and ceiling</i>
<i>Judges</i>					
1. Special allowance (42 days/based on 220 working days per annum) <sup>a</sup>	170 080 / 3 / 220 x 42 x 20	216 465	222 353	222 353	444 706
2. Subsistence allowance (44 days) <sup>b</sup>	404 x 1.4 x 44 x 20	497 728	328 944	328 944	657 888
3. Special allowance for preparatory work, to be authorized by the President (35 days/based on 220 working days per annum) <sup>c</sup>	170 080 / 3 / 220 x 35 x 20	180 388	185 295	185 295	370 590
4. Subsistence allowance for preparatory work, to be authorized by the President (17.5 days for 10 judges) <sup>d</sup>	404 x 1.4 x 17.5 x 10	98 980	65 415	65 415	130 830
5. Compensation for two judges ad hoc					
Annual allowance	170 080 / 3 / 365 x 38.5 x 2	11 960	12 285	12 285	24 570
Special allowance	170 080 / 3 / 220 x 38.5 x 2	19 843	20 383	20 383	40 766
Subsistence allowance	404 x 1.4 x 21 x 2	23 755	15 700	15 700	31 400
6. Travel of judges (including two judges ad hoc)			140 097	143 039	283 136
<i>Staff costs</i>					
7. Temporary assistance for meetings		405 342	267 931	267 931	535 862
8. Overtime		34 039	22 500	22 500	45 000
<b>Total</b>		<b>1 488 500</b>	<b>1 280 903</b>	<b>1 283 845</b>	<b>2 564 748</b>
<b>Total in euros for the biennial budget</b>					<b>2 564 748</b>
<b>Total in euros for the biennial budget (rounded)</b>					<b>2 564 700</b>

<sup>a</sup> 6 weeks based on 7 days.

<sup>b</sup> 6 weeks based on 7 days plus travel days.

<sup>c</sup> 5 weeks based on 7 days (based on ratio determined by the Meeting of States Parties).

<sup>d</sup> 2.5 weeks based on 7 days.

*Note:* DSA is determined by ICSC and is subject to change.

DSA rate in United States dollars: 404 (plus 40% for judges).

DSA rate in euros: 267 (plus 40% for judges).

United Nations exchange rate for March 2008 = 0.661.

Floor rate = 1.0272.

## Annex VIII

### Judges' pension scheme in 2009-2010

	<i>In United States dollars</i>	<i>In euros</i>
<b>2009</b>		
Pension for eight retired judges, including one former President, and two surviving spouses	329 056	217 506
Pension for seven judges, including two former Presidents <sup>a</sup>	342 000	226 062
<b>Total</b>	<b>671 056</b>	<b>443 568</b>
<b>2010</b>		
Pension for eight retired judges, including one former President, and two surviving spouses	329 056	217 506
Pension for seven judges, including two former Presidents <sup>a</sup>	342 000	226 062
<b>Total</b>	<b>671 056</b>	<b>443 568</b>
<b>Total for the biennial budget</b>	<b>1 342 112</b>	<b>887 136</b>
<b>Total in euros for the biennial budget (rounded)</b>		<b>887 100</b>

<sup>a</sup> Actual number of retiring judges can only be determined after the elections during the Meeting of States Parties in June 2008.

United Nations exchange rate for March 2008 = 0.661.

## Annex IX

### Maintenance of premises in 2009-2010

	<i>Budget 2007 In euros</i>	<i>Budget 2008 In euros</i>	<i>Budget 2009 In euros</i>	<i>Budget 2010 In euros</i>
I. Facility management	370 393	376 875	384 789	392 870
II. Maintenance supplies	22 278	22 790	23 269	23 758
Gas supplies	71 652	73 300	74 839	76 411
Power supplies	107 479	109 951	112 260	114 617
Water supplies	18 131	18 548	18 938	19 336
III. Utilities (electricity, gas and water)	197 262	201 799	206 037	210 364
Listed maintenance contracts	159 085	161 312	164 700	168 159
Examination	3 627	3 710	3 788	3 868
IV. Maintenance contracts	162 712	165 022	168 488	172 027
V. Contents and third party liability insurance	21 394	21 886	22 346	22 815
VI. Minor repairs (maximum of 1,000 euros each) <sup>a</sup>	50 000	50 000	51 050	52 122
VII. Other repairs	0	0	0	0
VIII. Security services (24 hours)	143 629	146 932	150 018	153 168
<b>Total</b>	<b>967 668</b>	<b>985 304</b>	<b>1 005 997</b>	<b>1 027 124</b>
<b>Total for the biennial budget (rounded)</b>		<b>1 953 000</b>		<b>2 033 100</b>

<sup>a</sup> As provided for in the Premises Agreement.

## Annex X

### Common staff costs 2009-2010 in euros

<i>Estimate for common staff costs (Based on actual costs and estimated requirements)</i>	
Contributions to the United Nations Joint Staff Pension Fund	493 751.67
Dependency allowance	58 344.00
Education grant <sup>a</sup>	136 352.94
Home leave <sup>a</sup>	40 000.00
Language allowance	19 108.32
Accident at work insurance	18 004.00
Medical insurance	65 907.16
Rental subsidy	47 000.00
Provision for staff rotation:	
Professional category (5.31%)	88 621.00
General Service category (2.27%)	27 862.80
Miscellaneous (ex gratia payments including cancellation of leave)	1 000.00
<b>Total in euros</b>	<b>995 951.89</b>
For information	
Established posts, net	2 310 000.00
Common staff costs, 42%	970 200.00

<sup>a</sup> Based on the performance for the 2005-2006 budget.