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PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1994-1995*

PART III. INTERNATIONAL JUSTICE AND LAW

Section 5. *International Court of Justice*

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* The present document contains section 5 of the proposed programme budget for the biennium 1994-1995. The complete proposed programme budget will subsequently be issued in final printed form as *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 6 (A/48/6/Rev.1)*.

PART III

INTERNATIONAL JUSTICE AND LAW

SECTION 5. INTERNATIONAL COURT OF JUSTICE

Overview

TABLE 5.1. SUMMARY OF 1994-1995 REQUIREMENTS BY PROGRAMME
(Thousands of United States dollars)

	1992-1993 revised appropriation	Resource growth		Total before recosting	Recosting	1994-1995 estimates
		Amount	Percentage			
A. Members of the Court	7 262.5	(452.3)	(6.2)	6 810.2	42.7	6 852.9
B. The Registry	8 458.4	289.3	3.4	8 747.7	811.9	9 559.6
C. Programme support	2 764.1	80.6	2.9	2 844.7	170.7	3 015.4
Total, regular budget	18 485.0	(82.4)	(0.4)	18 402.6	1 025.3	19 427.9

TABLE 5.2. SUMMARY OF 1994-1995 ESTIMATES BY OBJECT OF EXPENDITURE
(Thousands of United States dollars)

Object of expenditure	1992-1993 revised appropriation	Resource growth		Total before recosting	Recosting	1994-1995 estimates
		Amount	Percentage			
Salaries and allowances of judges	4 329.2	69.6	1.6	4 398.8	-	4 398.8
Common costs of judges	2 792.7	(435.8)	(15.6)	2 356.9	39.4	2 396.3
Staff costs	8 314.7	286.3	3.4	8 601.0	803.1	9 404.1
Consultants and experts	169.1	(86.1)	(50.9)	83.0	4.9	87.9
Travel on official business	108.4	-	-	108.4	6.6	115.0
Contractual services	436.0	294.0	67.4	730.0	42.8	772.8
General operating expenses	1 648.3	16.2	0.9	1 664.5	101.4	1 765.9
Supplies and materials	255.4	-	-	255.4	15.2	270.6
Furniture and equipment	431.2	(226.6)	(52.5)	204.6	11.9	216.5
Total, regular budget	18 485.0	(82.4)	(0.4)	18 402.6	1 025.3	19 427.9

TABLE 5.3. POST REQUIREMENTS

Organizational unit: International Court of Justice

	<i>Established posts</i>		<i>Temporary posts</i>				<i>Total</i>	
	<i>Regular budget</i>		<i>Regular budget</i>		<i>Extrabudgetary resources</i>			
	<i>1992-1993</i>	<i>1994-1995</i>	<i>1992-1993</i>	<i>1994-1995</i>	<i>1992-1993</i>	<i>1994-1995</i>	<i>1992-1993</i>	<i>1994-1995</i>
Professional category and above								
ASG	1	1	-	-	-	-	1	1
D-2	1	1	-	-	-	-	1	1
D-1	1	1	-	-	-	-	1	1
P-5	3	3	-	-	-	-	3	3
P-4	5	6	-	2	-	-	5	8
P-3	6	7	-	-	-	-	6	7
P-2/1	5	3	-	-	-	-	5	3
Total	22	22	-	2	-	-	22	24
General Service category								
Principal level	6	6	-	-	-	-	6	6
Other levels	26	26	-	5	-	-	26	31
Total	32	32	-	5	-	-	32	37
Grand total	54	54	-	7	-	-	54	61

Overview

5.1 The International Court of Justice, which sits at The Hague in the Netherlands, is the principal juridical organ of the United Nations. It functions in accordance with its Statute, which forms an integral part of the Charter of the United Nations.

5.2 The Court is composed of 15 judges elected by the General Assembly and the Security Council for a period of nine years.

5.3 The Court's function is to adjudicate in contentious cases referred to it by States and to give advisory opinions at the request of bodies so authorized by, or in accordance with, the Charter. At present, in addition to the United Nations (General Assembly, Security Council, Economic and Social Council, Trusteeship Council, Interim Committee of the General Assembly and Committee on Applications for Review of Administrative Tribunal Judgements), the following organizations are authorized to request advisory opinions of the Court on legal questions: the International Labour Organisation, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization, the International Civil Aviation Organization, the World Health Organization, the World Bank, the International Finance Corporation, the International Development Association, the International Monetary Fund, the International Telecommunication Union, the World Meteorological Organization, the International Maritime Organization, the World Intellectual Property Organization, the International Fund for Agricultural Development, the United Nations Industrial Development Organization and the International Atomic Energy Agency. The Court submits annual reports to the General Assembly, which are considered by the Sixth Committee. The latest report is contained in document A/47/4.¹

¹ *Official Records of the General Assembly, Forty-seventh session, Supplement No. 4.*

5.4 The Registry, which is appointed by the Court in accordance with Article 21, paragraph 2, of its Statute, provides legal, diplomatic, administrative and other technical support for the Court. It is also responsible for the financial and accounting administration, archives and distribution services, and documents and library services.

5.5 Neither the activities of the Court nor those of the Registry are covered in the medium-term plan. The workload of the Court has increased significantly over the years. At present, it is seized of 11 cases, and recent experience and contemporary developments in international relations make it prudent to assume that at least two new cases will be brought before it during the biennium 1994-1995. This significant increase compares with five and eight cases, respectively, when the Court submitted its budget proposals for the bienniums 1990-1991 and 1992-1993. The expansion in the Court's case-load has required the Court and its Registry to introduce a number of expedients to contain costs which cannot continue without serious adverse consequences on the efficiency of the Court and its Registry.

5.6 Regulation 15.1 of article XV of the Financial Regulations and Rules of the United Nations provides that "the programme budget proposals of the International Court of Justice shall be prepared by the Court, in consultation with the Secretary-General. These programme budget proposals shall be submitted to the General Assembly by the Secretary-General, together with such observations as he may deem desirable".

5.7 Following consultations between the Court and the Secretary-General, the estimates included under section 5 (\$19,427,900) reflect a negative rate of real growth of 0.4 per cent, after the lapsing of non-recurrent provisions of \$886,000 in 1992-1993 relating to ad hoc judges and consultants, office automation equipment and vehicles. The net reduction of \$82,400 therefore corresponds to what would have been significant real growth of 4 per cent for a number of items, including posts, contractual translation and some equipment.

5.8 The estimated percentage distribution of the total resources to be provided to the Court in 1994-1995 would be as follows:

	<i>Regular budget (percentage)</i>
A. Members of the Court	35.3
B. The Registry	49.2
C. Programme support	<u>15.5</u>
Total	<u>100.0</u>

A. Members of the Court

TABLE 5.4. SUMMARY OF 1994-1995 ESTIMATES BY OBJECT OF EXPENDITURE
(Thousands of United States dollars)

Object of expenditure	1992-1993 revised appropriation	Resource growth		Total before recosting	Recosting	1994-1995 estimates
		Amount	Percentage			
Salaries and allowances of judges	4 329.2	69.6	1.6	4 398.8	-	4 398.8
Common costs of judges	2 792.7	(435.8)	(15.6)	2 356.9	39.4	2 396.3
Consultants and experts	86.1	(86.1)	(100.0)	-	-	-
Travel on official business	54.5	-	-	54.5	3.3	57.8
Total, regular budget	7 262.5	(452.3)	(6.2)	6 810.2	42.7	6 852.9

Overview

5.9 Subsection A covers estimates relating to the statutory entitlements of the members of the Court. The conditions of service and compensation of members of the Court are due for their scheduled triennial comprehensive review during the forty-eighth session of the General Assembly. The estimates under this subsection are provisional pending the decision of the Assembly. Resources proposed in these estimates are also expected to be supplemented, as the need arises, by commitments entered into under the provisions of the resolution on unforeseen and extraordinary expenses to be adopted by the Assembly. The proposals for the biennium 1994-1995 in that respect will be presented at the forty-eighth session of the General Assembly.

*Resource requirements (at current rates)**Salaries and allowances of judges*

5.10 The total requirements under this heading (\$4,398,800) relate to salaries and allowances of judges which reflect an adjustment of \$69,600 and would provide for the following:

(a) Annual salary of \$145,000 per judge, with effect from 1 January 1991, as decided by the General Assembly in its resolution 45/250 A of 21 December 1990;

(b) An additional special allowance of \$15,000 per annum for the President of the Court;

(c) An additional special allowance for the Vice-President of \$94 for every day he acts as President, up to a maximum of \$9,400 per year.

Common costs of judges

5.11 Requirements estimated at \$2,356,900 relate to common costs of judges, including the net effect of an increase of \$102,900 in the pension entitlements of judges and negative resource growth of \$538,700 relating to the non-recurrent resources authorized for fees and travel costs of ad hoc judges in 1992-1993.

Pensions for former judges

5.12 As decided by the General Assembly in its resolution 45/250 B, the pension entitlement of a member of the International Court of Justice who has served a full term of nine years should be \$50,000 a year and the pension entitlement of a member of the Court who is re-elected should be increased by an additional \$250 per month for each further month of service up to a maximum pension of \$75,000 per year. In the same resolution, the Assembly also decided that, with effect from 1 January 1991 and notwithstanding any provision to the contrary, the annual value of all pensions in course of payment as at 31 December 1990, including the pensions of any members of the Court who retire on or before that date, should be increased by 22 per cent. The Assembly decided further that the pension of the members of the Court should be subject to review whenever the annual salary of the members of the Court is reviewed. The next review will take place at the forty-eighth session of the General Assembly. The requirements for pensions, currently estimated at \$1,750,000, are therefore provisional and include an increase of \$102,900 due to the net effect of changes in the numbers of retired judges and widows of judges and would provide for retired judges and widows of judges, in accordance with General Assembly resolution 45/250 B.

Other common costs

5.13 Requirements for other common costs include:

(a) Requirements for the travel expenses of three journeys for non-resident judges to attend sessions of the Court, and for one journey home every second year after the year of appointment for judges residing at the seat of the Court, in accordance with the travel and subsistence regulations of the International Court of Justice as approved by the General Assembly in its resolution 37/240 of 21 December 1982 (\$450,600);

(b) Education grant requirements up to a ceiling of \$6,750 for each child, in accordance with General Assembly resolution 45/250 C of 21 December 1990, and increases, in accordance with section X of Assembly resolution 45/241 of 21 December 1990, for the cost of educating the children of judges who have taken up primary residence at The Hague. Furthermore, provision is made for the related travel in respect of each child from the place of scholastic attendance, when outside the Netherlands, to The Hague. These estimates are provisional, since in accordance with General Assembly resolution 45/250 C the requirements for education grant and travel of children of judges will be reviewed, at the same time as the judges' emoluments, by the Assembly at its forty-eighth session (\$156,300).

Consultants and experts

5.14 The negative growth (\$86,100) under this heading relates to non-recurrent requirements for the payment of experts arising in 1992-1993. Requirements for 1994-1995 cannot be foreseen at this point, and therefore no provision is proposed.

Travel on official business

5.15 The estimated requirements (\$54,500) under this heading would cover the travel and subsistence of the President of the Court to attend the sessions of the General Assembly, and travel and subsistence on other official business by members of the Court.

B. The Registry

TABLE 5.5. SUMMARY OF 1994-1995 ESTIMATES BY OBJECT OF EXPENDITURE
(Thousands of United States dollars)

Object of expenditure	1992-1993 revised appropriation	Resource growth		Total before recosting	Recosting	1994-1995 estimates
		Amount	Percentage			
Staff costs	8 314.7	286.3	3.4	8 601.0	803.1	9 404.1
Consultants and experts	83.0	-	-	83.0	4.9	87.9
Travel on official business	53.9	-	-	53.9	3.3	57.2
General operating expenses	6.8	3.0	44.1	9.8	0.6	10.4
Total, regular budget	8 458.4	289.3	3.4	8 747.7	811.9	9 559.6

Overview

5.16 The Registry of the Court consists of a Registrar and a Deputy Registrar who are elected for a term of seven years and may be re-elected. Other officials of the Registry are appointed either by the Court on proposals submitted by the Registrar or by him with the President's approval. It provides legal, diplomatic and other technical support for the Court, such as preparing and keeping current the general list of cases submitted, and is the regular channel for communications to and from the Court. It is also responsible for all administrative work, in particular for the Court's financial and accounting administration, archives and distribution services, and documents and library services.

Resource requirements (at current rates)

Staff costs

5.17 The estimated requirements (\$8,601,000) would provide for continuing established posts, as well as the following:

(a) Temporary assistance for meetings (\$645,400), which includes a negative resource growth of \$613,000, to provide for the recruitment and travel of free-lance interpreters, translators and stenotypists required for pre- and in-session conference servicing of private meetings and public hearings of the Court. On the basis of experience over the years relating to the preparatory work arising from the unprecedented case-load of the Court and contemporary developments in international relations, it is proposed to create temporary posts as explained in subparagraph (e) below. The reduction for temporary assistance for meetings partially offsets the cost of these posts;

(b) A provision of \$184,300 to meet the cost of general temporary assistance for secretaries, messengers, library assistants and telephone operators to supplement the regular staff;

(c) Reclassification of one P-3 post to P-4 for the head of the Registry's library in view of the significantly increased research required on behalf of judges and the responsibility for full preparation of the Court's publications;

(d) Reclassifications of two P-2 posts to P-3 are proposed for the head of the archives and the head of the typing pool, because of the increased responsibilities arising from the significant increase in the Court's workload;

(e) The creation of seven new temporary posts is proposed (two P-4 and five General Service (other level)), to be partially offset by a reduction in the proposed requirements for temporary assistance for meetings:

- (i) The two P-4 posts would provide for translators, in view of the increase in the case-load of the Court, to translate legal and other documents, including judgements or advisory opinions, judges' written notes concerning cases, minutes of private meetings and verbatim records of public hearings, written pleadings and annexes etc., provide interpretation at public hearings and the Court's and its Committee's private meetings, and prepare glossaries. Creation of posts should prove more economical than hiring short-term staff, since costs incurred for short-term translation staff during the current biennium exceeded the standard cost of regular staff at that level;
- (ii) The five General Service (other level) posts proposed would provide for two secretaries of judges to supplement the six secretaries who currently serve 13 members of the Court (excluding the President and the Vice-President) and ad hoc judges; and two clerk-typists for the typing pool who would also carry out secretarial functions for all Professional staff of the Registry. The creation of the posts is intended to increase efficiency, since regular staff are familiar with the Court's work and the Court has had to resort to short-term staff to carry out its required functions. The other General Service (other level) post would provide for a finance assistant to help with the maintenance, installation and management of the Court's computer systems, as the implementation of the Court's office automation project has placed increased demands on the limited staff in its Finance Department.

Consultants and experts

5.18 It is proposed to maintain a provision of \$83,000 in 1994-1995 for a consultant to instruct and train the Registry's staff in software application and available software and hardware, the maintenance and enhancement of the Court's computer system, and the implementation and management of data transmission protocols.

Travel on official business

5.19 A provision of \$53,900 is proposed for travel of the Registry's staff on official business of the Court.

General operating expenses

5.20 The provision under this heading, which includes a resources growth of \$3,000, would cover the hospitality requirements of the President and members of the Court during attendance at the sessions of the General Assembly, international conferences or meetings and for visits by Heads of States or Government and other officials of Governments and international organizations to the Court.

C. Programme support

TABLE 5.6. SUMMARY OF 1994-1995 ESTIMATES BY OBJECT OF EXPENDITURE
(Thousands of United States dollars)

Object of expenditure	1992-1993 revised appropriation	Resource growth		Total before recosting	Recosting	1994-1995 estimates
		Amount	Percentage			
Contractual services	436.0	294.0	67.4	730.0	42.8	772.8
General operating expenses	1 641.5	13.2	0.8	1 654.7	100.8	1 755.5
Supplies and materials	255.4	-	-	255.4	15.2	270.6
Furniture and equipment	431.2	(226.6)	(52.5)	204.6	11.9	216.5
Total, regular budget	2 764.1	80.6	2.9	2 844.7	170.7	3 015.4

Resource requirements (at current rates)

Contractual services

5.21 The estimated requirements under this heading (\$730,000), which reflect a resource growth of \$294,000, would provide for the following:

(a) The Court's printing programme, which includes an increase of \$94,000, is independently handled by the Court and is not reviewed by the Publications Board. The resources would cover the cost of publications, as provided for by the Statute and rules of the Court, and would include three annual series: *Reports of Judgments, Advisory Opinions and Orders*, a *Bibliography* of works and documents relating to the Court, and the *Yearbook* of the Court. The provision would also cover the documentation of each case, which is published by the Court after the end of the proceedings under the title *Pleadings, Oral Arguments, Documents, Comprising Texts, Maps and Charts* (\$508,700);

(b) Resource growth of \$200,000 to provide for contractual external translation, as the Court for the first time during the current biennium had to resort to the employment of external contractual translators in view of its unprecedented case-load, which is expected to increase during the 1994-1995 biennium;

(c) Requirements in respect of access to external databases (\$21,300).

General operating expenses

5.22 The requirements of \$1,654,700 proposed under this heading, which include a resource growth of \$13,200, would provide for:

(a) An adjustment of \$13,200, which reflects an increase in the contribution payable by the United Nations for its share of the general operating expenses of the facilities provided in the Peace Palace at The Hague for the Court. The increase requested by the Carnegie Foundation exceeded the inflation rates of 2.4 per cent in 1992 and 3.2 per cent in 1993 reflected in the programme budget for the biennium 1992-1993 (A/46/6/Rev.1). The resources are thus estimated at \$1,252,100 at current rates;

(b) Requirements of \$20,000 for the rental of photocopying equipment;

(c) Requirements of \$245,200 to cover the costs of long-distance telephone calls, postage, pouches, cables and telexfax communications;

(d) Requirements of \$114,600 to cover the maintenance of the Court's office automation equipment, other office equipment and vehicles;

(e) Requirements of \$22,800 to provide for automobile insurance of the Court's two official cars.

Supplies and materials

5.23 The resources requested under this heading (\$255,400) are proposed to provide for library books and supplies, stationery, paper for internal reproduction, offset supplies and other miscellaneous supplies.

Furniture and equipment

5.24 The requirements under this heading (\$204,600) would provide for growth of \$34,600 to cover the purchase of two new cars to replace the Court's official cars; requirements of \$119,000 to cover the Court's future programmes for acquisition and replacement of office automation equipment; and provision of \$51,000 for the purchase of other equipment. The net decrease of \$226,600 arises from the lapsing of non-recurrent provisions in the biennium 1992-1993 for the purchase of office automation equipment (\$178,900) and a car and a laser printer/copier (\$82,300).