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FINANCING OF THE INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF
PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL
HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER
YUGOSLAVIA SINCE 1991

Report of the Advisory Committee on Administrative
and Budgetary Questions

I. INTRODUCTION

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General on the financing of the International Tribunal for the Former Yugoslavia for 1996 (A/C.5/50/41). During its consideration of the matter, the Committee met with the Prosecutor and the Registrar of the International Tribunal and with representatives of the Secretary-General who provided additional information.

II. FINANCIAL REQUIREMENTS FOR 1996

2. In his report, the Secretary-General proposes provisions of \$40,779,300 for the financing of the Tribunal in 1996, including \$8,619,500 gross (\$7,637,500 net) appropriated by the General Assembly in its resolution 50/212 for the period from 1 January to 31 March 1996. This compares to \$38,819,700 appropriated for the biennium 1994-1995 (see A/C.5/50/41, table 1).

3. The Committee was informed that expenditures for the biennium 1994-1995 amounted to \$35,832,462, leaving an unencumbered balance of \$2,987,238 which will be available to finance the 1996 requirements. It was indicated that a performance report for expenditures in 1994-1995 will be submitted to the General Assembly no later than May 1996 in accordance with Assembly resolution 49/242 B, paragraph 26. Upon request, the Committee was provided with an interim expenditure report for 1994-1995. In this connection, the Committee



reiterates its view that the most up-to-date financial data should always be submitted for the period preceding the new budget proposal. The report of the Secretary-General should also specifically make references to previous recommendations of the Committee indicating whether action has been taken and the time framework for full implementation of recommendations.

4. The proposed staffing table comprises 342 posts (excluding 11 judges), reflecting an increase of 84 additional posts (36 posts for the Office of the Prosecutor and 48 posts for the Registry). The Committee was informed that all posts for the Tribunal had been classified by the Office of Human Resources Management of the Secretariat. The Committee notes from the Secretary-General's report (table 3 and paras. 8 and 131) that, in addition to the 258 temporary posts established for the biennium 1994-1995, at the time of the preparation of the report there were 53 persons on loan to the Tribunal from Member States and international organizations and institutions (9 law clerks assigned to the Chambers, 35 investigators/advisers assigned to the Office of the Prosecutor, 6 legal research clerks and 3 interns). Upon inquiry, the Committee was informed that as at 28 February 1996 there were 46 posts vacant, comprising 23 posts in the Office of the Prosecutor (21 Professional and 2 General Service) and 23 in the Registry (8 Professional and 15 General Service). The organizational chart of the Tribunal and statistics on the number of staff on board, by post level and nationality, were provided to the Committee and are included in the present report as annexes I and II. The Committee believes that there is a need to identify priorities for the Tribunal's operations, avoiding the establishment of cumbersome and costly bureaucratic support systems.

5. As indicated in paragraph 4 above, as at November 1995, donors had provided 53 persons to the Tribunal on a non-reimbursable basis. The Committee was informed that the number of secondees is now 61, including two individuals whose services are still under negotiation with the organizations that will second them. Donors are responsible for the total personnel cost in connection with the assignment to the Tribunal, including salaries, daily subsistence allowances, medical and life insurance coverage (as well as insurance for service-related illness, disability or death, with extended war-risk insurance coverage) and round-trip travel from their respective countries. The Tribunal's budget, however, covers the provision of office space, furniture and equipment, as well as other related expenditures incurred on official business for the United Nations. The associated costs of supporting seconded personnel for 1996 would amount to \$636,800.

6. In the view of the Committee, the use of personnel on secondment during the start-up phase, as described above, is understandable given the limited experience of the United Nations in this area; now that the preparatory work has been completed and longer-term trial activity has begun, the Committee believes that high priority should be given to recruitment of international civil servants. During the discussion on the subject, the Committee was informed by officials of the Tribunal that this objective is highly desirable to assure the sustainability of the Tribunal's operations.

7. Upon inquiry, the Committee was informed that, in accordance with existing policy, all donors of voluntary contributions are charged 13 per cent support cost when the contributions result in additional financial liability for the

United Nations. It was indicated that, with regard to secondment by Governments and non-governmental organizations, the support cost was waived in 1995 in nearly all cases. The basis for the calculation of the support cost or the criteria for charging or waiving such support cost was not clear to the Committee, however. The Committee believes that this is a policy issue that needs to be addressed by the General Assembly, especially with regard to personnel provided free of charge to the United Nations to occupy posts which would otherwise have been funded from assessed contributions.

8. During the discussion of the structure and functions of the Tribunal, the Committee was informed that the success of the Tribunal as a whole depends very much on the quality of staffing of the Office of the Prosecutor, in particular on the calibre of the investigation teams, including the personnel on secondment. It was emphasized that the assistance provided by the seconded staff to the Office of the Prosecutor will continue to be essential. Governments that have contributed personnel on secondment to the Office of the Prosecutor include the United States of America (21 persons), the Netherlands (4), the United Kingdom of Great Britain and Northern Ireland (4), Denmark (3), Sweden (3), Norway (2) and Finland (1). The Committee recalls that in its previous report it indicated that there was also need for account to be taken of established practice in the United Nations for the acceptance of such personnel (A/49/7/Add.12, para. 22).

9. The Committee recalls that, in paragraph 15 of its resolution 49/242 B, the General Assembly reaffirmed that the acceptance of voluntary contributions in kind or in personnel, as well as voluntary financial contributions, must be consistent with the need to ensure the impartiality and independence of the International Tribunal at all times and that such contributions should be considered supplementary to the assessed contributions. The Committee points out that the Secretary-General has yet to issue specific guidelines for receipt of the contributions and application of funds for the Tribunal, as requested by the General Assembly in paragraph 13 of that resolution.

10. The Committee recommends that all the personnel requirements of the Tribunal, including personnel on secondment, be budgeted and allocated to the corresponding organizational units of the Tribunal, according to their functional responsibilities. The Committee believes that acceptance of personnel on secondment should be limited to the number of posts approved by the General Assembly in the Tribunal's budget. As previously indicated by the Committee (A/49/7/Add.12, para. 40), in accordance with the practice and regulations of the United Nations, requirements of the Tribunal should be fully reflected in the programme budget. There should be a clear indication of the units of the Tribunal where personnel on secondment from Governments and governmental organizations have been assigned, as well as their functional responsibilities, tasks, location and the intended period of the assignment.

11. Similarly, the Committee recommends that all the administrative support cost requirements of each organizational unit of the Tribunal be fully budgeted regardless of whether or not they will be ultimately financed from assessed contributions or from unearmarked cash contributions. The Committee also believes that equipment and all other voluntary contributions in kind to the

operational budget of the Tribunal should be provided by donors in accordance with the actual requirements of each organizational unit of the Tribunal.

12. The Committee was informed that there were noticeable delays in recruitment in 1995 (61 posts, 38 Professional and 23 General Service, remained vacant at the end of December 1995). It was explained that cost-cutting measures introduced at Headquarters had affected the recruitment process for the Tribunal. Upon inquiry, the Committee was informed that the personnel cost estimates for 1996 included a vacancy factor of 50 per cent for Professional posts and 65 per cent for General Service posts.

13. During the discussion on this matter, it was indicated that, in the light of the Dayton Peace Agreement (see A/50/790-S/1995/999) and under the new "rules of the road" from the Rome Summit, agreed by the parties in February 1996, the workload of the Tribunal will increase substantially in all its activities. In the view of the Committee, recruitment of qualified personnel must be carried out without delay. Such recruitment should be implemented strictly in accordance with the Staff Regulations and Rules of the United Nations, taking account of Articles 8, 100 and 101 of the Charter of the United Nations, as emphasized by the General Assembly in paragraph 10 of its resolution 49/242 B. The Committee recalls that, as indicated in its previous report (A/49/7/Add.12, para. 15), in May 1994 the Registrar was delegated the authority to appoint staff in the name of the Secretary-General, up to the D-1 level.

The Chambers

14. Under article 12, paragraph 2, of the Statute of the Tribunal for Rwanda, as established by the Security Council in its resolution 955 (1994) of 8 November 1994, the members of the Appeals Chamber of the International Tribunal for the Former Yugoslavia also serve as the members of the Appeals Chamber of the International Tribunal for Rwanda. The Committee has taken these factors into account during its consideration of the Secretary-General's proposals for the financing of the International Tribunal for Rwanda (A/C.5/50/54).

15. Salaries and allowances of the 11 judges of the Tribunal are estimated at \$1,619,400 and common costs of judges at \$137,400 for costs related to installation allowance, removal of household effects and education grant (A/C.5/50/41, paras. 19 and 20). The Committee reiterates its opinion (see A/49/7/Add.12, para. 6) that, as article 31 of the statute of the Tribunal provides that it shall have its seat at The Hague, all entitlements of the judges should be formulated and implemented on the basis of residence at The Hague. The Committee notes from paragraph 22 of the Secretary-General's report that, as recommended by the Committee (A/49/7/Add.12, paras. 6 and 17), no provision is proposed for travel to and from the duty station for judges who are not in residence at The Hague.

16. With regard to travel and subsistence benefits, the Committee recalls that it had been informed that payment of travel expenses of the judges of the Tribunal had been limited to business class travel rather than first class. The Committee agreed with this practice and recommended that travel and subsistence regulations be prepared for the Tribunal and submitted to the Committee for

scrutiny (A/49/7/Add.12, para. 8). Such a proposal has not yet been submitted; the Committee trusts that it will be submitted at the earliest opportunity. The Committee was informed that there were instances in which the travel expenses of judges had been paid by their respective Governments at the first class standard. The Committee points out that any payment of compensation by Governments to United Nations officials is inconsistent with the Organization's policies and practices.

17. A provision of \$20,000 is requested for the engagement of experts who may render advisory services or provide outside expertise in various legal fields and to assist the Chambers on specific legal issues that may be raised before the Tribunal (A/C.5/50/41, para. 24). The Committee was informed, upon inquiry, that no expenditure was incurred in 1995 for consultants or experts for the Chambers. It was indicated that the amount was calculated on the basis of four experts engaged for 10 days at a cost of \$400 per day, and travel costs of \$1,000 per person. The Committee recalls that, in paragraph 8 of its resolution 49/242 B, the General Assembly requested the Tribunal to establish guidelines to govern recourse to and use of expertise in the Chambers. The Committee regrets that these guidelines have not yet been established. The Committee does not believe that the case has been made for this request and accordingly recommends against the provision of \$20,000 for consultants for the Chambers.

The Office of the Prosecutor

18. In accordance with article 16 of the Statute of the International Tribunal for the Former Yugoslavia (S/25704, annex), the Office of the Prosecutor acts independently as a separate organ of the Tribunal. The Prosecutor for the International Tribunal for the Former Yugoslavia also acts as the Prosecutor for the International Tribunal for Rwanda.

19. As shown in tables 6 and 7 of the Secretary-General's report (A/C.5/50/41), resource requirements for the Office of the Prosecutor amount to \$14,390,300 for staff and non-staff costs of 162 posts (114 Professional and 48 General Service), including the establishment of 36 additional posts (14 Professional and 22 General Service).

20. The Committee notes that the budgetary provisions for 1996 (A/C.5/50/41, paras. 29 and 41) reflect the reorganization of the Office of the Prosecutor, including the expansion of the Strategy Team in the Investigation Section, a reorganization of the former Special Advisory Section into a new Legal Services Section and the provision of additional resources to the Information and Records Section (see annex I to the present report).

21. The Committee notes that the Secretary-General proposes (para. 33) the establishment of 17 new posts in the Investigation Section (14 Professional and 3 General Service). The Committee agrees with that proposal, with the exception of the new P-5 post for the position of Senior Legal Officer, Investigations (para. 38); the Committee is not convinced of the need for this post at this time since it appears that its functions are to coordinate rather than to carry out specific substantive tasks.

22. The Committee notes that the activities of the Prosecutor in the former Yugoslavia will be greatly assisted by the liaison field offices (para. 40). The Committee understands that a field presence will be established at Sarajevo and Belgrade in addition to the office already established at Zagreb. Upon inquiry, the Committee was informed that an exchange of letters between the United Nations and the Republic of Bosnia and Herzegovina on the status of an International Tribunal office at Sarajevo was recently concluded. Accordingly, it is planned to redeploy 15 investigators to Sarajevo to carry out investigations in the region. The cost of the additional space requirements in Sarajevo is estimated at \$40,000, and it may be covered from voluntary contributions. An agreement with the Federal Republic of Yugoslavia regarding the Belgrade office has been drafted but not yet signed by the parties concerned. The Committee was informed that arrangements have been made to install secure (crypto) telephone lines for communications between the field offices and The Hague.

23. The Committee notes that travel provisions for the Office of the Prosecutor for 1996 (\$1,861,000) are significantly lower than the provisions budgeted for 1994-1995 (\$4,522,500), as the cost of travel for the purpose of giving evidence in trials is now budgeted under the Registry (para. 55). In view of the expanded presence in the field and the enhanced telephone communication facilities, the Committee expects significant savings in the travel budget of the Office of the Prosecutor.

24. The Committee notes that the Secretary-General proposes 17 additional General Service posts for the Information and Records Section of the Office of the Prosecutor (para. 44). The Committee understands that the receipt, processing and archiving of all the information, evidence and other material are labour-intensive. The Committee was apprised of the status of the backlog of documents to be indexed and coded. It was indicated that there was currently a backlog of about 370,000 pages of documentation to be scanned and indexed, the cost of which is not included in the budget. The Committee recalls that it was informed in February 1995 that a backlog of about 250,000 pages would be processed by April 1995 (see A/49/7/Add.12, para. 23). Upon inquiry, the Committee was informed that the Government of the Netherlands had offered a contribution of approximately \$2 million for computer systems, personnel and office space for the processing of the backlog, which is expected to be completed within a period of approximately six months.

The Registry

25. The Registry is responsible for the administration and servicing of the judicial infrastructure of the Tribunal. As shown in annex I to the present report, the Registry comprises two main functional areas of support: the administrative and financial management services and the judicial support services. The Office of the Registrar includes units for press and information, security, and safety and legal support. For 1996, total requirements for the Registry amount to \$16,447,400 (see A/C.5/50/41, table 8). For the Registry, the Secretary-General requests 174 posts (68 Professional and 106 General Service), of which 48 are additional posts (25 Professional and 23 General Service) (see A/C.5/50/41, table 9).

26. With regard to the requirements for the defence counsel (paras. 59 to 63 and 97), under articles 18 and 21 of the Statute suspects or accused persons are entitled to, inter alia, legal representation of choice or, if indigent, to free legal assistance. The Committee notes from paragraph 97 that the estimates take into account the proposed amendments to the Directive on Assignment of Defence Counsel (see also paras. 6 and 63) and, upon request, the Committee was provided with a copy of the proposed amendments. The Tribunal proposes the assignment of co-counsel to relieve the workload of the defence counsel in complicated cases. In addition, amendments are proposed to the remuneration scale of the defence counsel so that fees are calculated on the basis of seniority for the lead counsel and for the co-counsel and include compensation for general office costs. The Committee notes that provision for co-counsel was not requested for the International Tribunal for Rwanda (see A/C.5/50/54, para. 76). Upon inquiry, the Committee was informed that, in accordance with the amended article 23 (A) of the Directive on Assignment of Defence Counsel, a remuneration paid to assigned counsel for any one case and at any one stage of the procedure will include (a) a fixed rate of \$400 per stage; (b) a fee of \$825 calculated on the basis of a fixed daily rate (approximately \$110 per 7.5 hours of work) applied at any stage of the procedure to the number of days of work; and (c) a daily allowance calculated on the basis of fixed rates as established by the United Nations schedule of daily subsistence allowance rates applied to the number of days of work (\$250 per diem for the Netherlands).

27. The Committee was informed that the provisions for the defence counsel of \$2,802,500 for 1996 (A/C.5/50/41, para. 97) were calculated on the basis of six cases in 1996 (about \$467,000 per case); the proposed amount would cover the remuneration, travel costs and support costs of 2,400 counsel work/days (18 defence counsel and 6 co-counsel assigned to represent suspects and defend the accused, with 100 days per lawyer per case), as follows:

	\$
Remuneration for the assigned defence counsel	1 620 000
Travel expenses of the defence counsel	39 575
Remuneration for assigned co-counsel	283 800
Travel expenses of assigned co-counsel	3 525
Cost for counsel assigned to a suspect	18 375
Investigation, legal research and other costs	<u>837 225</u>
Total	2 802 500

28. The Committee recommends that stringent procedures be established to determine (a) whether the accused is bona fide indigent and (b) the steps to be followed to recover payments by the United Nations from individuals not meeting the established criteria of indigence.

29. The Registrar has set up a list of about 30 lawyers from 11 countries who have volunteered to represent indigent suspects or accused (para. 60). The Committee recommends that vigorous efforts be made by the Registrar to expand the list of defence counsel so that lawyers of various systems of jurisprudence around the world are represented. The Committee notes from the amendment to

article 14 of the Directive on Assignment of Defence Counsel, and the consequential amendment to rule 45 of the Rules of Procedure and Evidence, that those on the list of counsel must have a suitable experience, seniority and familiarity with the subject-matter, as well as sufficient command of one or both of the working languages of the Tribunal.

30. For detention facilities (see A/C.5/50/41, paras. 64, 74, 98 and 107), provision of \$801,700 is requested for 1996 for the staff of the Detention Unit (one Commanding Officer and 23 prison guards, including 6 additional guards proposed for 1996). In addition the amount of \$292,600 is requested for the annual rent due to the host Government for the 24-cell detention facility. The lease agreement with the host Government also provides for meals and services for the detainees at a cost of \$102,700 for 1996. The Committee notes from paragraph 107 that, for the purpose of the estimate, it was assumed that the facility would be 25 per cent occupied (6 persons) for the first half of 1996 and 50 per cent occupied (12 persons) for the second half of 1996.

31. The Committee was informed that the prison guards must maintain security standards as established by the host Government. Under the host Government detention rules, the Tribunal is required to hire a minimum of 21 prison guards to supervise from 1 to 6 detainees. In this connection, it was indicated that the present 17 prison guards have incurred over 600 hours of overtime per month, which has not been paid by the United Nations but by the host Government. Upon inquiry, it was made clear that only four, not six, additional prison guards would be required for the detention facilities and that the Tribunal is negotiating with other Governments to provide those guards on a non-reimbursable basis. Moreover, under the rules governing the detention of persons awaiting trial or appeal before the Tribunal or otherwise detained under the authority of the Tribunal, the Committee was informed that the International Committee of the Red Cross (ICRC) had offered to contribute its personnel and expertise for inspections of the Tribunal's detention unit. The amendments to the rules of detention clarify the respective roles of ICRC and the Tribunal and provide detainees with greater freedom to communicate with the inspecting authority (see A/50/365-S/1995/728, para. 28).

32. The detention facility has held only one accused in custody since April 1995 (see A/C.5/50/41, para. 64, and A/50/365-S/1995/728, para. 103). The Committee recalls that the detention facility was formally turned over to the Tribunal as from 1 October 1994 and that, up to the time of writing of the Committee's previous report (A/49/7/Add.12), the cells were empty but the Tribunal nevertheless had to pay for rental, maintenance and security costs under the terms of the agreement with the host Government. The Committee further recalls that, on the assumption that there would be six occupants in 1994 and full occupancy in 1995 for the 24-cell detention facility, \$242,400 were budgeted as user costs relating to the detainees (see A/C.5/49/42, paras. 67 and 107). In addition, it was estimated that \$806,000 was required for the cost of up to 24 prison guards in 1995 and \$340,000 for the rent due to the host Government in 1994-1995 (ibid., paras. 102 (b) and 107). The Committee recalls that it had requested that arrangements for the detention of prisoners should be reviewed with the objective of reaching a more cost-effective arrangement (A/49/7/Add.12, para. 32). The Committee requests that this issue be kept under review. Furthermore, the Committee recommends that, should there

be detainees in Europe for the Tribunal for Rwanda, consideration be given to using the facilities at The Hague for temporary detention of accused individuals prior to departure for Arusha so as to minimize costs.

33. With regard to the Victims and Witnesses Unit (see A/C.5/50/41, paras. 65, 75, 95 and 140), the rules of procedure and evidence provide for its establishment within the Registry. The Unit provides services to both prosecution and defence witnesses. The Committee notes that one additional Professional post at the P-1/P-2 level is proposed for 1996 (para. 75). The Committee has no objection to this proposal. As indicated in paragraph 95, the budget proposals include provisions of \$6,500 for travel of staff members of the Unit and \$650,000 for victims and witnesses who are required to travel to the Tribunal for the purposes of hearings and trials (calculated at the rate of \$143 per diem for 14 days plus \$600 transportation cost per person for an estimated number of 250 witnesses); in addition, the amount of \$25,000 per person is requested for the travel of the accused. The Committee requested but did not receive the basis for the calculation of this estimate.

34. The Committee notes that other costs relating to the protection of victims and witnesses will be covered from voluntary contributions (A/C.5/50/41, para. 140). The Committee was unable to ascertain the status of expenditures of voluntary funds received by the Tribunal. The Committee recommends that the Secretary-General disclose fully, in the context of the next budget presentation, both the receipt and the application of voluntary funds. The Committee recalls that it had pointed out that at all times transparency of purpose and use of voluntary funds must be ensured, without compromising the confidentiality of information for the protection of victims and witnesses (A/49/7/Add.12, para. 27).

35. In the report of the Secretary-General (para. 77), it is proposed that the post of the Chief of Administration be upgraded to the D-1 level. Upon inquiry, the Committee was informed that this post, like all other posts of the Tribunal, had been classified for the first time by the Office of Human Resources Management. The Committee has no objection to the post grade levels proposed by the Secretary-General, which the Committee understands are in accordance with the results of the classification exercise conducted by the Office of Human Resources Management.

36. With reference to the proposed Personnel Office post at the P-3 level (para. 78), the Committee was informed, upon inquiry, that the Personnel Unit is currently staffed by a P-4 level Personnel Officer and three General Service staff. The Committee is not convinced of the need for an additional Professional post at the P-3 level for this area.

37. The Secretary-General proposes three additional General Service posts for the General Services Section to provide additional travel and maintenance support (paras. 80 and 88). The Committee does not believe that the establishment of these three additional General Service posts is warranted at this time.

38. The Committee notes that the proposed changes in the staffing table of the Language and Conference Services Section (para. 88) include, in addition to the

transfer of seven posts to the General Services Section, the abolition of three General Service posts and the establishment of 24 new Professional posts for translators (5 P-4, 11 P-3 and 8 P-1/P-2). On the basis of the information provided in the report of the Secretary-General and by representatives of the Tribunal during the discussion on the subject, the Committee recommends approval of this request.

39. The Committee notes that estimated requirements for contractual services amount to \$1,517,300, including \$1,187,400 for conference interpretation services and verbatim reporters (para. 100). Upon inquiry, the Committee was provided with the breakdown of the latter services, as follows:

	\$
(a) Conference interpreters:	
(i) 4 interpreters x 3 plenary sessions x 10 days x \$450/day	54 000
(ii) 6 interpreters (English/French and Bosnian/Serbian booths) x 6 trials x 32 days x \$450/day	518 400
(b) Verbatim reports:	
(i) 2 English verbatim reporters x 6 trials x 32 days x £820/day = £314,880 x 1/0.63 (exchange rate)	499 800
(ii) 6 French stenographers x 1 Trial Chamber x 96 workdays x \$200/day	<u>115 200</u>
Total	1 187 400

40. The Tribunal currently leases 6,809 square metres of office space, 358 square metres of other space (storage space, etc.) and 104 parking spaces, for an annual rent of \$1,004,471 (para. 101). To provide for additional space requirements in 1996, the Committee notes that the Tribunal plans to utilize 620 square metres of additional office space and 470 square metres of other space; the total annual rent is estimated at \$1,106,600. The Committee also notes that the Tribunal plans to construct a second courtroom designed for the Appeals Chamber (para. 109) and that estimates will be submitted in the report of the Secretary-General to the General Assembly at its fifty-first session. The Committee further notes that the terms of the lease provide for the Tribunal to assume on 1 January 1997 the balance of the facility, for a total of 15,907 square metres of office space, 3,622 square metres of other space and 398 parking spaces. The Committee was informed that the Tribunal is undertaking various activities to identify suitable tenants to sublet the surplus space (approximately 8,312 m²) as from 1 January 1997. The Committee believes that the Tribunal should redouble its efforts to ensure that the United Nations does not pay for space which it does not need.

41. The Secretary-General requests provisions for furniture and equipment amounting to \$1,534,300, including office automation hardware and software

(\$1,012,200) and the purchase of two vehicles (\$44,000) (paras. 121-128). The Committee understands from the discussion with representatives of the Secretary-General that provisions for office automation hardware and software (paras. 122 and 123), include state-of-the-art equipment for data capture and retrieval. The Committee notes that computer equipment of a value of approximately \$2.5 million was donated to the Tribunal during 1994-1995 (para. 136). Upon inquiry, the Committee was provided with the inventory of furniture and miscellaneous items; a detailed inventory of computer, communication and audio-visual equipment was not provided, however. From the information provided, it is not clear to the Committee what are the actual equipment requirements of the Tribunal and to what extent the requirements may be driven by highly sophisticated equipment already received by the Tribunal from various donors. The Committee intends to follow up on this matter in the context of the next budget submission for the Tribunal and requests that the relevant explanatory information be provided at that time.

42. With regard to the request for a provision for the purchase of two vehicles, the Committee notes that it is anticipated that, commencing in 1996, the United Nations peace-keeping forces may no longer make vehicles available to the Tribunal's field investigators on a per kilometre basis (para. 127). The Committee recommends that the Secretary-General examine the possibility of providing vehicles to the Tribunal from the inventory of vehicles previously used by the United Nations Protection Force and other missions.

43. With regard to the administration of the Tribunal, the Committee recalls that it had previously requested the Secretary-General to explore the possibility of common administrative arrangements for the United Nations entities at The Hague, subject to the statutory requirements of the bodies concerned (A/48/915, para. 19, and A/49/7/Add.12, para. 37). The Committee was informed that the issue remains under review with the administration of the International Court of Justice. The Committee reiterates its request, particularly in the light of the space situation mentioned in paragraph 40 above. The Committee further reiterates its view that, in respect to the long-term requirements of the Tribunal's work, information be provided in the context of the next budget submission on arrangements for the carrying out of sentences and for the protection of witnesses, including arrangements made with Governments.

III. CONCLUSIONS

44. On the basis of the comments and recommendations detailed in paragraphs 17, 21, 36 and 37 above, the Committee recommends that the appropriation of \$32,908,122 (net) be approved for the operations of the International Tribunal for the Former Yugoslavia for 1996. The amount recommended for appropriation would be in addition to \$8,619,500 gross (\$7,637,500 net) appropriated by the General Assembly in its resolution 50/212 for the period from 1 January to 31 March 1996 (see para. 2 above).

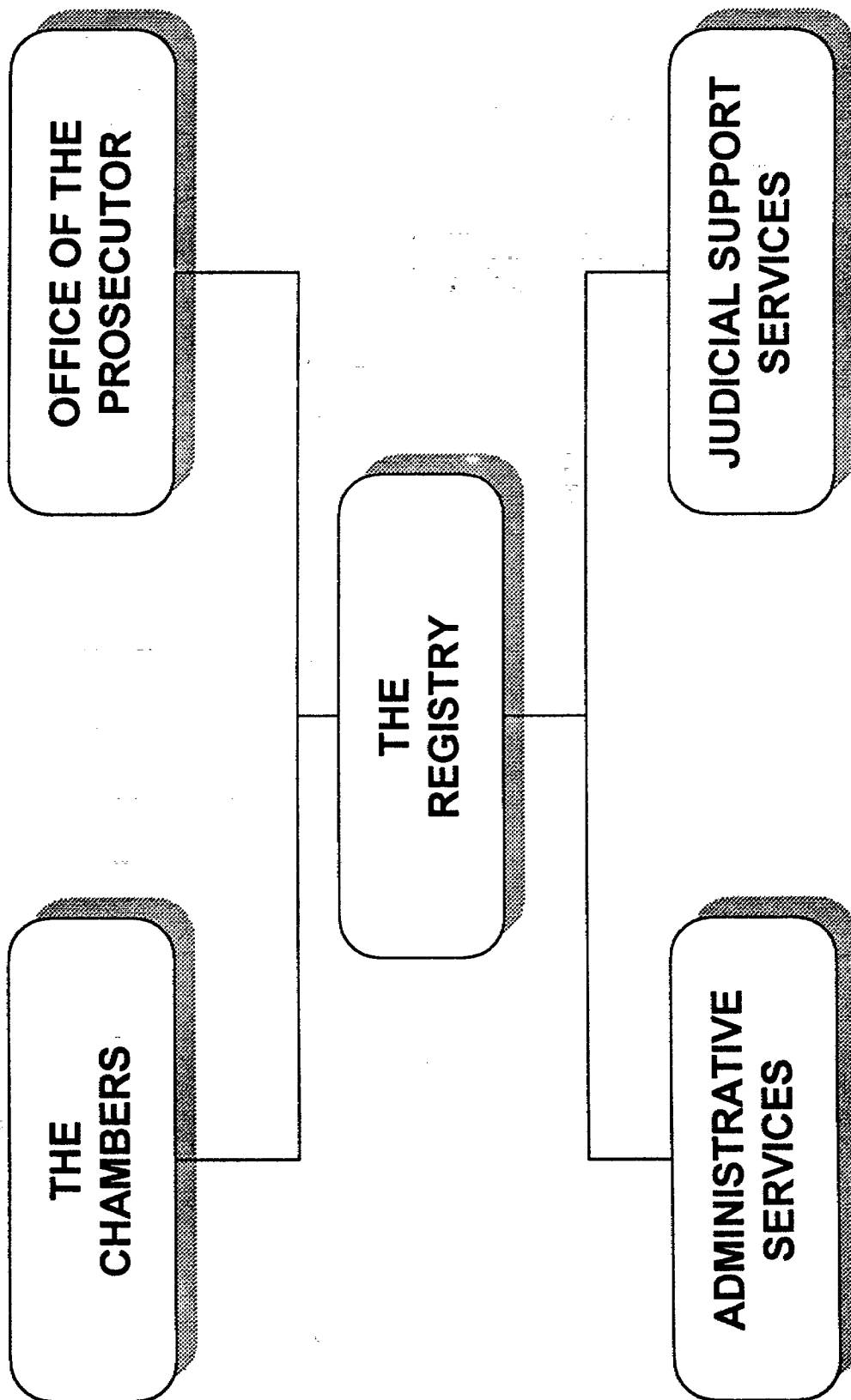
45. The Committee reiterates its view that the resources appropriated and authorized for the Tribunal need to be administered with flexibility consistent with the Financial Regulations and Rules of the United Nations. Furthermore,

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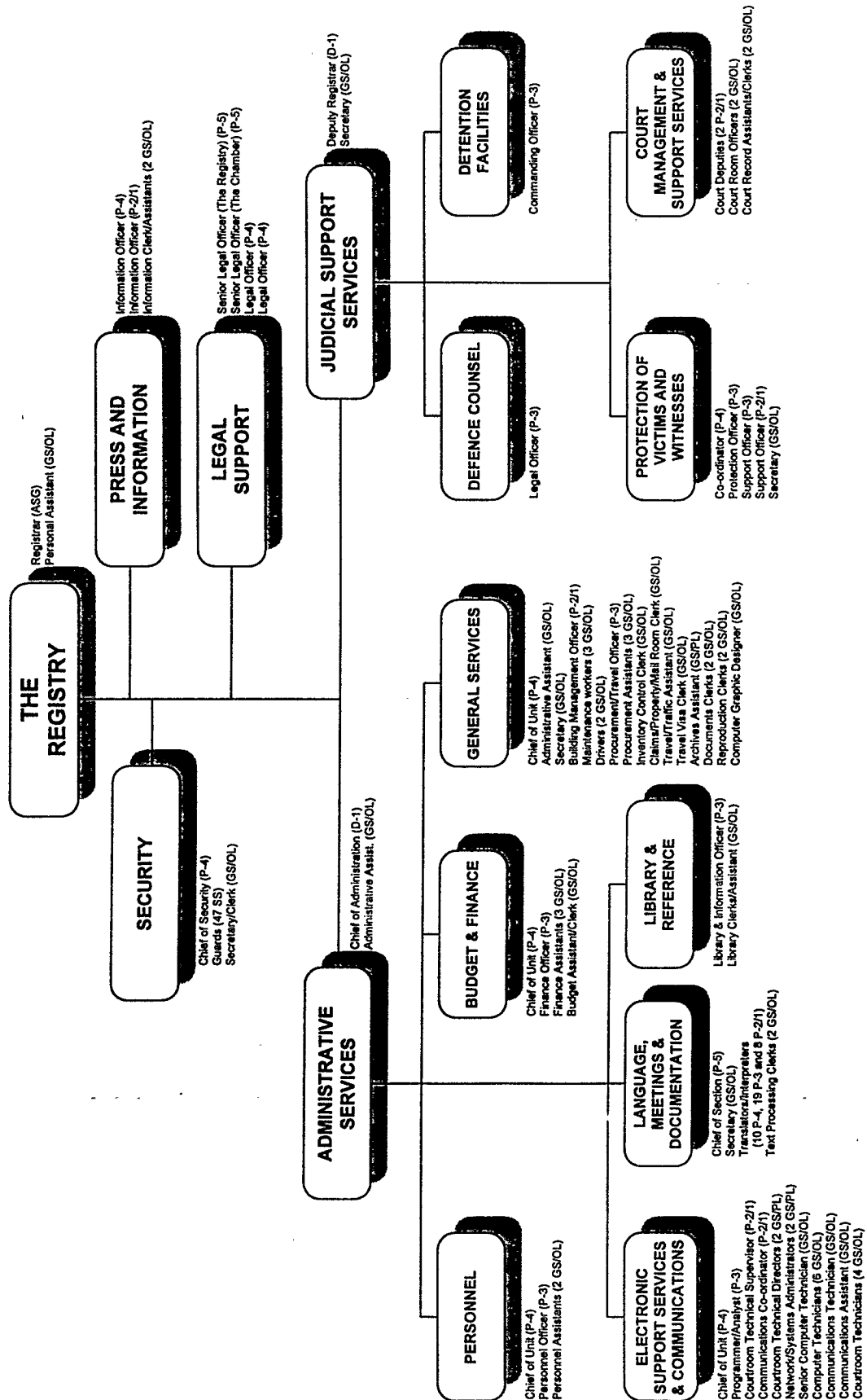
the Committee recalls that, in paragraph 27 of its resolution 49/242 B, the General Assembly decided to review the mode of financing of the Tribunal at its fifty-second session. The Committee believes that, given the need to prepare for the long-term implications of the work of the Tribunal and the requirements that may develop in 1996, the date of that review should be advanced.

Annex I

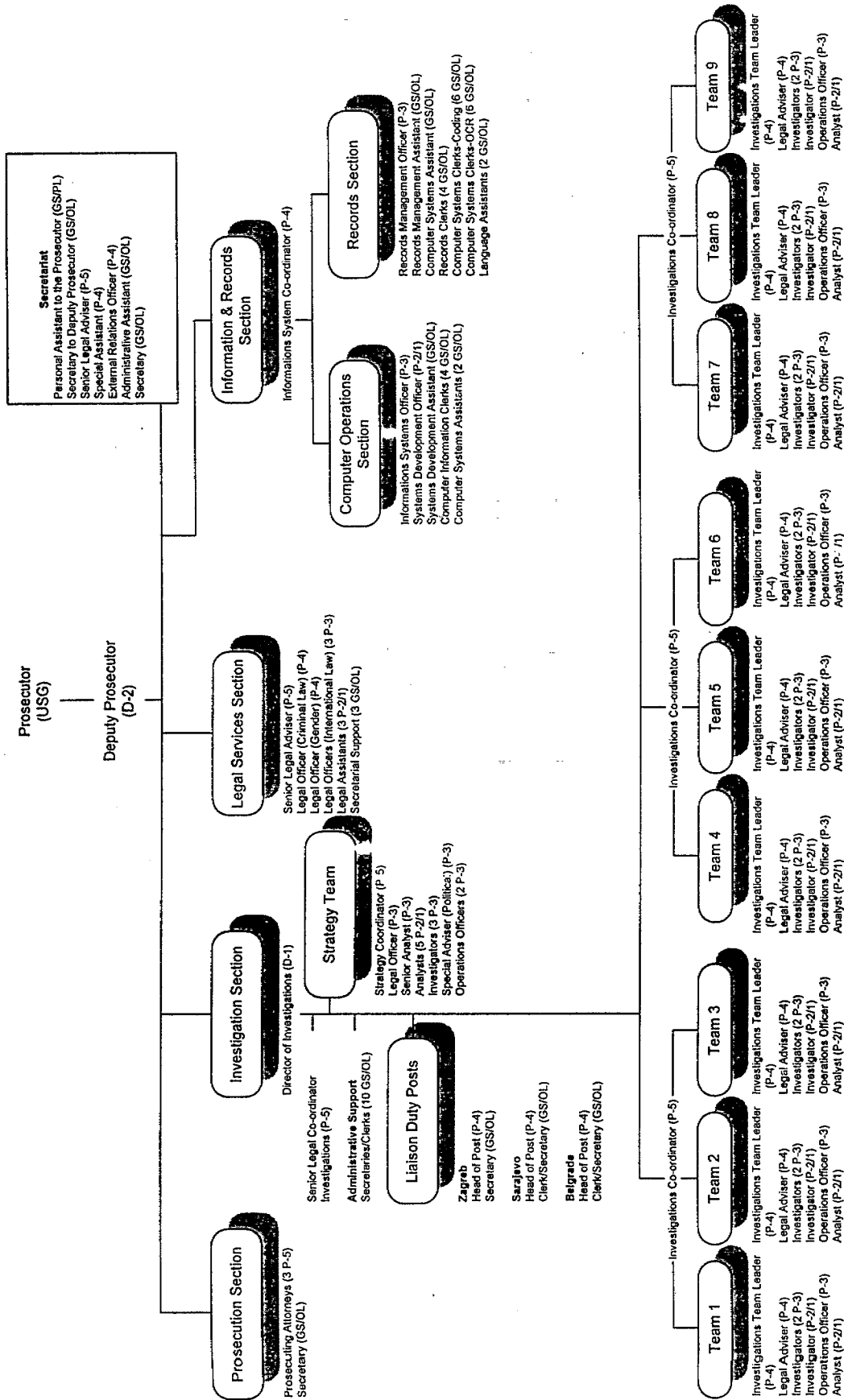
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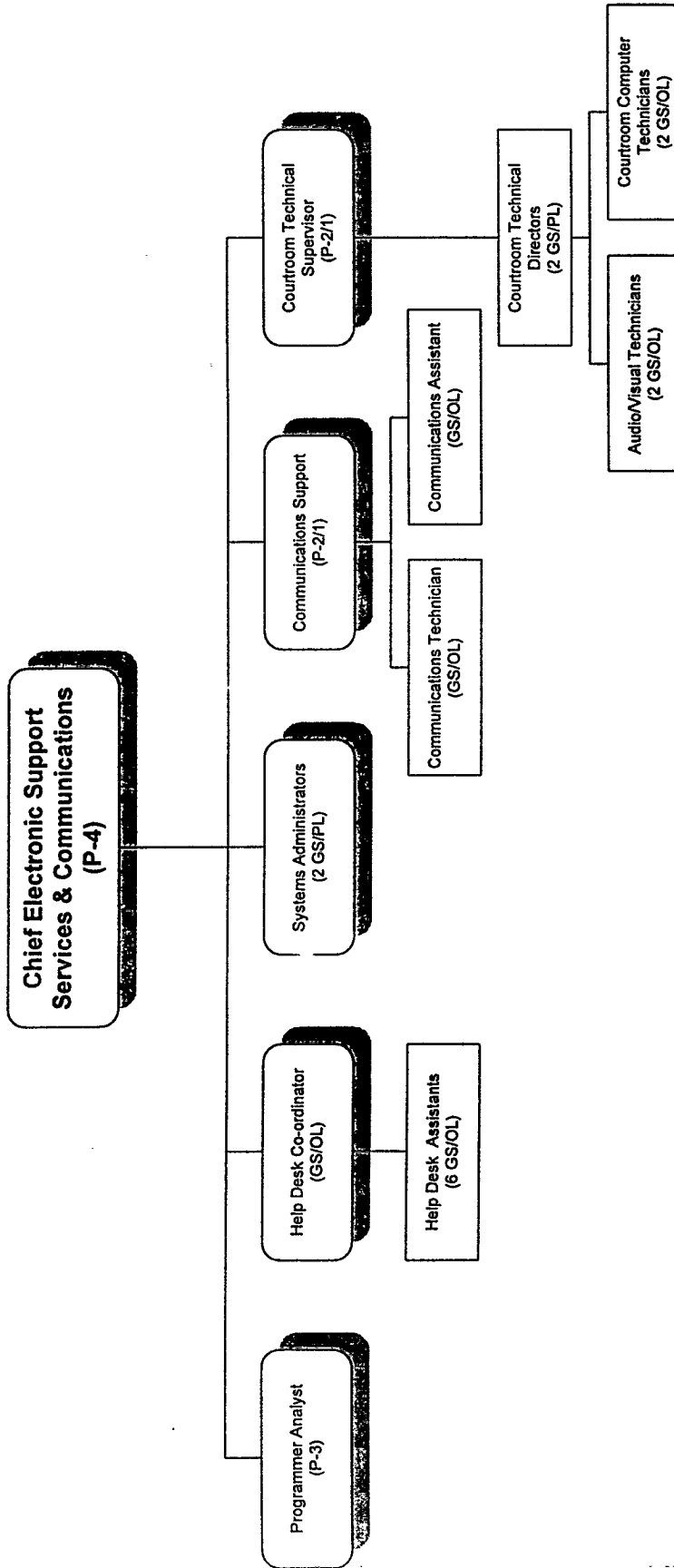
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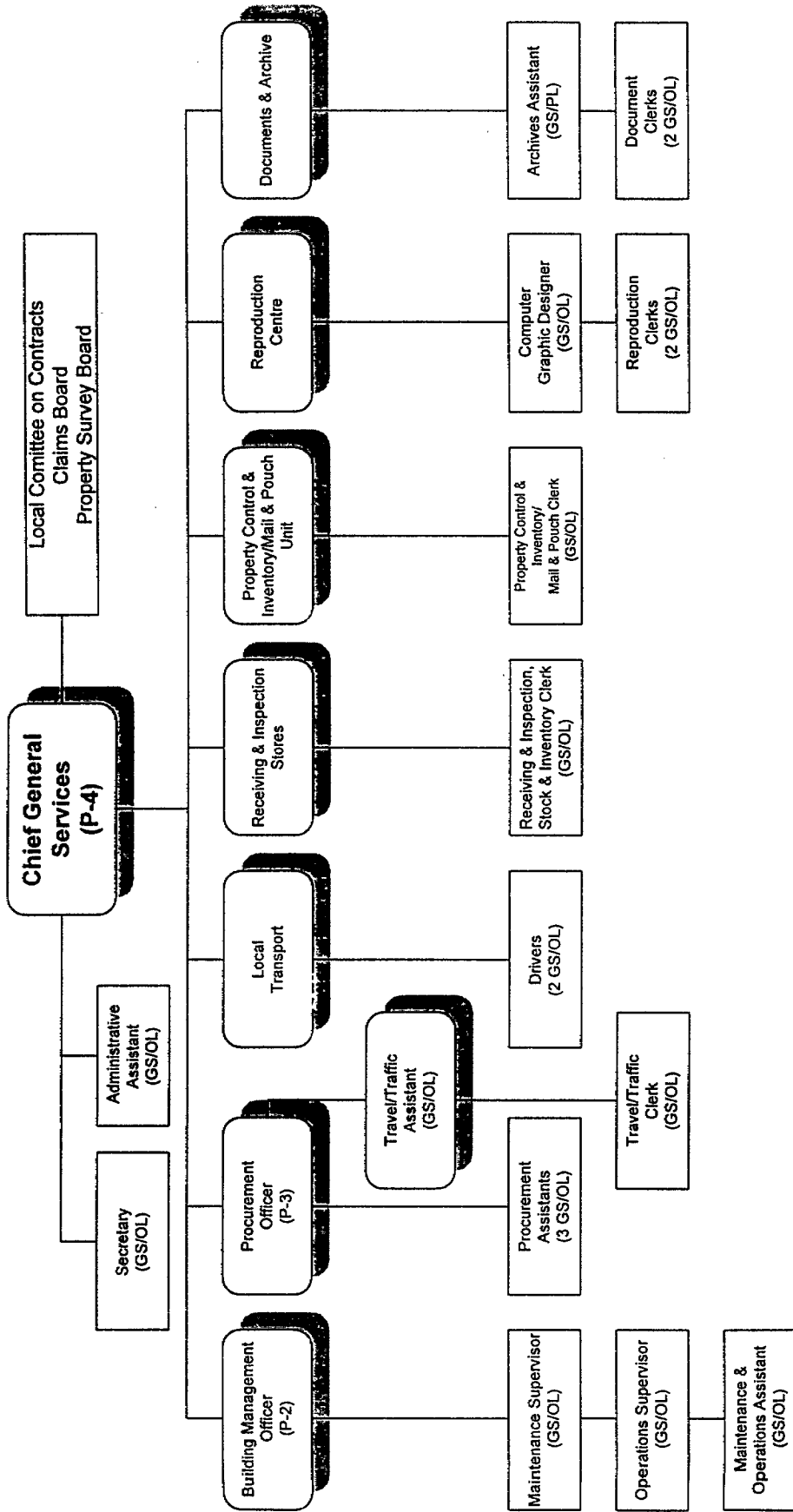
The Office of the Prosecutor



Electronic Support Services & Communications



General Services Section



Annex II

STAFFING STATISTICS

(as at 29 February 1996)

I. TOTAL NUMBER OF STAFF

A. Number of staff (on board) by level/sex

	<u>Professional</u>		<u>General Service</u>		
	<u>Male</u>	<u>Female</u>	<u>Male</u>	<u>Female</u>	
USG	1	0	G-7	0	0
ASG	0	1	G-6	0	0
D-2	1	0	G-5	1	4
D-1	1	0	G-4	9	35
P-5	6	2	G-3	31	10
P-4	18	8	G-2	7	0
P-3	26	17	G-1	<u>1</u>	<u>0</u>
P-2	13	13			
P-1	<u>3</u>	<u>4</u>		49	49
	69	45	Total	98	
Total	114				

B. Number of staff (on board) by level/nationality
 (Professional and higher categories)

USG	South Africa	(1)
ASG	Netherlands	(1)
D-2	Australia	(1)
D-1	Netherlands	1
P-5	Australia	1
	Canada	1
	France	2
	Spain	1
	Sweden	1
	United Kingdom	1
	United States of America	1

P-4	Australia	2
	Bulgaria	1
	China	1
	Croatia	3
	France	3
	Germany	1
	India	1
	Netherlands	2
	New Zealand	1
	Norway	1
	Philippines	1
	South Africa	1
	Sri Lanka	1
	Suriname	1
	Ukraine	1
	United Kingdom	3
	United States of America	2
P-3	Australia	2
	Belgium	4
	Bosnia and Herzegovina	2
	Canada	2
	Croatia	2
	Finland	1
	France	2
	Germany	2
	Italy	1
	Mexico	1
	Nepal	1
	Netherlands	4
	Norway	1
	Pakistan	2
	Philippines	1
	South Africa	1
	Sri Lanka	2
	Stateless	1
	Sweden	1
	United Kingdom	2
	United States of America	8
P-2	Argentina	1
	Bosnia and Herzegovina	2
	Canada	3
	Czech Republic	1
	France	1
	Germany	1
	India	1
	Ireland	1
	Japan	1
	Nepal	1
	Netherlands	1
	New Zealand	1

	Pakistan	1
	Philippines	1
	Senegal	1
	South Africa	1
	Stateless	2
	United Kingdom	1
	United States of America	3
	Yugoslavia	1
P-1	Australia	1
	Canada	1
	France	1
	Nepal	1
	Netherlands	1
	Norway	1
	United Kingdom	<u>1</u>
	Total	114

II. OFFICES OF THE REGISTRAR/JUDGES' CHAMBERS

A. Number of staff (on board) by level/sex
 (Professional and higher categories)

	<u>Male</u>	<u>Female</u>
ASG	0	1
P-5	2	1
P-4	3	5
P-3	8	7
P-2	1	4
P-1	<u>2</u>	<u>1</u>
	16	19
Total	35	

B. Number of staff (on board) by level/nationality
 (Professional and higher categories)

ASG	Netherlands	1
P-5	France	1
	Spain	1
	United States of America	1
P-4	Croatia	3
	France	2
	Netherlands	1

	Suriname	1
	United Kingdom	1
P-3	Australia	2
	Belgium	1
	Bosnia and Herzegovina	1
	Croatia	2
	Netherlands	1
	Stateless	1
	Sweden	1
	United Kingdom	1
	United States of America	5
P-2	Bosnia and Herzegovina	2
	India	1
	Philippines	1
	Yugoslavia	1
P-1	France	1
	Netherlands	1
	United Kingdom	<u>1</u>
	Total	35

III. OFFICE OF THE PROSECUTOR

A. Number of staff (on board) by level/sex (Professional and higher categories)

	<u>Male</u>	<u>Female</u>
USG	1	0
D-2	1	0
D-1	1	0
P-5	4	1
P-4	15	3
P-3	18	10
P-2	12	9
P-1	<u>1</u>	<u>3</u>
	53	26
Total	79	

B. Number of staff (on board) by level/nationality (Professional and higher categories)

USG	South Africa	1
D-2	Australia	1

D-1	Netherlands	1
P-5	Australia	1
	Canada	1
	France	1
	Sweden	1
	United Kingdom	1
P-4	Australia	2
	Bulgaria	1
	China	1
	France	1
	Germany	1
	India	1
	Netherlands	1
	New Zealand	1
	Norway	1
	Philippines	1
	South Africa	1
	Sri Lanka	1
	Ukraine	1
	United Kingdom	2
	United States of America	2
P-3	Belgium	3
	Bosnia and Herzegovina	1
	Canada	2
	Finland	1
	France	2
	Germany	2
	Italy	1
	Mexico	1
	Nepal	1
	Netherlands	3
	Norway	1
	Pakistan	2
	Philippines	1
	South Africa	1
	Sri Lanka	2
	United Kingdom	1
	United States of America	3
P-2	Argentina	1
	Canada	3
	Czech Republic	1
	France	1
	Germany	1
	Ireland	1
	Japan	1
	Nepal	1
	Netherlands	1
	New Zealand	1

	Pakistan	1
	Senegal	1
	South Africa	1
	Stateless	2
	United Kingdom	1
	United States of America	3
P-1	Australia	1
	Canada	1
	Nepal	1
	Norway	<u>1</u>
	Total	79

