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Draft budget proposals of the International Tribunal for the Law of the Sea for the budget period 2023-2024

Presented by the Tribunal

I. Overview

Introduction

1. During its Fifty-third Session (21 March to 1 April 2022), the Tribunal considered and approved its budget proposals for 2023-2024. In accordance with the Financial Regulations and Rules of the Tribunal, the budget proposals have been prepared in euros and cover a biennial budget period.
2. In line with established practice, the budgetary requirements of the Tribunal for 2023-2024 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 of the Tribunal must take account of the fact that the Tribunal, as a judicial body established under the United Nations Convention on the Law of the Sea ("the Convention"), is responsible for its own administrative and financial management.
4. In accordance with the approach adopted by the second Meeting of States Parties, the budgetary arrangements established for the Tribunal are based on an evolutionary approach, taking into account the needs of the Tribunal and optimizing efficiency. In this respect, due regard should be given to the judicial workload of the Tribunal.
5. On the basis of the Tribunal's List of cases, appropriations for part of one case on the merits, namely Case No. 28 (*Dispute concerning delimitation of the maritime boundary between Mauritius and Maldives in the Indian Ocean (Mauritius/Maldives)*), submitted to a Special Chamber of the Tribunal, are included in the budget for 2023-2024. In addition, as required by the Convention, the Tribunal must be prepared to deal with any urgent cases submitted to it during the budget period concerned, such as provisional measures proceedings under article 290 of the Convention and prompt release proceedings under article 292 of the Convention.

6. With the exception of case-related expenditures, the amount of which may vary in light of the judicial workload of the Tribunal, the budget for 2023-2024 follows an overall zero-growth approach.

Parameters used in preparing the budget proposals

7. In accordance with the Financial Regulations and Rules of the Tribunal, the proposed budget for the 2023-2024 budget period is presented in euros. However, the United States dollar remains the reference currency for some budget lines, such as the judges' pension scheme and representation allowance. The US dollar is also used as the reference currency for the budget estimates of common staff costs as well as those of translators, interpreters and verbatim reporters. These budget lines are subject to exchange rate fluctuations between the US dollar and the euro.

8. In this respect, it should be noted that the value of the US dollar against the euro is currently at a higher level than in March 2020, when the 2021-2022 budget was prepared. In March 2020, the exchange rate of the US dollar to the euro fixed by the United Nations stood at 0.884. In March 2022, the exchange rate of the US dollar to the euro fixed by the United Nations was 0.913, representing a 3.28 per cent increase with respect to the former rate. This has resulted in increases in the above-mentioned budget lines.

9. For the budget period 2023-2024, an amount of €2,390,100 is proposed under Part C "Case-related costs", which is €2,110,600 less than the amount of appropriations approved for 2021-2022. In light of paragraph 5, this decrease is due to the foreseeable judicial workload of the Tribunal for the budget period 2023-2024.

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

11. In light of the above, the following parameters have been utilized in preparing the budget proposals:

- (a) The judicial workload of the Tribunal;
- (b) The decisions of the Meeting of States Parties;
- (c) An exchange rate of the US dollar to the euro of 0.913, as adopted by the United Nations for March 2022;
- (d) The daily subsistence allowance (DSA) for Hamburg in February 2022, amounting to €319, as adopted by the International Civil Service Commission ("the ICSC");
- (e) Estimates relating to staff costs, based on standard costs issued by the Office of Programme Planning, Budget and Finance of the United Nations (OPPBF) (applicable to the International Court of Justice ("the ICJ") in The Hague for 2023);
- (f) Estimates relating to judges' remuneration, on the basis of the post adjustment multiplier of 37.6 and the exchange rate between the US dollar and the euro for March 2022 (0.913), as indicated above;

(g) An average inflation rate of 1.96 per cent, as determined by the Federal Statistical Office of Germany for the period from February 2020 to January 2022, has been applied to the following items:

- Communications;
- Purchase of equipment.

12. A table showing the proposed 2023-2024 budget of the Tribunal is contained in annex I to the present document. The table also includes approved budgets for the 2017-2018, 2019-2020 and 2021-2022 budget periods and performance records for the 2017-2018 and 2019-2020 budget periods.

Judicial work

13. The Tribunal has dealt with a number of cases in the course of the past three budget periods:

(a) In the budget period 2017-2018, the Special Chamber of the Tribunal constituted to deal with Case No. 23 (*Dispute concerning delimitation of the maritime boundary between Ghana and Côte d'Ivoire in the Atlantic Ocean (Ghana/Côte d'Ivoire)*) delivered its Judgment in 2017. The oral proceedings and part of the deliberations in Case No. 25 (*The M/V "Norstar" Case (Panama v. Italy)*) took place in 2018.

(b) In the budget period 2019-2020, the Tribunal continued its deliberations in Case No. 25 (*The M/V "Norstar" Case (Panama v. Italy)*) and delivered its Judgment in 2019. In the same year, the Tribunal delivered an Order in provisional measures proceedings in Case No. 26 (*Case concerning the detention of three Ukrainian naval vessels (Ukraine v. Russian Federation), Provisional Measures*). In addition, during the same period, the Tribunal delivered another Order in provisional measures proceedings in Case No. 27 (*The M/T "San Padre Pio" Case (Switzerland v. Nigeria), Provisional Measures*). In September 2019, a Special Chamber was constituted to deal with Case No. 28 (*Dispute concerning delimitation of the maritime boundary between Mauritius and Maldives in the Indian Ocean (Mauritius/Maldives)*). In respect of this case, Maldives raised preliminary objections in December 2019. The oral proceedings and deliberations on the preliminary objections took place in 2020. The Judgment on preliminary objections was delivered on 28 January 2021 and was covered by the 2019-2020 budget.

(c) Provisions for Case No. 29 (*The M/T "San Padre Pio" (No. 2) Case (Switzerland/Nigeria)*) in the amount of €2,197,300 were included in the 2021-2022 budget proposals. At the request of the parties, by Order of the President of the Tribunal of 29 December 2021, the *M/T "San Padre Pio" (No. 2) Case* was removed from the Tribunal's list of cases. No hearing and no meetings on Case No. 29 were held in 2021.

14. The oral proceedings in Case No. 28 (*Dispute concerning delimitation of the maritime boundary between Mauritius and Maldives in the Indian Ocean (Mauritius/Maldives)*) and part of the deliberations on the merits, including the initial meetings of the Drafting Committee, will take place in 2022. The costs relating thereto in the amount of €694,800 were included in the 2021-2022 budget proposals. The second part of the deliberations and the judgment of the Special Chamber will take place in 2023, for which provisions in the amount of €722,700 are included in the budget proposals for 2023-2024.

15. In addition, in order to ensure the discharge of the judicial functions of the Tribunal under articles 290 and 292 of the Convention, the budget proposals for 2023-2024 include provisions enabling the Tribunal to handle two urgent cases, for an amount of €1,667,400. As has been the Tribunal's practice, and in order to optimize efficiency and reduce costs, administrative sessions of the Tribunal will be planned to take place as far as possible in conjunction with judicial proceedings before the Tribunal.

16. In the budget proposals for 2023-2024, the estimates for parts of the meetings to deal with Case No. 28 (see paragraphs 14 and 90 to 93) and the estimates for two urgent cases are included in Part C "Case-related costs", as follows:

(a) Case No. 28 (*Dispute concerning delimitation of the maritime boundary between Mauritius and Maldives in the Indian Ocean (Mauritius/Maldives)*):

- 28 days of meetings of the Special Chamber;
- 14 days of meetings of the Drafting Committee;

(b) Two urgent proceedings (see paragraph 94):

- Three weeks of meetings in 2023 and three weeks of meetings in 2024, including oral proceedings, deliberations and the rendering of orders and judgments.

Judges

17. In determining the level of remuneration of the members of the Tribunal, in 1996 the fourth Meeting of States Parties adopted the principle of maintaining equivalence with the remuneration levels of judges of the ICJ.

18. The fourth Meeting of States Parties also 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 net base salary (based on the current level of remuneration);
- (b) A special allowance payable for each day that a judge is engaged in the business of the Tribunal. The maximum special allowance is one third of the annual net base salary divided into 220 working days;
- (c) A subsistence allowance for each day that a judge is required to be present at the seat of the Tribunal. The level of subsistence allowance is determined by the ICSC and is paid up to a maximum of one third of the annual net base salary.

19. The nineteenth Meeting of States Parties in June 2009 decided

to set, effective 1 July 2009, the annual net base salary of the members of the Tribunal at \$161,681, with a corresponding post adjustment multiplier equal to 1 per cent of the net base salary, to which would be applied the post adjustment multiplier for Hamburg, as appropriate, taking into account the post adjustment mechanism as proposed by the Secretary-General in paragraph 77 of his report A/62/538. (SPLOS/200)

20. In June 2011, the twenty-first Meeting of States Parties decided that

on the occasion of future revisions to the base scale applicable to staff of the United Nations in the Professional and higher categories that are effected through the consolidation of post adjustment multiplier points into the base scale with a corresponding readjustment in the post adjustment multipliers, the annual base salary of the members of the Tribunal also be adjusted by the same percentage and at the same time as in the case of judges of the International Court of Justice. (SPLOS/230)

21. Pursuant to successive revisions of the salary of the staff in the Professional and higher categories (see General Assembly resolutions 74/255 B, 75/245 and 76/240), the annual net base salary of the members of the ICJ was increased to \$181,840 effective 1 January 2020, \$185,295 effective 1 January 2021 and \$187,000 effective 1 January 2022, respectively. In accordance with the decision of the twenty-first Meeting of States Parties adopted on 17 June 2011 (SPLOS/230), the maximum remuneration of judges of the Tribunal was adjusted to the same level as the remuneration of the members of the ICJ and effective the same date.

22. In light of the above decisions, the estimates for annual and special allowances of judges of the Tribunal for 2023-2024 contained in annexes V, VII and VIII have been calculated by applying to the adjusted annual base salary the post adjustment multiplier applicable to Hamburg for March 2022 and the exchange rate between the US dollar and the euro for March 2022 fixed by the United Nations.

Registry

23. The Tribunal is an autonomous judicial institution and the staff of the Registry therefore has to discharge a wide range of tasks relating to judicial and legal matters, budget and finance, and administration.

24. The Registry provides all the necessary support and assistance required by the Tribunal for dealing with cases submitted to it, including provision of legal research, documentation, translation, interpretation, verbatim records, and communications to judges, the parties in the cases and other interested States and organizations.

25. The Registry is also responsible for the discharge of administrative tasks relating to the functioning of the Tribunal. These tasks include: staff and personnel matters; management of the Tribunal's finances and collection of contributions from States Parties; operation and maintenance of the premises of the Tribunal, including security matters; provision of library services and maintenance of archives; protocol; operation and maintenance of the electronic systems, including equipment, databases and the Tribunal's website; and administrative and logistical support for the travel of judges engaged in the business of the Tribunal. It also manages the internship and training and capacity-building programmes on dispute settlement under the Convention. Furthermore, 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.

26. Since the 2015-2016 budget period, the number of staff members has remained at 38. Given the limited number of staff, several staff members are required to fulfil a variety of duties, particularly during the consideration of cases, in order to deal with all tasks to be discharged by the Registry. Whenever a case

has to be dealt with, additional temporary support is procured (interpreters, translators, verbatim reporters and secretarial assistance).

Increases and decreases

27. As pointed out in paragraph 6, the Tribunal, in preparing the budget proposals for 2023-2024, continued to be guided by an overall zero-growth approach. Nevertheless, some parameters beyond the control of the Tribunal, such as the judicial workload, salaries and allowances, the rate of exchange between the US dollar and the euro, lead to certain increases and decreases compared with the appropriations for 2021-2022. The major items are listed below.

Increases

28. The budget proposals for 2023-2024 show increases in the following sections of the budget:

Recurrent expenditures

Section 1 “Judges”

(a) The annual net base salary of members of the Tribunal, as referred to in paragraph 21, was revised to \$187,000, effective 1 January 2022. In addition, the post adjustment multiplier for Hamburg was increased by 3.9% compared with January 2022, effective 1 February 2022. The DSA rate for Hamburg was also increased to €319 per day (from €309 in March 2020). Accordingly, the budget lines “Annual allowances” and “Special allowances” show an increase of €210,800 (€173,400 plus €37,400) compared with the amount of appropriations approved for the period 2021-2022.

(b) A new President will be elected in October 2023. The change in the Presidency requires a provision for the settling-in and relocation grants, and removal costs for the new President, as well as for the relocation and repatriation grants for the outgoing President. As a result, an amount of €206,900 is envisaged for the budget line “Judges’ common costs”. The provision for 2023-2024 in the budget line “Common costs” under Section 1 “Judges” is therefore €125,100 higher than the approved amount for the period 2021-2022.

(c) On the basis of the above, Section 1 “Judges” shows an overall increase of €335,900 compared with the approved amount for the 2021-2022 budget.

Section 2 “Judges’ pension scheme”

(d) The 2021-2022 budget provided for pension payments in the amount of US\$ 64,817 per month to 11 former judges and eight surviving spouses. In light of the 2020 election of judges and the passing away of one retired judge, in February 2022 the Tribunal paid pensions to 15 former judges and nine surviving spouses in the amount of US\$ 95,330. On this basis, the 2023-2024 budget proposal envisages an amount of €2,089,000 in the budget line “Pension in payment”, which is €713,800 higher than the appropriation approved for 2021-2022.

(e) Taking into account the increase of €713,800 in the budget line “Pension in payment” and the decrease in “Pension for retiring judges” in the amount of -€85,900 (see paragraph 29(a)), Section 2 “Judges’ pension scheme”

shows an overall increase of €627,900 in comparison with the approved amount for 2021-2022.

Section 3 “Staff costs”

(f) The Tribunal’s budgetary estimates relating to established posts are based on standard costs issued by the Office of Programme Planning, Budget and Finance (OPBF) of the United Nations applicable to the ICJ. Despite the fact that the number of staff remains at the same level as in the previous budget period, the amount proposed for established posts for the budget of the Tribunal for 2023-2024 is €64,200 higher than the amount approved for the 2021-2022 budget. This increase is due to an upward revision of the standard costs for the ICJ for 2023 of 1.07% compared with 2021. On this basis, an amount of €6,064,400 is proposed for the budget lines “Established posts” and “Staff assessment” in 2023-2024. This represents an increase of €64,200, after deduction of the amount of staff assessment, compared with the amount appropriated for 2021-2022.

(g) The budget line “Common staff costs” envisages a provision of €2,316,200, which represents an increase of €46,000 compared with the amount of appropriations approved for 2021-2022. This is due to the increase in the value of the dollar against the euro. The exchange rate applies to US dollar-based staff entitlements such as contributions to the Pension Fund and After Service Health Insurance (ASHI).

(h) The provision for the budget line “Temporary assistance for meetings” shows an increase of €11,400 in comparison with the approved amount for the 2021-2022 budget which is caused by the increase in the DSA rate for Hamburg payable to the interpreters and the increase in the exchange rate between the US dollar and the euro.

(i) Section 3 “Staff costs” shows an overall increase of €121,600 compared with the approved appropriations for 2021-2022.

Section 4 “Representation allowance”

(j) The total amount of €13,900 proposed for 2023-2024 is €500 more than the amount approved for 2021-2022. This is due to the increase of the value of the US dollar against the euro.

Section 7 “Operating expenditures”

(k) The budget line “Maintenance of premises” includes provisions for the facility management contracts, including gardening and security services. These contracts will expire in 2023 and have to be renewed. The increased rate agreed upon for the extension of these contracts has been taken into account. In addition, an increased provision for maintenance contracts, in particular for the new audiovisual system in the courtroom, has been included. Furthermore, amounts for supplies, gas, water, electricity, minor repairs and insurances have been adjusted in accordance with the 2021 budget performance and recent sharp price increases. The budget line “Maintenance of premises” shows an increase of €224,900 compared with the approved amount for 2021-2022 (see paragraphs 70 to 76).

(l) The budget line “Rental and maintenance of equipment” includes provisions for rental and leasing costs for computer equipment, photocopiers and the official cars of the Tribunal. It also includes provisions for the maintenance costs of the Tribunal’s digital and information technology equipment, such as the Tribunal’s computer operating system, the library software and archiving software, and the email system. The telephone system of the Tribunal was

installed 15 years ago and is now due for replacement. A new system will be leased. In addition, the library and archiving software has been renewed and the maintenance fees have increased. As a result, an increase of €15,000 per annum compared with the approved amount for 2021-2022 is proposed.

(m) The budget line “Communications” includes provisions for telephone charges, online charges, courier services and postage. Due to price increases for these services, an adjustment of 1.96 per cent for inflation has been included. An increase of €5,700 compared with the approved amount for 2021-2022 is proposed.

(n) In the past, the budget line “Miscellaneous services & charges (incl. bank charges)” was mainly used to provide for bank charges. Recently, the United Nations has started charging the Tribunal for various services as a member of the International Civil Service Commission and the United Nations common system of salaries, allowances and benefits (e.g. salary surveys). In addition, the fees for participation in proceedings before the United Nations Appeals Tribunal have increased. Bank safekeeping charges for cash have also been included in this budget line. These charges are new and were not therefore included in previous budgets. The budget line “Miscellaneous services & charges (incl. bank charges)” shows an increase of €94,900 in comparison with the approved amount in the 2021-2022 budget.

(o) In total, the proposed amount for Section 7 “Operating expenditures” is €355,200 higher compared with 2021-2022 (see paragraphs 76, 77, 79 and 81), taking account of the decrease in paragraph 29 (b).

Section 8 “*Library and related costs*”

(p) The budget line “External printing and binding” envisages a provision of €88,300, which represents an increase of €6,300 over the appropriation approved for 2021-2022. The increase is due to high price increases for external printing and related services. The amount proposed for Section 8 “Library & related costs” is therefore €6,300 higher than the amount approved for 2021-2022.

Non-recurrent expenditures

Section 9 “*Furniture and equipment*”

(q) The budget line “Purchase of equipment” includes provisions for the purchase of electronic equipment (computers, laptops, printers, servers, etc.) furniture and other equipment. Due to price increases, the provision for “Purchase of equipment” has been adjusted by inflation. An increase of €4,700 compared with the approved amount for 2021-2022 is proposed.

Decreases

29. The 2023-2024 budget proposals show decreases in the following sections of the budget:

Recurrent expenditures

Section 2 “*Judges’ pension scheme*”

(a) The budget line “Pension for retiring judges” provides for seven judges whose term of office expires in September 2023 for a period of 15 months, while the 2021-2022 budget provided for seven judges for a period of 24 months. The

proposed appropriation amounts to €508,100, which represents a decrease of €85,900 compared with the approved amount for 2021-2022. The final number of retiring judges will depend on the results of the elections in June 2023.

Section 7 “Operating expenditure”

(b) The budget line “Special services (external audit)” provides for the payment of the financial auditor in the amount of €14,400. On the basis of the offer from BDO (see SPLOS/30/4), this amount represents a decrease of €300 compared with the appropriation level approved for 2021-2022.

Case-related costs

Section 12 “Judges” and Section 13 “Staff costs”

(c) All budget lines under Part C “Case-related costs” show decreases due to the judicial workload of the Tribunal for the budget period 2023-2024. The 2021-2022 budget provided for an entire merits case (Case No. 29) and part of the deliberations of a case on the merits submitted to a Special Chamber (Case No. 28). The budget for 2023-2024 provides for the other part of the deliberations of the merits case submitted to the Special Chamber (deliberations, meetings of the Drafting Committee and the judgment). In line with budget proposals for previous budget periods, the budget proposal for 2023-2024 includes provisions for two urgent cases.

(d) On that basis, the provision for Section 12 “Judges” amounts to €1,692,100, a decrease of €1,581,300 compared with the approved amount for 2021-2022. The proposed amount for Section 13 “Staff costs” amounts to €698,000, which represents a decrease of €529,300.

Total increases and decreases

30. Taking into account the proposed increases stated in paragraph 28 (€1,538,300) and the decreases stated in paragraph 29 (-€2,196,800), an overall decrease of €658,500 is envisaged for the budget period 2023-2024.

II. Draft budget proposals

Part A (sections 1 to 8) Recurrent expenditure

31. 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.

32. During these sessions, matters relating to the work of the Tribunal are considered by the plenary, the committees of the Tribunal and the chambers of the Tribunal: the Seabed Disputes Chamber, the Chamber for Maritime Delimitation Disputes, the Chamber for Marine Environment Disputes, and the Chamber for Fisheries Disputes. The legal issues addressed in 2021 pertained to the Tribunal’s jurisdiction, rules and procedures.

33. At these meetings, the Tribunal also addresses administrative and organizational matters. In order to ensure that these are dealt with efficiently, the Tribunal has established special committees composed of judges, to which the Tribunal refers various matters for detailed consideration and for

recommendations for approval by the plenary (Committee on the 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). Administrative issues addressed include decisions to be taken as regards staff appointments, supervision of the work and organization of the Registry, maintenance of the premises and related facilities of the Tribunal, public relations and publications of the Tribunal, such as judgments and orders, and preparation of the draft budget, the annual report and proposals for submission to the Meeting of States Parties.

Section 1 Judges

34. Pursuant to the decisions of the fourth and twenty-first Meeting of States Parties (see paragraphs 18 and 20), the level of remuneration of judges at the ICJ is to be used as the comparator. Taking account of ICJ judges' remuneration, effective 1 January 2022, the annual base salary of judges at the Tribunal is set at the level indicated in paragraph 21.

35. The budgetary estimates for the remuneration of judges for 2023-2024 under Part A "Recurrent expenditure" are set out in annex V.

36. As in previous years, appropriations relating to cases are placed under Part C "Case-related costs" and will be utilized for such purposes only (see Part C and annexes VII and VIII).

1.1 Annual allowances

37. This budget line consists of the following: the annual allowances of the President and the other members of the Tribunal and the allowances of the President and the Vice-President (see annex V).

38. The President is required to reside at the seat of the Tribunal and receives an annual remuneration of \$187,000. The annual allowance of the other members of the Tribunal amounts to one third of the maximum annual remuneration (\$62,333).

39. In addition, the special allowance of the President is paid in the amount of \$25,000 per annum in line with the practice at the ICJ, whose President has been entitled to this amount since 1 January 2011, in keeping with the decision adopted by the General Assembly on 24 December 2010 (see resolution 65/258, paragraph 6). The President is not entitled to the judges' special allowance or subsistence allowance for attending meetings of the Tribunal.

40. The Vice-President receives an allowance for each day on which he acts as President. The rate for this allowance is fixed at \$156 per day in line with the practice at the ICJ, whose Vice-President has been entitled to this amount since 1 January 2011 (United Nations General Assembly resolution 65/258, paragraph 6). As in previous years, budgetary appropriations have been calculated on the basis that the Vice-President is present at the seat of the Tribunal to act as President for up to two weeks per annum (this includes DSA, special allowance and the Vice-President's special allowance when the Vice-President acts as President). Accordingly, a provision of €22,600 is made to meet the requirement.

This represents an increase of €800 compared with the appropriation approved for 2021-2022, resulting from the increase in the DSA rate applicable to Hamburg.

41. A provision of €3,670,400 is envisaged under this budget line, which represents an increase of €173,400 over the appropriation approved for 2021-2022 as explained in paragraph 28(a).

1.2 Special allowances

42. Judges are paid a special allowance for each day that they are engaged in the business of the Tribunal during its sessions and a subsistence allowance is paid for each day that a judge is required to be present at the seat of the Tribunal (see annex V).

43. Judges are 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.

44. In respect of sessions for a total of four 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 10 days for each of the 20 judges. Payment of this allowance is subject to authorization by the President.

45. In the 2021-2022 budget period, a provision was approved regarding subsistence allowance for preparatory work for a total of five days for up to 10 judges per annum (50 days of DSA). An amount of €44,600 is proposed for 2023-2024, which represents an increase of €800 compared with the amount approved for 2021-2022. Subject to authorization by the President, this provision may be utilized to pay DSA to judges when they carry out preparatory work away from their normal place of residence or to pay special and daily subsistence allowances when they are engaged in the business of the Tribunal (e.g. for special meetings of the Committee on Budget and Finance to prepare the biennial budget proposals or for attending the Meeting of States Parties).

46. A provision of €972,000 is made under this budget line on the basis of the exchange rate, the post adjustment multiplier and the DSA rate for March 2022. This represents an increase of €37,400 compared with the appropriation approved for 2021-2022, as explained in paragraph 28(a).

1.3 Travel to sessions

47. The President resides at the seat of the Tribunal. Except for the President, judges are required to travel to Hamburg to attend sessions of the Tribunal.

48. This budget line covers the costs incurred for judges' travel to Hamburg to attend sessions during the 2023-2024 budget period. A provision of €298,800 has been envisaged to meet the requirements. The sum of €149,400, representing the amount per annum, is intended to cover 20 judges travelling each year to two sessions. The amount is at the same level as that approved for the 2021-2022 budget but an increase in travel costs is anticipated.

1.4 Common costs

49. This budget line includes the common costs in respect of the President, the insurance scheme for work-related accidents and removal costs of personal effects of judges whose mandate ends during the budget period concerned (see annex VI).

50. A new President will be elected in October 2023. The change in the Presidency requires a provision for the settling-in and relocation grants, the

removal cost for the new President, as well as for the relocation and repatriation grants for the outgoing President. In addition, a provision of €8,400 is envisaged in 2023 for removal costs of seven judges whose term of office will expire on 30 September 2023. The amount that will actually be utilized will depend on the result of the election in June 2023. The increase of €125,100 compared with the approved amount in the 2021-2022 budget is due to the fact that there were no elections and no change in Presidency in 2021-2022. On that basis, a total amount of €206,900 is proposed for 2023-2024 under this budget line.

Section 2

Judges' pension scheme

51. 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).

52. In order to cover the costs of pension payments, a total amount of €2,597,100 is proposed for 2023-2024 (see annex IX). This represents an increase of €627,900 over the provision made for 2021-2022, as explained in paragraphs 28(d) and 29(a).

2.1 Pension in payment

53. At present, pensions are payable to 15 former judges and to nine surviving spouses. These pension payments will continue during 2023-2024, which will require a provision of €2,089,000. As explained in paragraph 28(d), this amount is €713,800 higher than the 2023-2024 provision.

2.2 Pension for retiring judges

54. A triennial election of seven judges will take place in June 2023. A provision for pension payments to seven judges whose terms of office will expire has been envisaged in the 2023-2024 budget for a period of 15 months starting in October 2023. This amounts to €508,100, which is €85,900 lower than the appropriation approved for 2021-2022, for the reasons explained in paragraph 29(a).

Section 3

Staff Costs

3.1 Established posts

55. As explained in paragraphs 23 to 26, the functioning of the Tribunal presupposes the discharge by the Registry of many different responsibilities, including legal and administrative tasks.

56. The 2023-2024 post requirements for staff in the Professional and higher categories are set out in annex II and those for staff in the General Service category in annex III. The number of posts remains at 38, which is the same number of posts approved in the 2021-2022 budget.

57. In 2012, the duties concerning Personnel, Building and Security, supervision of conference services and coordination of general administration were placed under the responsibility of the Head of Personnel, Building and Security, a post at P-4 level. The incumbent of this P-4 post will retire effective 1 May 2022. This

provides an opportunity to reconsider the structure of the Administration Department. Given the diversity of the duties assigned to the post and the related level of expertise and experience required, a restructuring of the Administration Department was implemented as follows:

(a) The functional title of the P-4 post was changed from “Head of Personnel, Building and Security” to “Head of Personnel and Building” and the job description for the post was adjusted in order to place emphasis on the handling of personnel matters within the Registry, as well as the supervision and coordination of the Administration Department.

(b) At the same time, and with a view to strengthening the provision of building management and security services, the Tribunal decided to transfer the post of Administrative Officer (P-2) from the Personnel Unit to the Building and Security Unit and to change the functional title for the post from “Administrative Officer” to “Building Facilities Management and Security Officer”.

No additional costs were incurred as a result of the restructuring of the Administration Department. A revised organization chart is attached as annex XII.

58. Budgetary estimates relating to staff costs of the Tribunal are based on standard costs issued by the Office of Programme Planning, Budget and Finance of the United Nations (OPPBF). Since standard costs have not been calculated for Hamburg, the standard costs applicable to the ICJ for 2023 have been applied. On this basis, it is proposed to appropriate a net amount of €6,064,400 for the established posts in 2023-2024. After deduction of the amount of staff assessment, this represents an increase of €64,200 compared with the amount appropriated for 2021-2022.

3.2 Staff assessment/credit

59. As explained in paragraph 10, in accordance with the decision of the thirteenth Meeting of States Parties (SPLOS/98, paragraph (a)), the 2023-2024 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.

3.3 Common staff costs

60. Common staff costs comprise the various entitlements of staff, including pension contributions, medical insurance and After Service Health Insurance (ASHI) contributions, education grants and language and dependency allowances, as required under the Staff Regulations and Rules of the Tribunal.

61. On the basis of actual requirements for the budget period 2023-2024, common staff costs amount to €2,316,200, which represents an increase of €46,000 compared with amount that was approved for the 2021-2022 budget period (see annex X). This is due to the increased value of the US dollar against the euro.

3.4 Overtime

62. Owing to the nature of the work of the Tribunal, it is unavoidable that some staff members have to work beyond normal working hours, particularly during sessions. In the case of staff members in the Professional category, compensatory time off may be granted for that purpose. For staff members in the General Service category, overtime payments cannot always be replaced by compensatory time

off, particularly in a small Registry such as the Tribunal's. On the basis of past performance, a provision of €25,000 is requested for 2023-2024. This is the same amount as the appropriation approved for 2021-2022.

3.5 Temporary assistance for meetings

63. In line with the practice of other international judicial institutions, not all personnel needed to service meetings are employed by the Tribunal on a permanent basis. This provision covers emoluments and costs of travel for interpreters, revisers, translators, audio equipment operators and additional secretarial staff recruited specifically for sessions not directly related to cases. The provision also covers the costs of other conference-related staff and personnel needed to service meetings. The amount proposed takes into account the fact that most personnel required, particularly translators and interpreters, are not readily available at the seat of the Tribunal.

64. A provision of €260,100 is proposed for 2023-2024, which represents an increase of €11,400 as compared with the appropriation approved for 2021-2022, for the reasons explained in paragraphs 28(h).

3.6 General temporary assistance

65. 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. The provision is also used to hire individual contractors to assist with administrative matters and to provide technical assistance. The total provision proposed for general temporary assistance for 2023-2024 is €117,900, which is the same as the appropriation approved for 2021-2022.

3.7 Training

66. 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 areas, such as desktop publishing or referencing for Linguistic Services, is also necessary to ensure the efficient functioning of the Registry. Language training is also required to promote proficiency in the two official languages of the Tribunal as well as efficiency in relations between the Tribunal and the host country. It may be added that, as the Tribunal follows the United Nations common system, it is important to train staff members regularly in matters where the expertise of United Nations institutions may be useful for the functioning of the Registry (staff matters, finance, procurement, pension, etc.). A provision of €86,600 is proposed for 2023-2024, which is the same amount as approved for 2021-2022.

Section 4 Representation allowance

67. 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 2023-2024 is US\$ 15,200, the same dollar amount as approved for 2021-2022. Converted to euros this represents an increase of €500.

Section 5 Official travel

68. This provision is to cover the travel costs of the President and other judges, as necessary, and the Registrar and staff when on official business of the Tribunal. The appropriation proposed for official travel in 2023-2024 is €185,000, which is the same amount as the amount approved for 2021-2022.

Section 6 Hospitality

69. This provision is to cover the Tribunal's hospitality requirements. The amount proposed for 2023-2024 is €14,700, which is the same amount as the appropriation approved for 2021-2022.

Section 7 Operating expenditure

7.1 Maintenance of premises, including security

70. The Tribunal has to run a large modern building containing complex equipment and systems. 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 47 maintenance contracts in force. These contracts are continually reviewed and regularly renegotiated with a view to monitoring costs and avoiding increases.

71. The Tribunal is required under the Premises Agreement to contract a facility management service provider for services related to the operation, management and maintenance of the premises, including cleaning, waste disposal, work related to the water and power supplies, snow and ice removal, and gardening. The current facility management contract is valid until May 2023 and may be extended. The prices for this extension have been included. Thus, an amount of €1,152,400 is proposed for facility management, €85,600 more than the approved amount for 2021-2022.

72. The Tribunal's current security contract will also expire in August 2023 and it is possible to extend it for a further period. The total cost for the new security contract is €450,200 for the biennium, which is €20,200 higher than the approved provision in the 2021-2022 budget.

73. Prices for electricity and gas have increased over the past six months. In addition, there is a general trend towards significant rises in energy prices. In line with this trend, the German Institute for Federal Real Estate, with which the Tribunal has a pool contract for the provision of electricity and gas supplies, has recently announced a sharp price increase. It may be noted that the Tribunal participates in the pool contract under better than market conditions. The provision for electricity, gas and water has been adjusted accordingly on the basis of previous years' consumption and increased prices. An amount of €598,000 is

proposed for the 2023-2024 budget period, which is an increase of €130,000 compared with the amount approved for 2021-2022.

74. As provided for in the Premises Agreement with the host country, the Tribunal has to carry out minor repairs to the building, for which €50,000 is allocated in the budget proposal in line with previous budget proposals. As in previous years, a provision of €15,000 for other repairs has also been included.

75. The Tribunal's facilities and building equipment, such as the electrical installations, lifts and sprinkler and alarm systems, have to be inspected in accordance with German building regulations. On the basis of past performance the amount allocated for the inspections is €30,000 per annum, which is €5,000 per annum less than the amount approved for 2021-2022.

76. In light of the foregoing, the amount of €2,869,600 is proposed for 2023-2024, which represents an increase of €224,900 over the appropriation approved for 2021-2022. The details of the expenditure relating to the maintenance of the premises are shown in annex XI.

7.2 Rental and maintenance of equipment

77. Renting or leasing items of equipment, including photocopiers, computer equipment and official cars, has in some cases proved more economical than purchasing them. Maintenance costs resulting from outright purchase of such equipment are thus avoided. In addition, owing to advances in technology, the administration of the Tribunal had to acquire a number of items of digital and information technology equipment, such as the accounting system, library software, archiving software, the electronic data-management system, the telephone system and the email system. For these items, the Tribunal had to conclude maintenance contracts for the provision of urgent technical support and the acquisition of software updates. Various fees for the above-mentioned maintenance contracts show annual price increases which have been taken into account in the amount proposed for 2023-2024. As indicated in paragraph 28(1), the telephone system will be renewed, with increased leasing fees. A provision of €419,500 is proposed for 2023-2024, an increase of €30,000 compared with the amount approved for 2021-2022.

7.3 Communications

78. Expenses for the communications of the Tribunal include: postage and courier services; telephone calls; email; tele/videoconferencing; Internet connections; and access to databases.

79. The provision for communications by means of telephone, Internet and courier services includes the cost of communication between the Registry and judges working away from the seat of the Tribunal. It also includes the cost of leasing the necessary telephone lines to optimize efficiency in maintaining a website and email and Internet connections for the premises. Prices for the above-mentioned means of communication have increased recently. In light of previous experience and taking the increased prices into account, the amount of €199,800 is proposed for 2023-2024. This amount is the same as the appropriation approved for 2021-2022, adjusted by inflation (€5,700).

7.4 Miscellaneous services and charges (including bank charges)

80. 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 specific budget line. The provision has been at a steady level for a number of budget periods as mainly bank charges were covered. However, recently, the United Nations started charging the Tribunal for various services as a member of the United Nations Common System for salaries, allowance and benefits. The charges include salary surveys, membership in the International Civil Service Commission and jointly financed administrative activities. In addition, the Office for Administration of Justice has doubled the fees for participating in proceedings before the United Nations Appeals Tribunal.

81. The provision under this budget line also covers the negative interest the Tribunal has been charged by the bank since April 2020 for its cash held with the bank. In 2014, the European Central Bank started charging commercial banks interest on cash deposits. In 2019, Deutsche Bank and most other commercial banks in Germany and in other countries in the euro zone began to pass these charges on to their customers. As a consequence, the Tribunal has been charged interest on its cash funds since April 2020. The bank will continue charging interest on cash deposits and there are currently no options to reduce these charges. Taking the above into consideration, the budget line “Misc. services & charges (incl. bank charges)” shows an increase of €94,900 compared with the approved amount for the 2021-2022 budget. In light of these changes, an amount of €132,000 is proposed for 2023-2024, which represents an increase of €94,900 compared with the appropriation approved for 2021-2022.

7.5 Supplies and materials

82. This provision is to cover the costs of office and other supplies, materials and services at the premises. On the basis of past performance, the amount of €125,600 is proposed for 2023-2024. This is the same amount as the appropriation approved for 2021-2022.

7.6 Special services (external audit)

83. Pursuant to the Financial Regulations and Rules of the Tribunal, in December 2020 the Meeting of States Parties appointed the firm BDO as the financial auditor for the financial periods 2021 to 2024 (see SPLOS/30/14/Add.1, paragraph 67). An amount of €14,400 is proposed to cover expenditure in this respect for 2023-2024 on the basis of the offer from BDO (see SPLOS/30/4). This amount represents a decrease of €300 compared with the appropriation level approved for 2021-2022.

Section 8 Library and related costs

8.1 Procurement of books and publications

84. The availability of high-quality library facilities at the Tribunal is indispensable for its effective operation. The Library needs to acquire publications that form the basis of a core collection in international law. Given the scope of the Tribunal’s jurisdiction, the Library must also have on hand material on various scientific subjects closely connected with the work of the Tribunal. The Library subscribes to various databases providing important and

timely access to certain types of scientific and legal information. At present, the Library collections comprise 11,071 volumes, 16,007 serial volumes and 2,883 treaty series volumes. An amount of €266,000 is proposed for the 2023-2024 budget, the same amount as was approved for the 2021-2022 budget.

8.3 External printing and binding

85. This provision is to cover the costs of producing and publishing documents and other material, such as judgments and pleadings in cases, and of disseminating other documentation such as the *Yearbook*, *Basic texts*, *Guide to proceedings before the Tribunal* and information brochures of the Tribunal, as well as CDs. In addition, the Library has to bind monographs and journals. On the basis of performance in previous years, and taking into account an announced price increase of 5%, the amount proposed for 2023-2024 is €88,300 an increase of €6,300 compared with the appropriation approved for 2021-2022.

Part B (sections 9 to 11) Non-recurrent expenditure

Section 9 Furniture and equipment

86. This provision is to cover the purchase of office equipment and furniture. The estimates for non-recurrent expenditure for 2023-2024 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, and hardware and website maintenance and development. Account is also taken of the need to replace obsolete equipment, in particular electronic equipment.

9.1 Purchase of equipment

87. The twenty-eighth Meeting of States Parties approved the amount of €157,500 for the purchase of equipment for 2021-2022. In the light of the performance figures for previous years and price increases for electronic equipment in particular, an amount of €162,200 is proposed for 2023-2024. The amount has been adjusted by inflation and represents an increase of €4,700 compared with the approved amount for 2021-2022.

Section 10 Alterations to premises

88. No provision is requested under this budget line.

Section 11 Implementation of IPSAS

89. No provision is requested under this budget line.

Part C (Sections 12 and 13)

Case-related costs

Case No. 28 (*Dispute concerning delimitation of the maritime boundary between Mauritius and Maldives in the Indian Ocean (Mauritius/Maldives)*)

90. On 18 December 2019, the Republic of Maldives filed preliminary objections to the jurisdiction of the Special Chamber of the Tribunal and to the admissibility of the claims submitted by the Republic of Mauritius in the *Dispute concerning delimitation of the maritime boundary between Mauritius and Maldives in the Indian Ocean*. Proceedings in the case were instituted on 24 September 2019 and submitted to a Special Chamber of the Tribunal composed of seven members of the Tribunal and two judges ad hoc.

91. The hearings, initial deliberations and initial meetings of the Drafting Committee will be scheduled for 2022 and a corresponding provision has been included in the 2021-2022 budget. The second part of the deliberations and other meetings of the Drafting Committee, up to the delivery of the judgment in Case No. 28, would then be held in 2023, and the 2023-2024 budget proposal provides for those meetings.

92. The costs relating to the meetings in 2023 will be covered by the 2023-2024 budget proposals, as follows:

- (a) Deliberations: 27 days;
- (b) Meeting of the Drafting Committee: 14 days;
- (c) Judgment: 1 day.

93. These meetings will, as far as possible, be held in conjunction with the administrative sessions of the Tribunal to reduce travel costs. The estimated costs amount to €722,700 and are detailed in annex VIII.

Urgent proceedings

94. In line with the judicial requirements of the Tribunal, the budget proposals envisage six weeks of meetings in 2023-2024 to deal with two urgent cases. The budget proposals include associated costs for hearings, deliberations and the reading of orders and judgments. The associated costs also include costs for judges' travel to Hamburg, temporary assistance for meetings and overtime. The provision is detailed in annex VII and amounts to €1,667,400. This represents an increase of €58,800 on the appropriation approved for 2021-2022 owing to the increase in the DSA rate for Hamburg from €309 to €319, the increase in the value of the dollar against the euro and the revised post adjustment for Hamburg (see paragraph 11(f)). This appropriation will be used only if the Tribunal meets to deal with cases.

Total estimates

95. The total estimates for the costs for Part C "Case-related costs" amount to €2,390,100 (Section 12 "Judges" €1,692,100 and Section 13 "Staff costs" €698,000). Compared with the appropriations approved for 2021-2022 (€4,500,700), the amount of €2,390,100 represents a decrease of €2,110,600 in Part C "Case-related costs" due to the judicial workload of the Tribunal.

Section 12 Judges

12.1 Special allowances

96. For Case No. 28, the amount of €293,500 is envisaged to cover special and subsistence allowances of judges of the Special Chamber. The amount includes a special allowance for preparatory work, which is based upon two thirds of the number of days planned for judicial meetings. In addition, a provision of €966,000 is proposed for 2023-2024 to cover special and subsistence allowances of judges in relation to two urgent cases. This includes a special allowance for preparatory work, which is based upon six sevenths of the number of days planned for judicial meetings. On this basis, the total provision for special allowances for Case No. 28 and two urgent proceedings amounts to €1,259,500.

12.2 Compensation to judges ad hoc

97. For Case No. 28 an amount of €78,100 is proposed to cover compensation for two judges ad hoc. Compensation to judges ad hoc consists of annual allowance, special allowance (including special allowance for preparatory work) and daily subsistence allowance. In addition, a provision of €126,600 has been included to cover the compensation paid to two judges ad hoc for six weeks of meetings and 36 days of preparatory work for two urgent proceedings. The total provision of this budget line to cover Case No. 28 and two urgent proceedings amounts to €204,700.

12.3 Travel to meetings, including judges ad hoc

98. The total amount of €227,900 includes a provision amounting to €164,400 to cover the travel costs of judges, including judges ad hoc, for two urgent proceedings in 2023-2024. However, an increase in travel costs is anticipated.

99. The amount of €227,900 also includes €63,500 to finance the travel costs of nine judges for Case No. 28. The trips envisaged in 2023-2024 in respect of Case No. 28 are as follows:

- (a) One round-trip for the members of the Special Chamber;
- (b) One round-trip for the members of the Drafting Committee;
- (c) Two round-trips for judges ad hoc.

100. The Tribunal intends to organize its sessions in 2023 as far as possible in conjunction with judicial deliberations in Case No. 28.

Section 13 Staff Costs

13.1 Temporary assistance for meetings

101. 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 secretarial staff 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, particularly translators, interpreters and verbatim reporters, are readily available at the seat of the Tribunal.

102. 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, particularly during urgent proceedings. This requires work to be performed during weekends, official holidays and night-time meetings. Estimates regarding translation expenses take into account the volume of work relating to urgent proceedings and Case No. 28 that cannot be absorbed internally and an average number of pages that have to be sent out for translation, to which the Tribunal applies the contractual translation rates determined by the United Nations Office at Geneva.

103. Taking into account the current salary rates applied to translators, interpreters and verbatim reporters, a total amount of €668,000 is proposed for 2023-2024. Given the reduced number of judicial meetings in 2023 and 2024 for Case No. 28, as well as for urgent proceedings (see paragraph 16), compared with those held during the 2021-2022 budget period, this represents a decrease of €509,300 compared with the appropriation approved for 2021-2022.

13.2 Overtime

104. As the Tribunal has to deliver its judgments within short periods of time, it is unavoidable that many staff members are required to work beyond normal working hours, particularly during urgent proceedings. Overtime payments cannot always be replaced by compensatory time off, particularly in a small Registry. The amount of €20,000 is proposed to cover overtime during urgent proceedings in the 2023-2024 biennium. Based on past practice, overtime will be unavoidable during the deliberations for Case No. 28. The amount of €10,000 is envisaged to cover overtime during Case No. 28. A total provision of €30,000 is proposed for this budget line, which represents a decrease of €20,000 compared with the appropriation approved for 2021-2022.

Part D Working Capital Fund

105. Pursuant to regulation 6.2 of the Financial Regulations of the Tribunal, the Working Capital Fund is established “to ensure financial resources for the Tribunal to meet short-term liquidity problems pending receipt of contributions ... and to provide the Tribunal with the financial means to deal with cases”. As of 2001, contributions to the Working Capital Fund totalled €542,118. The Working Capital Fund is primarily maintained to meet short-term liquidity problems and extraordinary expenses. The current level of the Working Capital Fund would be sufficient to cover approximately three weeks of expenditure. The Tribunal is not seeking additional funding for the Working Capital Fund for the 2023-2024 budget period.

106. In addition to the amount referred to above, in 2002 the twelfth Meeting of States Parties approved a contribution to the Working Capital Fund (case-related) of the Tribunal, specifically to be used to cover case-related expenses. Pursuant to the decision of the Meeting of States Parties, this amount may be used to provide the Tribunal with the necessary financial means to consider cases to the extent that the expenditure cannot be met from the case-related costs, or from the

transfer of funds between appropriation sections (SPLOS/89). This part of the Working Capital Fund (case-related) stood at €417,014 until June 2014.

107. In June 2014, the twenty-fourth Meeting of States Parties decided that an amount of €350,000 – part of the cash surplus for the financial period 2011-2012 – would be transferred, on an exceptional basis, to the Working Capital Fund (case-related), to cover the cost of considering cases which cannot be met from the funds allocated for case-related costs (SPLOS/275, para. 3). As a result, the Working Capital Fund (case-related) currently stands at €767,014, which would meet the requirements for one urgent case.

Annex I

Budgets of the Tribunal 2017-2018 to 2023-2024 (in euros)

<i>Part Section</i>	<i>Objects of expenditure</i>	<i>Approved budget 2017-2018</i>	<i>Performance 2017-2018</i>	<i>Approved budget 2019-2020</i>	<i>Performance 2019-2020</i>	<i>Approved budget 2021-2022</i>	<i>Proposed budget 2023-2024</i>	<i>fn</i>	<i>Biennial decrease/ increase</i>	<i>Part Section</i>
A	RECURRENT EXPENDITURE									A
1	Judges	4,393,000	4,240,620	4,449,900	4,559,844	4,812,200	5,148,100		335,900	1
1.1	Annual allowances	3,124,400	3,087,391	3,133,400	3,400,833	3,497,000	3,670,400		173,400	1.1
1.2	Special allowances	851,400	779,873	833,600	773,815	934,600	972,000		37,400	1.2
1.3	Travel to sessions	276,700	236,536	298,800	229,534	298,800	298,800		0	1.3
1.4	Common costs	140,500	136,820	184,100	155,662	81,800	206,900		125,100	1.4
2	Judges' pension scheme	1,857,300	1,443,024	1,625,900	1,555,243	1,969,200	2,597,100		627,900	2
2.1	Pension in payment	1,337,800	1,443,024	1,540,300	1,555,243	1,375,200	2,089,000	^b	713,800	2.1
2.2	Pension for retiring judges	519,500		85,600		594,000	508,100	^c	-85,900	2.2
3	Staff costs	7,749,600	7,249,931	7,707,300	7,575,625	8,748,600	8,870,200		121,600	3
3.1	Established posts	6,302,400	4,872,158	6,290,200	5,100,979	7,529,400	7,588,000	^d	58,600	3.1
3.2	Staff assessment/credit	-1,214,400		-1,253,400		-1,529,200	-1,523,600		5,600	3.2
3.3	Reimbursement of national taxes	0	0	0	0	0	0		0	3.3
3.4	Common staff costs	2,249,800	2,029,104	2,270,200	2,085,864	2,270,200	2,316,200		46,000	3.4
3.5	Overtime	25,000	19,948	25,000	19,600	25,000	25,000		0	3.5
3.6	Temporary assistance for meetings	205,500	165,526	192,600	206,949	248,700	260,100		11,400	3.6
3.7	General temporary assistance	107,900	93,064	107,900	109,870	117,900	117,900		0	3.7
3.8	Training	73,400	70,131	74,800	52,363	86,600	86,600		0	3.8
4	Representation allowance	13,600	13,202	12,400	12,668	13,400	13,900		500	4
5	Official travel	181,600	171,337	185,000	90,735	185,000	185,000		0	5
6	Hospitality	14,400	12,945	14,700	5,417	14,700	14,700		0	6
7	Operating expenditures	3,022,400	2,963,829	3,202,000	3,127,420	3,405,700	3,760,900		355,200	7
7.1	Maintenance of premises incl. security	2,289,900	2,289,405	2,454,100	2,441,098	2,644,700	2,869,600		224,900	7.1
7.2	Rental & maintenance of equipment	358,200	334,249	374,500	343,461	389,500	419,500		30,000	7.2

<i>Part Section</i>	<i>Objects of expenditure</i>	<i>Approved budget 2017-2018</i>	<i>Performance 2017-2018</i>	<i>Approved budget 2019-2020</i>	<i>Performance 2019-2020</i>	<i>Approved budget 2021-2022</i>	<i>Proposed budget 2023-2024</i>	<i>fn</i>	<i>Biennial decrease/ increase</i>	<i>Part Section</i>
7.3	Communications	190,600	175,951	194,100	183,162	194,100	199,800	^a	5,700	7.3
7.4	Misc. services & charges (incl. bank charges)	41,300	30,631	42,100	36,495	37,100	132,000		94,900	7.4
7.5	Supplies and materials	123,300	121,993	125,600	112,482	125,600	125,600		0	7.5
7.6	Special services (external audit)	19,100	11,600	11,600	10,722	14,700	14,400		-300	7.6
8	Library & related costs	325,600	325,388	336,400	335,040	348,000	354,300		6,300	8
8.1	Library - procurement of books and publications	247,000	246,811	256,300	255,311	266,000	266,000		0	8.1
8.2	Start-up costs of library									8.2
8.3	External printing and binding	78,600	78,577	80,100	79,729	82,000	88,300		6,300	8.3
B	NON-RECURRENT EXPENDITURE									B
9	Furniture and equipment	155,600	153,701	157,500	156,638	157,500	162,200		4,700	9
9.1	Purchase of equipment	155,600	153,701	157,500	156,638	157,500	162,200	^a	4,700	9.1
9.2	Purchase of special equipment									9.2
10	Alteration to premises	0	0	0	0	0	0		0	10
11	Implementation of IPSAS			140,000	84,537	0	0		0	11
C	CASE RELATED COSTS									C
12	Judges	2,221,000	856,942	2,004,900	1,736,798	3,273,400	1,692,100		-1,581,300	12
12.1	Special allowances	1,666,200	664,881	1,509,600	1,330,848	2,523,400	1,259,500		-1,263,900	12.1
12.2	Compensation to judges ad hoc	306,100	154,992	177,700	163,971	331,600	204,700		-126,900	12.2
12.3	Travel to meetings, incl. judges ad hoc	248,700	37,069	317,600	241,979	418,400	227,900		-190,500	12.3
13	Staff Costs	1,185,800	674,190	685,200	682,299	1,227,300	698,000		-529,300	13
13.1	Temporary assistance for meetings	1,140,800	662,866	651,300	659,403	1,177,300	668,000		-509,300	13.1
13.2	Overtime	45,000	11,324	33,900	22,896	50,000	30,000		-20,000	13.2
D	WORKING CAPITAL FUND	0	0	0	0	0	0		0	D

SPLOS/32/X

<i>Part Section</i>	<i>Objects of expenditure</i>	<i>Approved budget 2017-2018</i>	<i>Performance 2017-2018</i>	<i>Approved budget 2019-2020</i>	<i>Performance 2019-2020</i>	<i>Approved budget 2021-2022</i>	<i>Proposed budget 2023-2024</i>	<i>fn</i>	<i>Biennial decrease/ increase</i>	<i>Part Section</i>
TOTAL		21,119,900	18,105,109	20,521,200	19,922,264	24,155,000	23,496,500		-658,500	

Rate of exchange US\$ 1 = € 0.913 UN exchange rate for March 2022.

^a Adjusted by 1.96 per cent inflation, Federal Statistical Office Germany, average February 2020 to January 2022.

^b Pension currently in payment.

^c Pension for seven judges whose term of office expires on 30 September 2023.

^d Standard salary costs applicable to The Hague for the year 2023.

Annex II

Professional Staff of the Registry in 2023-2024

<i>Level</i>	<i>Function</i>	<i>Number of posts</i>	<i>Standard costs in euros</i>	<i>Net standard costs in euros</i>	<i>Staff assessment in euros</i>
ASG	Registrar	1	211,900	169,300	42,600
D-2	Deputy Registrar	1	189,200	152,800	36,400
P-5	Head of Linguistic Services	1	153,700	126,300	27,400
P-5	Legal Officer / Head of Legal Office	1	153,700	126,300	27,400
P-4	Head of Budget and Finance	1	131,600	109,500	22,100
P-4	Head of Library and Archives	1	131,600	109,500	22,100
P-4	Head of Personnel and Building	1	131,600	109,500	22,100
P-4	Information Systems Officer	1	131,600	109,500	22,100
P-4	Legal Officer	2	263,200	219,000	44,200
P-4	Translator / Reviser	1	131,600	109,500	22,100
P-3	Legal Officer	1	107,500	90,800	16,700
P-3	Translator (French)	1	107,500	90,800	16,700
P-2	Building Facilities Management and Security Officer	1	83,600	71,200	12,400
P-2	Archivist	1	83,600	71,200	12,400
P-2	Associate Administrative Officer (Contributions/Budget)	1	83,600	71,200	12,400
P-2	Associate Legal Officer	1	83,600	71,200	12,400
P-2	Press Officer	1	83,600	71,200	12,400
Total		18	2,262,700	1,878,800	383,900
TOTAL (rounded)				1,878,800	
TOTAL for the biennium (rounded)				3,757,600	

Abbreviation: ASG, Assistant Secretary-General.

Annex III**General Service staff of the Registry in 2023-2024**

<i>Level</i>	<i>Function</i>	<i>Number of posts</i>	<i>Standard costs in euros</i>	<i>Net standard costs in euros</i>	<i>Staff assessment in euros</i>
Principal level					
	Administrative Assistant (Procurement)	1	91,400	68,100	23,300
	Building Coordinator	1	91,400	68,100	23,300
	Information Systems Assistant	1	91,400	68,100	23,300
	Linguistic Assistant/Judiciary Support	1	91,400	68,100	23,300
	Personal Assistant (President)	1	91,400	68,100	23,300
	Publications/Personal Assistant (Registrar)	1	91,400	68,100	23,300
Other levels					
	Administrative Assistant	1	70,200	53,200	17,000
	Administrative Assistant	1	70,200	53,200	17,000
	Administrative Assistant (Contributions)	1	70,200	53,200	17,000
	Finance Assistant	1	70,200	53,200	17,000
	Finance Assistant (Accounts Payable)	1	70,200	53,200	17,000
	Legal Assistant	1	70,200	53,200	17,000
	Library Assistant	1	70,200	53,200	17,000
	Linguistic Assistant/Judiciary Support	1	70,200	53,200	17,000
	Personal Assistant (Deputy Registrar)	1	70,200	53,200	17,000
	Personnel Assistant	1	70,200	53,200	17,000
	Receptionist	1	70,200	53,200	17,000
	Security Officer/Driver	2	140,500	106,400	34,100
	Senior Security Officer/Building Superintendent	1	70,200	53,200	17,000
Total		20	1,531,300	1,153,400	377,900
Total (rounded)				1,153,400	
TOTAL for the biennium (rounded)				2,306,800	

Annex IV**Comparison of post requirements****Posts approved for 2017-2018**

<i>ASG</i>	<i>D-2</i>	<i>D-1</i>	<i>P-5</i>	<i>P-4</i>	<i>P-3</i>	<i>P-2/1</i>	<i>Total Professional and above</i>	<i>General Service (Principal level)</i>	<i>General Service (Other levels)</i>	<i>Total General Service</i>	<i>Grand total</i>
1	1	0	2	6	3	5	18	6	14	20	38

Posts approved for 2019-2020

<i>ASG</i>	<i>D-2</i>	<i>D-1</i>	<i>P-5</i>	<i>P-4</i>	<i>P-3</i>	<i>P-2/1</i>	<i>Total Professional and above</i>	<i>General Service (Principal level)</i>	<i>General Service (Other levels)</i>	<i>Total General Service</i>	<i>Grand total</i>
1	1	0	2	7	2	5	18	6	14	20	38

Posts approved for 2021-2022

<i>ASG</i>	<i>D-2</i>	<i>D-1</i>	<i>P-5</i>	<i>P-4</i>	<i>P-3</i>	<i>P-2/1</i>	<i>Total Professional and above</i>	<i>General Service (Principal level)</i>	<i>General Service (Other levels)</i>	<i>Total General Service</i>	<i>Grand total</i>
1	1	0	2	7	2	5	18	6	14	20	38

Posts proposed for 2023-2024

<i>ASG</i>	<i>D-2</i>	<i>D-1</i>	<i>P-5</i>	<i>P-4</i>	<i>P-3</i>	<i>P-2/1</i>	<i>Total Professional and above</i>	<i>General Service (Principal level)</i>	<i>General Service (Other levels)</i>	<i>Total General Service</i>	<i>Grand total</i>
1	1	0	2	7	2	5	18	6	14	20	38

Abbreviation: ASG, Assistant Secretary-General.

Annex V

Remuneration of Judges for judicial work not related to cases in 2023-2024

	<i>In United States dollars</i>	<i>2023 In euros including post adjustment</i>	<i>2024 In euros including post adjustment</i>	<i>2023-2024 In euros including post adjustment</i>
1. Annual Allowance	$187,000 / 3 \times 20 = 1,246,667$	1,566,200,	1,566,200	3,142,400
2. Special Allowance (20 days/based on 220 working days per annum)	$187,000 / 3 / 220 \times 20 \times 20 = 113,333$	142,400	142,400	284,800
3. Subsistence Allowance (28 days)	$349 \times 1.4 \times 28 \times 20 = 273,616$	250,100	250,100	500,200
4. Special Allowance for preparatory work (10 days/based on 220 working days p. a.) to be authorized by the President	$187,000 / 3 / 220 \times 10 \times 20 = 56,667$	71,200	71,200	142,400
5. Preparatory work Subsistence Allowance (5 days for 10 Judges) to be authorized by the President	$349 \times 1.4 \times 5 \times 10 = 24,430$	22,300	22,300	44,600
6. President Annual Allowance	$187,000 = 187,000$	234,900	243,900	469,800
7. President Special Allowance	$25,000 = 25,000$	22,800	22,800	45,600
8. Vice-President's Special Allowances				
14 days of Subsistence Allowance	$14 \times 349 \times 1.4 = 6,840$	6,300	6,300	12,600
10 days of Special Allowances	$10 \times ((187\,000 / 3 / 220) + 156) = 4,393$	5,000	5,000	10,000
Total		2,321,200	2,321,200	4,642,400
Total annual allowances (President and other Judges) Total [Items 1, 6-8] in euros		1,835,200	1,835,200	3,670,400
	486,000	486,000	972,000	

Note: The daily subsistence allowance is determined by the ICSC.

DSA rate in US\$: 349 (plus 40% for Judges)

DSA rate in euros: 319 (plus 40% for Judges)

UN exchange rate for March 2022: 0.913

Post adjustment multiplier applicable to Hamburg for March 2022: 37.6%

Annex VI**Judges common costs in 2023-2024**

<i>Year 2023</i>	<i>In United States dollars</i>	<i>In euros</i>
1. President's common costs		
Settling-in grant		
Daily subsistence allowance portion	22,015	20,100
Lump sum portion	21,443	19,600
Relocation grant incoming President	23,476	21,400
Repatriation grant	35,962	32,800
Relocation grant outgoing President	23,476	21,400
Home leave travel	10,679	9,750
Education grant	27,382	25,000
2. Removal costs of personal effects of seven judges whose mandate will expire in 2023 @ €1,200	9,200	8,400
3. Insurance for work related accidents	12,815	11,700
Total	186,448	170,150
<i>Year 2024</i>		
1. President's common costs		
Home leave travel		
Education grant	27,382	25,000
2. Insurance for work related accidents	12,815	11,700
Total	40,197	36,700
TOTAL in euros for the biennial budget		206,850

Note: UN exchange rate for March 2022: 0.913.
 DSA rate in US\$: 349 (plus 40% for Judges).
 DSA rate in euros: 319 (plus 40% for Judges).

Annexe VII

Case related costs for judicial work related to urgent proceedings in 2023-2024

	<i>In United States dollars</i>	<i>2023 (one case)</i>	<i>2024 (one case)</i>	<i>2023-2024</i>
		<i>in euros including post adjustment</i>	<i>in euros including post adjustment</i>	<i>in euros including post adjustment</i>
<i>Judges</i>				
1. Special allowance (21 days/based on 220 working days per annum) ¹	$187,000 / 3 / 220 \times 21 \times 20 = 119,000$	149,500	149,500	299,000
2. Subsistence allowance (22 days) ²	$349 \times 1.4 \times 22 \times 20 = 214,984$	196,500	196,500	393,000
3. Special allowance for preparatory work, to be authorized by the President (18 days/based on 220 working days p. a.) ³	$187,000 / 3 / 220 \times 18 \times 20 = 102,000$	128,100	128,100	256,200
4. Subsistence allowance for preparatory work, to be authorized by the President (4 days for 5 Judges)	$349 \times 1.4 \times 4 \times 5 = 9,772$	8,900	8,900	17,800
Total allowances		483,000	483,000	966,000
5. Compensation for two judges ad hoc				
Annual allowance	$187,000 / 3 / 365 \times 39 \times 2 = 13,321$	16,700	16,700	33,400
Special allowance	$187,000 / 3 / 220 \times 39 \times 2 = 22,100$	27,800	27,800	55,600
Subsistence allowance	$349 \times 1.4 \times 21 \times 2 = 20,521$	18,800	18,800	37,600
Total judges ad hoc		63,300	63,300	126,600
6. Travel of judges (incl. two judges ad hoc)		82,200	82,200	164,400
<i>Staff costs</i>				
7. Temporary assistance for meetings		195,200	195,200	390,400
8. Overtime		10,000	10,000	20,000
Total		833,700	833,700	1,667,400

¹ 3 weeks based on 7 days.

² 3 weeks based on 7 days plus travel days.

³ 2.5 weeks based on 7 days (based on ratio determined by the MoSP).

Note: The daily subsistence allowance is determined by the ICSC.

DSA rate in US\$: 349 (plus 40 % for judges).

DSA rate in euros: 319 (plus 40 % for judges).

UN exchange rate for March 2022: 0.913.

Post adjustment multiplier applicable to Hamburg for March 2022: 37.6%.

Annex VIII

Case related costs for judicial work related to Case No. 28 in 2023-2024

		<i>In United States dollars</i>	<i>2023 in euros including post adjustment</i>
<i>Judges</i>			
1.	Special allowance (28 days deliberations based on 220 working days per annum) ¹	$187,000 / 3 / 220 \times 28 \times 7 = 55,533$	69,800
2.	Subsistence allowance (38 days) ²	$349 \times 1.4 \times 38 \times 7 = 129,968$	118,800
3.	Special allowance (14 days drafting committee/3 judges based on 220 working days per annum) ¹	$187,000 / 3 / 220 \times 14 \times 3 = 11,900$	14,900
4.	Subsistence allowance (20 days, drafting committee/3 judges) ²	$349 \times 1.4 \times 20 \times 3 = 29,316$	26,800
5.	Special allowance for preparatory work, to be authorized by the President (18.67 days/based on 220 working days per annum)	$187,000 / 3 / 220 \times 18.67 \times 7 = 37,029$	46,500
6.	Special Allowance for preparatory work drafting committee, to be authorized by the President (9.33 days/based on 220 working days per annum)	$187,000 / 3 / 220 \times 9.33 \times 3 = 7,931$	10,000
7.	Subsistence allowance for preparatory work, to be authorized by the President (5 days for 3 Judges)	$349 \times 1.4 \times 5 \times 3 = 7,329$	6,700
Total allowances			293,500
8.	Compensation for two judges ad hoc		
	Annual allowance	$187,000 / 3 / 365 \times (38+18,67) \times 2 = 19,356$	24,300
	Special allowance	$187,000 / 3 / 220 \times 28 \times 2 = 15,867$	19,900
	Subsistence allowance	$349 \times 1.4 \times 38 \times 2 = 37,134$	33,900
Total judges ad hoc			78,100
9.	Travel of Judges	69,551	63,500
<i>Staff costs</i>			
10.	Temporary assistance for meetings		277,600
11.	Overtime		10,000
Total			722,700

¹ based on 5 days per week.² based on 7 days per week

Note: The daily subsistence allowance is determined by the ICSC.

DSA rate in US\$: 349 (plus 40% for judges).

DSA rate in euros: 319 (plus 40% for judges).

UN exchange rate for March 2022 0.913.

Post adjustment multiplier applicable to Hamburg for March 2022 37.6%.

Annex IX

Judges' pension scheme in 2023-2024

	<i>In United States dollars</i>	<i>In euros</i>
<i>2023</i>		
Pension for 15 retired judges and nine surviving spouse	1,144,000	1,044,500
Pension for seven judges ¹	111,300	101,600
Total	1,255,300	1,146,100
<i>2024</i>		
Pension for 15 retired judges and nine surviving spouses	1,144,000	1,044,500
Pension for seven judges ¹	445,200	406,500
Total	1,589,200	1,451,000
TOTAL for the biennial budget	2,844,500	2,597,100

Note: UN exchange rate for March 2022: 0.913.

¹The actual number of retiring judges can be determined only after the election during the Meeting of States Parties to be held in June 2023.

Annex X**Common staff costs 2023-2024 (in euros)***Estimate for common staff costs (Based on actual costs and estimated requirements)*

Contributions to UNJSPF ¹	686,300
Contribution to ICSC	0
Dependency allowance ¹	116,600
Education grant ¹	39,800
Home leave ¹	9,900
Language allowance ¹	18,000
Work-related accidents insurance ¹	24,000
Medical insurance ¹	109,000
After service health insurance ¹	21,400
Rental subsidy ¹	20,700
Provision for staff rotation ¹ :	
Professional Service	63,900
General Service	38,500
Miscellaneous (ex gratia payments including cancellation of leave)	10,000
Total per annum in euros	1,158,100

¹ Based on current staffing.

Annex XI**Maintenance of premises in 2023-2024 (in euros)**

	<i>Budget 2021</i>	<i>Budget 2022</i>	<i>Budget 2023</i>	<i>Budget 2024</i>
1. Facility management	533,400	533,400	568,600	583,800
2. Maintenance supplies	13,100	13,300	12,000	12,000
Gas supplies	75,000	75,000	90,000	90,000
Power supplies	159,000	159,000	209,000	209,000
Water supplies	13,000	13,000	12,500	12,500
3. Utilities (Electricity, gas and water)	247,000	247,000	311,500	311,500
Listed maintenance contracts	171,500	174,200	190,000	190,000
Examination	35,000	35,000	30,000	30,000
4. Maintenance contracts and examinations	206,500	209,200	220,000	220,000
5. Contents and third-party liability insurance	25,700	26,100	25,000	25,000
6. Minor repairs of maximum of 1,000 euros each	50,000	50,000	50,000	50,000
7. Other repairs	45,000	15,000	15,000	15,000
8. Security services (24 hours)	215,000	215,000	223,300	226,900
Total	1,335,700	1,309,000	1,425,400	1,444,200
TOTAL for the biennial budget		2,644,700		2,689,600

Annex XII

International Tribunal for the Law of the Sea Organization Chart of the Registry, May 2022



