

**Part II**  
**Programme budget for 2005 and related documents**

## **A. Programme budget for 2005**

### **1. Recommendations of a general nature**

#### **(a) Status of contributions**

1. The Assembly endorsed the recommendations contained in paragraphs 20 and 21 of the report of the Committee on Budget and Finance on the work of its third session. With regard to paragraph 23 of this report, the Assembly recommended that the Secretariat of the Assembly of States Parties be the focal point for correspondence with States Parties.

#### **(b) Amendment of the meeting schedule and budget preparation timelines**

2. The Assembly decided to hold its future sessions in the second half of November and that the Committee on Budget and Finance meet twice a year, in April and October. This would not entail any change in the financial period, which would continue to run from 1 January to 31 December each year.

#### **(c) Establishment of a contingency fund**

3. The Assembly gave careful consideration to the recommendation of the Committee on Budget and Finance regarding the establishment of a contingency fund (paragraphs 27 to 33 of its report). Although some strong reservations on the establishment of a contingency fund were expressed, the Assembly decided that such a contingency fund be established at the level of €10 million. (For the text of resolution ICC-ASP/3/Res.4, see part III of the present report.)

#### **(d) Presentation of the budget**

4. The Assembly endorsed the recommendations concerning budget presentation contained in paragraphs 41, 42 and 45 to 50 of the report of the Committee on Budget and Finance on the work of its third session. Those recommendations concern, inter alia, the use of results-based budgeting, the identification of overarching and programme objectives, and ways and means of streamlining the presentation. The Assembly requested the Court to avail itself of these improvements when preparing its forthcoming budget for 2006. The Registrar stated that he would consult the Committee on Budget and Finance on the breakdown of appropriations for the purpose of financial and staffing control.

### **2. Specific recommendations on each of the major programmes**

#### **Major programme I**

##### **The Judiciary — the Presidency and Chambers**

5. The Assembly endorsed the recommendations of the Committee on Budget and Finance contained in paragraphs 52 and 54 of its report.

## **Major programme II Office of the Prosecutor**

6. The Assembly discussed the observations of the Committee on Budget and Finance related to the Office of the Prosecutor, on which delegations expressed different views. The Assembly noted the statement of the representative of the Office of the Prosecutor concerning the development of his policies and continued dialogue.

7. The Assembly took note of the observations of the Committee on Budget and Finance contained in paragraph 12 of its report regarding fragmentation and duplication and encouraged the Committee to submit to the Assembly a report on this issue, to be considered at its next session. The Assembly was further of the view that these issues were pertinent to the recommendations contained in paragraphs 63 to 65 of the report of the Committee, concerning the Office of the Prosecutor, and decided

- (a) To endorse the recommendations in paragraph 63 of the report of the Committee;
- (b) To defer consideration of the recommendation contained in paragraph 64 until such time as it considers the report referred to above;
- (c) Not endorse the recommendation of the Committee in paragraph 65 of its report.

8. The Assembly noted that a rough estimate, in the amount of almost €900,000, existed for operating two field offices. The Assembly believed that, once these estimates had been carefully refined, the resulting expenditure could be dealt with as a charge to the contingency fund.

9. In paragraph 66 of its report, the Committee had recommended that the proposed creation of two additional analyst posts at the P-2 level not be approved and had recommended as a corollary a reduction of 35 per cent in the related travel provision. The Assembly endorsed the Committee's recommendations.

10. In paragraph 67 of its report, the Committee had recommended against the approval of the proposed third investigation team and one local assistant and had recommended as a corollary a reduction in travel provision for the Investigation Division. The Assembly did not endorse the Committee's recommendations in this regard.

11. In paragraphs 68 and 69 of its report, the Committee had recommended that the additional 13 staff proposed in the Prosecution Section and the 2 conditional appeals counsel posts proposed in the Appeals Section not be approved at this time. The Assembly endorsed the Committee's recommendations, on the understanding that the Court may indeed seek the resources it had requested in respect of those proposed posts from the Contingency Fund in 2005 should the need arise.

## **Major programme III Registry**

12. In paragraph 73 of its report, the Committee recommended that the total travel budget for the Registry be reduced by 25 per cent and requested the Registrar to redistribute the funds according to priorities. The Assembly approved this recommendation in respect of a 12 per cent, and not a 25 per cent, reduction of the provision for core travel.

13. As regards the provision for consultants, the Assembly approved the recommendation, contained in paragraph 74 of the Committee's report, to reduce this provision by 25 per cent.

14. As regards paragraph 75 of its report, concerning temporary assistance for special circumstances, the Assembly endorsed the recommendation of the Committee that such assistance be accommodated within existing appropriations.

15. In paragraph 76 of its report, the Committee had recommended against approval of a post in the Immediate Office of the Registrar. The Assembly approved this recommendation.

16. In paragraph 77 of its report, the Committee recommended that a GS-OL post of Information Security Compliance Analyst be deferred until a future budgetary period. The Assembly did not endorse the Committee's recommendation and approved the creation of the proposed post.

17. In paragraph 78 of its report, the Committee had recommended, inter alia, against the establishment of three proposed new posts while providing nine months of temporary assistance in their stead. The Assembly endorsed the recommendation that the posts not be approved, but decided that the general temporary assistance provision be increased to 15 months.

18. The Assembly endorsed the recommendations contained in paragraphs 79, 80, 81, 82, 83 and 84 of the Committee's report. The Assembly further requested that the Committee ensure that its dialogue with the Registrar on the next draft programme budget reflect the impact on the Information and Technology Section of any increase in the staff of the Court.

19. As regards the recommendation of the Committee contained in paragraph 86 that six core posts be approved while six proposed conditional posts be disallowed, the Assembly decided that all six conditional posts be approved.

#### **Major programme IV Secretariat of the Assembly of States Parties**

20. The Assembly endorsed the recommendation contained in paragraph 90 of the report of the Committee on Budget and Finance on the work of its third session, on the understanding that the long-term website requirements of the Secretariat would be an integral part of the information technology infrastructure of the Court as a whole.

21. The Assembly heard a request from the Chairman of the Special Working Group on the Crime of Aggression to discuss the possibility of having future intersessional meetings of the Special Working Group funded from the regular programme. Given the absence of relevant documentation and due to a lack of time, the Assembly was not in a position to engage in such a discussion.

#### **Major programme V Investment in the Court's Premises**

22. The Assembly approved the establishment of a new major programme (Major Programme V) under the heading "Investment in the Court's premises."

23. During the discussion on this item, there was general agreement that it would be useful to enhance the frequency and content of the information provided by the host country and the Court to other States Parties, in order to maintain a suitable dialogue on this important issue. The representative of the host country restated the financial commitments it had made in support of the Court. The Assembly noted that there were at present three possible options for the Court as regards its permanent premises: to stay in its current premises; to move into the building of the International Criminal Tribunal for the former Yugoslavia, if and when vacated; or to move to a different dedicated building. Further consultation would be required on this matter. The Assembly decided to be seized of this matter in 2005.

24. The Assembly endorsed the recommendations contained in paragraphs 101, 102 and 106 of the report of the Committee on Budget and Finance.

### **3. Proposed New York liaison office**

25. After lengthy debate, the Assembly was unable to reach a consensus on the matter. It therefore decided that further consideration of the possibilities for direct liaison between the relevant organs of the Court and interlocutors in New York be undertaken at the next session of the Assembly on the basis of the study of an option paper by the Bureau.

### **4. Secretariat of the Trust Fund for Victims**

26. The financial implications of the report of the Working Group on the Trust Fund for Victims (ICC-ASP/3/WGTFV/1) were estimated at €510,000, including €97,200 for travel.

27. Due to lack of time, the Assembly had some difficulty in adequately considering the financial proposal. Strong reservations were voiced by several States Parties regarding the provision for field travel.

28. After considerable discussion, the Assembly decided

- (a) To reduce the provisions for travel from €97,200 to €70,000;
- (b) To appropriate an amount not exceeding €470,000 for the secretariat of the Board of Directors of the Victims Trust Fund for the year 2005;
- (c) To draw the attention of the Board of Directors to the reservations made by some States Parties on the issue of field travel; and
- (d) That the budget for 2005 be submitted to the Committee on Budget and Finance for review and that the Committee report thereon to the Assembly of States Parties and the Board of Directors of the Fund.

### **5. Other matters**

29. The Assembly took note of the observations and recommendations of the Committee on Budget and Finance contained in paragraphs 100 to 118 and 120 to 121 of its report.

30. It also took note of the recommendation in paragraph 119 of the Committee's report regarding the use of consultants and requesting that a report on human resources policies be submitted to the Committee. In this regard, the Assembly decided that the latest report concerning consultants (ICC-ASP/3/23) also be considered by the Committee on Budget and Finance at the same time.

31. The Assembly considered the request, made by the Committee on Budget and Finance in paragraph 8 of its report on the work of its second session (ICC-ASP/3/22), that the travel entitlements of the members of the Committee be reviewed. The Assembly decided that members of the Committee be entitled to business class for travel of over nine hours duration, and to economy class in all other cases. (For the text of resolution ICC-ASP/3/Res.5, see part III of the present report.)

## **6. Budget resolution**

32. At its 6th meeting, on 10 September 2004, the Assembly adopted by consensus resolution ICC-ASP/3/Res.4, entitled “Programme budget for 2005, Contingency Fund, Working Capital Fund for 2005, scale of assessments for the apportionment of expenses of the International Criminal Court and financing of appropriations for the year 2005”. (For the text, see part III of the present report; see also Part I, B, 14).