

**Sixteenth session**

New York, 4-14 December 2017

**Report of the Working Group on the 2018 proposed
programme budget of the International Criminal Court****External audit, programme budget for 2018 and related
documents****A. Introduction**

1. The Assembly of States Parties (the Assembly) had before it the 2018 proposed programme budget submitted by the Registrar of the International Criminal Court (the Court), in an advance version, on 9 August 2017,¹ the reports of the twenty-eighth² and twenty-ninth³ sessions of the Committee on Budget and Finance (the Committee), the financial statements for the period 1 January to 31 December 2016,⁴ and the Trust Fund for Victims financial statements for the period 1 January to 31 December 2016.⁵ The Assembly also had before it annex III of the report of the Committee on the work of its twenty-ninth session, in which the Court outlined the budgetary implications of the Committee's recommendations on the budgets of the major programmes.

2. At its seventh plenary meeting, the Assembly heard the statements made by the Registrar of the Court, Mr. Herman von Hebel, the Chair of the Committee, Mr. Hitoshi Kozaki, and the representative of the External Auditor (la Cour des comptes (France)), Mr. Lionel Vareille. The Assembly was further assisted by the Vice-Chair of the Committee, Ms. Monica Sánchez Izquierdo.

3. The Working Group on the Programme Budget met on 12 and 13 December 2017. During the meetings the draft resolution was considered and finalized.

B. External audit

4. The Assembly noted with appreciation the reports of the External Auditor and the related comments of the Committee, contained in the report on the work of its twenty-ninth session.

¹ *Official Records ... Sixteenth session ... 2017*, (ICC-ASP/16/20), vol. II, part A.

² *Ibid.*, part B.1.

³ *Ibid.*, part B.2.

⁴ *Ibid.*, part C.1.

⁵ *Ibid.*, part C.2.

C. Amount of appropriation

5. The Court's 2018 proposed programme budget amounted to €151,475,700, including €3,585,200 for Major Programme VII-2 (Host State Loan).
6. The Committee considered the Court's 2018 proposed programme budget at its twenty-ninth session and concluded that there were a number of areas where, based on actual and forecast expenditure, as well as accumulated experience, savings could be made. Accordingly, the Committee recommended that the budget allocation be reduced to a total of €148,012,400, including €3,585,200 for Major Programme VII-2 (Host State Loan).
7. The Assembly endorsed the recommendations contained in the report of the Committee, with an additional adjustment to Major Programme I (Judiciary), as reflected in resolution ICC-ASP/16/Res.1.
8. The Assembly therefore approved a budget appropriation for 2018 of €147,431,500.
9. The Assembly noted that without Major Programme VII-2 (Host State Loan) the total level of assessed contributions for the 2018 programme budget amounted to €143,846,300.
10. States Parties noted that the outcome reflected in resolution ICC-ASP/16/Res.1 was the product of extensive consultations on the proposed programme budget. A point was made that consultations on the budget should be more inclusive and transparent.

D. Contingency Fund

11. The Assembly decided to maintain the notional level of the Contingency Fund at €7 million.
12. The Assembly authorized the Court to transfer funds between major programmes at year end if the costs of unforeseen activities could not be absorbed within one major programme while a surplus existed in other major programmes, to ensure that all appropriations for 2017 were exhausted before accessing the Contingency Fund.
13. The Assembly requested the Court to make all possible efforts to absorb within its approved budget for 2018 any additional resources required in relation to judicial developments that occurred after the twenty-ninth session of the Committee on Budget and Finance and before the date of approval of the 2018 budget. The Assembly decided that, only after all possible efforts have been exhausted, the Court may exceptionally resort to the Contingency Fund for such additional resources.
14. The Assembly also decided that, should the Contingency Fund fall below €5.8 million by the seventeenth session of the Assembly, then the Assembly will assess the need for its replenishment in the budget facilitation for the 2019 programme budget, bearing in mind the report of the Committee and regulation 6.6 of the Financial Regulations and Rules.

E. Working Capital Fund

15. The Assembly took note of the recommendations of the Committee on Budget and Finance and decided that the Working Capital Fund for 2018 shall be established in the amount of €1.6 million. The Assembly also decided that the Court may only use the surplus funds and funds received from the payment of outstanding contributions to reach the established level of the Working Capital Fund.

F. Financing of appropriations for 2018

16. The Assembly resolved that, for 2018, the total assessed contributions amounted to €143,846,300.