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**Report on budget performance of the
International Criminal Court as at 31 August 2005****Introduction**

1. The Assembly of States Parties (the Assembly), by its resolutions ICC-ASP/3/Res. 3 and 4 of September 2004,¹ approved a budget of €66,891,200 for the year 2005. The Registrar presents herewith the report on the budget performance of the International Criminal Court (the Court) as at 31 August 2005.

Overview of budget performance of the International Criminal Court

2. The programme budget for 2005 was based on the Prosecutor's assumption that two cases would be sent to the Pre-Trial Chamber and that two cases would enter the trial phase.² In April 2005, the Prosecutor informed the Committee on Budget and Finance (the Committee) of his adjusted assumptions for the year 2005³ and of his expectation that pre-trial activity would commence for one situation in the first half of 2005 and for one case in another situation later in 2005.

3. These revised assumptions have impacted the implementation of the approved budget for 2005. The main effect has been a delay in recruitment of staff against established posts, e.g. trial-related posts. Table 1 shows the resource utilization by item of expenditure. As indicated therein, the overall budget implementation rate of the Court is 48.4 per cent, whereas "Staff costs" has an implementation rate of 43.5 per cent. On the other hand, the budget line "General temporary assistance" has an implementation rate of 130.4 per cent and is overspent by over €0.9 million. This overspend is partly due to investigative and prosecutorial activities relying on general temporary assistance, and partly due to recruitment of general temporary assistance for the security of the Court building in lieu of outsourcing to a local company. It may be recalled that the local company providing physical security for the Court building went into bankruptcy at the end of 2004. As a result, funds reserved for the outsourced contract were redeployed to general temporary assistance and the majority of the

¹ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Third session, The Hague, 6-10 September 2004* (International Criminal Court publication), Part III

² ICC-ASP/3/2* page 51, para 161

³ *Report of the Committee on Budget and Finance on the work of its fourth session, April 2005*, ICC-ASP/4/2, para 12

security personnel of the bankrupt service provider were taken on as temporary staff members.

4. The continued cost-consciousness of the Court has also contributed to the overall implementation rate of 48.4 per cent. This is reflected not only in the efforts to procure the best quality products at the most economic price but also in the adjustments made to planned expenditure (e.g. posts) in line with the development of the Court's activities.

5. Further details are provided in table 1 below.

Table 1
Budgetary performance 2005: resource utilization by item of expenditure
(thousands of euros)

	Approved budget 2005 ⁴	Expenditure as at 31 August 2005	Unencumbered balance as at 31 August 2005	Implementation rate as at 31 August 2005 in %
	[1]	[2]	[1]-[2]=[3]	[4]
Judges	4,011	1,933	2,078	48.2
<i>Subtotal judges</i>	<i>4,011</i>	<i>1,933</i>	<i>2,078</i>	<i>48.2</i>
Staff costs	33,694	14,669	19,025	43.5
General temporary assistance	2,849	3,714	(865)	130.4
Temporary assistance for meetings	1,367	107	1,260	7.8
Overtime	387	69	318	17.8
Consultants	537	139	398	25.9
<i>Subtotal staff costs</i>	<i>38,834</i>	<i>18,698</i>	<i>20,136</i>	<i>48.2</i>
Travel	2,572	1,638	934	63.7
Hospitality	48	24	24	50.0
Contractual services incl. training	10,415	5,165	5,250	49.6
General operating expenses	6,003	2,659	3,344	44.3
Supplies and materials	872	461	411	52.9
Furniture and equipment	4,136	1,764	2,372	42.7
<i>Subtotal non-staff costs</i>	<i>24,046</i>	<i>11,711</i>	<i>12,335</i>	<i>48.7</i>
Total ICC	66,891	32,342	34,549	48.4

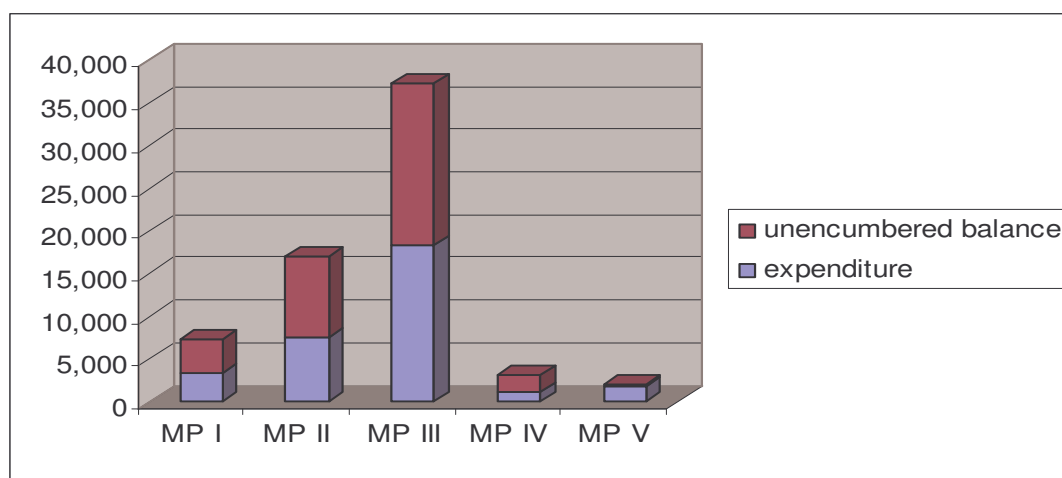
6. Table 2 and figure 1 below show the budget performance by Major Programme. The currently low implementation rate in Major Programme IV, Secretariat of the ASP, will improve during the next few months as major meetings take place in the latter half of the year.

⁴ The approved budget takes into consideration the adjustments within the Secretariat of the ASP to better reflect the budgetary requirements and the decisions of the Assembly of States Parties.

Table 2
Budget performance 2005: summary by Major Programme
(thousands of euros)

	Approved budget 2005	Expenditure as at 31 August 2005	Unencumbered balance as at 31 August 2005	Implementation rate in % as at 31 August 2005
	[1]	[2]	[1]-[2]=[3]	[4]
Major Programme I Judiciary	7,304	3,357	3,947	46.0
Major Programme II Office of the Prosecutor	17,022	7,610	9,412	44.7
Major Programme III Registry	37,312	18,288	19,024	49.0
Major Programme IV Secretariat of the ASP	3,188	1,234	1,954	38.7
Major Programme V Investment in Court's premises	2,065	1,853	212	89.7
Total ICC	66,891	32,342	34,549	48.4

Figure 1. Comparison of expenditure and unencumbered balance by Major Programme as at 31 August 2005 (thousands of euros)



7. The Contingency Fund remains at the approved level. The decision was made to fund unforeseen expenditure, such as those for field offices, by using savings in other areas (e.g. the rental of prison cells), thereby ensuring that there has been no requirement to access resources from the Contingency Fund.

Overview of resource utilization for situation-related activities

8. The Court has set up field offices in the Darfur case, the Democratic Republic of the Congo, and in Uganda. These field offices had not been foreseen in the approved programme budget for 2005 and are financed primarily by savings in budget lines such as “General operating expenses”, and there in particular by savings in the rental of prison cells and legal aid within the Registry.

9. During the first eight months of 2005, the Court has spent €4.4 million on the different situations (€2.7 million within the Office of the Prosecutor and €1.7 million within the Registry). Most of this expenditure relates to “Staff costs” against established posts, “General temporary assistance” and “Travel”. Due to the confidentiality of the investigations and proceedings, no further details will be provided on expenditure in the different situations.

10. Figure 2 below provides a comparison between the core-related and situation-related expenditure of the Court. In line with the approved budget for 2005, the expenditure relating to the first situation is charged against the core budget (see “Situation-related in core budget”), the expenditure relating to other situations against the conditional budget (see “Situation-related in conditional budget, outside core budget”). As can be seen below, 13.6 per cent of ICC’s total expenditure related to the situational activities (of which 6.2 per cent is reflected in the core budget and 7.4 per cent in the conditional budget).

Figure 2. Comparison of expenditure by core budget only, situation-related costs included in core budget and situation-related costs included in conditional budget, as at 31 August 2005

