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**Report on the budget performance of
the International Criminal Court as at 31 August 2006****Introduction**

1. The Assembly of States Parties (the “Assembly”), by its resolution ICC-ASP/4/Res.8 of 3 December 2005, approved budget appropriations totaling € 80,417,200 for the International Criminal Court (the Court) for the year 2006. The Registrar presents herewith the report on the budget performance of the Court for the period from 1 January to 31 August 2006.

Overview of the budget performance of the International Criminal Court

2. The programme budget for 2006 is based on the assumption of the Prosecutor that two trials will start during 2006, one in May and another in July¹. As of now, no trials have begun. Consequently, the Court expects savings of approximately €9 million in the Division of Victims and Counsel and the Division of Court Services and further savings of €7.9 million in the Judiciary and the Office of the Prosecutor.

3. Table 1 shows the current resource utilization of the Court by item of expenditure. As indicated therein, the overall budget implementation rate of the Court is 46.4 per cent. The Court is incurring savings in most staff and non-staff items except in “General temporary assistance” and “Consultants”. Here, the Court is over-expendng, in part because 29.3 per cent of all approved posts are currently vacant. As a result, the Court continues to rely on the support of 137 staff contracted as “General temporary assistance” and also on “Consultants” to compensate for the lack of in-house staff resources. Further details by basic and situation-related budget are provided in tables 1a and 1b of the annex.

¹ See *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fourth session, The Hague 28 November to 3 December 2005* (International Criminal Court publication), part II.B.5, para. 9.

Table 1
Budgetary performance 2006: resource utilization by item of expenditure
(in thousands of euros)

Item of expenditure	Approved budget 2006 [1]	Expenditure as at 31 August 2006 [2]	Unencumbered balance as at 31 August 2006 [1]-[2]=[3]	Implementation rate as at 31 August 2006 in % [2]/[1]=[4]
Judges	3,785.3	1,947.7	1,837.6	51.5
<i>Subtotal judges</i>	<i>3,785.3</i>	<i>1,947.7</i>	<i>1,837.6</i>	<i>51.5</i>
Staff costs	42,845.8	19,181.6	23,664.2	44.8
General temporary assistance	5,106.7	4,621.6	485.1	90.5
Temporary assistance for meetings	2,481.8	394.8	2,087.0	15.9
Overtime	311.6	175.0	136.6	56.2
Consultants	254.9	305.4	-50.5	119.8
<i>Subtotal staff costs</i>	<i>51,000.8</i>	<i>24,678.4</i>	<i>26,322.4</i>	<i>48.4</i>
Travel	4,023.8	1,488.2	2,535.6	37.0
Hospitality	48.0	18.3	29.7	38.1
Contractual services incl. training	8,353.7	3,208.6	5,145.1	38.4
General operating expenses	10,058.3	4,241.8	5,816.5	42.2
Supplies and materials	1,272.3	558.3	714.0	43.9
Furniture and equipment	1,875.0	1,146.7	728.3	61.2
<i>Subtotal non-staff costs</i>	<i>25,631.1</i>	<i>10,661.9</i>	<i>14,969.2</i>	<i>41.6</i>
Total ICC	80,417.2	37,288.0	43,129.2	46.4

4. Table 2 below shows the budget performance by Major Programme. The implementation rates of the Judiciary, the Office of the Prosecutor, and the Registry are quite similar and all slightly higher than the overall average of 46.6 per cent. The current low implementation rate in Major Programme IV, Secretariat of the Assembly of States Parties, will improve during the next few months due to major meetings taking place in the latter half of the year. In Major Programme V, Investment in the Court's Premises, hardly any costs have been incurred in 2006 as the decision concerning the Court's interim and permanent premises is still pending.

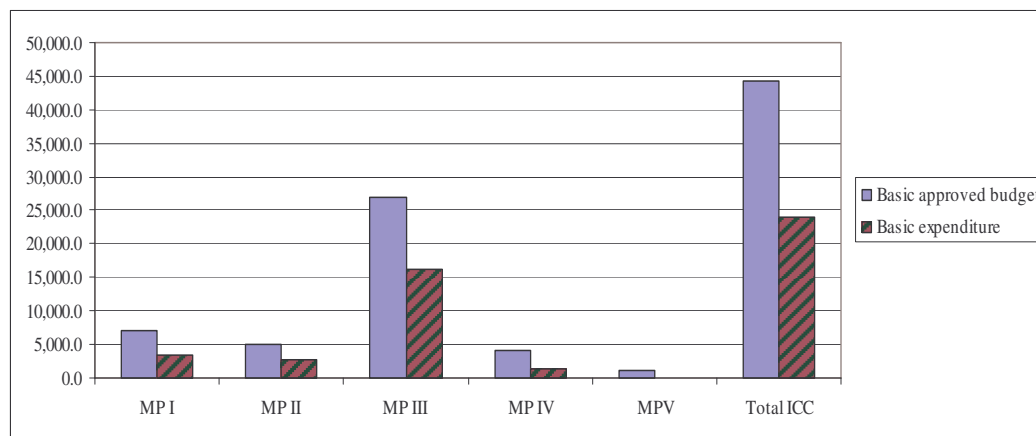
Table 2
Budget performance 2006: summary by Major Programme
(in thousands of euros)

Major Programme	Approved budget 2006 [1]	Expenditure as at 31 August 2006 [2]	Unencumbered balance as at 31 August 2006 [1]-[2]=[3]	Implementation rate as at 31 August 2006 in % [2]/[1]=[4]
Major Programme I Judiciary	7,751.2	3,611.3	4,139.9	46.6
Major Programme II Office of the Prosecutor	20,876.3	9,862.4	11,013.9	47.2
Major Programme III Registry	46,608.3	22,291.0	24,317.3	47.8
Major Programme IV Secretariat of the ASP	4,075.6	1,413.6	2,662.0	34.7
Major Programme V Investment in the Court's Premises	1,105.8	109.7	996.1	9.9
Total ICC	80,417.2	37,288.0	43,129.2	46.4

5. The Court has set up a total of five field offices - in Chad (N’Djamena and Abeche), in the Democratic Republic of the Congo (Kinshasa and Bunia), and in Uganda (Kampala). During the first eight months of 2006, the Court spent €13.2 million on the different situations (€7.1 million within the Office of the Prosecutor, €6.0 million within the Registry, and the remaining amount of €0.08 million within the Judiciary). Most of this expenditure (80 per cent) relates to “Staff costs”, “General temporary assistance”, and “Travel”. For reasons having to do with the confidentiality of the investigations and proceedings, no further details will be provided on expenditures in the different situations.

6. Figures 1 and 2 below show comparisons between the basic budget and expenditure and the situation-related budget and expenditure by Major Programme. The 2006 budget defined basic costs as the costs required to set up and sustain the International Criminal Court as an organization with a basic capacity to be ready to react to situations before an investigation is opened. The basic budget includes the resources for judges and elected officials and their support staff, essential services for maintaining the Court’s basic administrative functions and its premises, and the necessary capacity to perform initial analysis and investigative, prosecutorial and judicial functions before the opening of an investigation. The situation-related budget includes costs generated by activities when a decision to open an investigation into a situation has been made (either by the Prosecutor under article 53 of the Rome Statute or by the Pre-Trial Chamber under article 15 of the Statute). As the figures below show, 64.5 per cent of the Court’s total expenditure of €37.3 million as at 31 August 2006 is linked to basic activities and 35.5 per cent to situation-related activities.

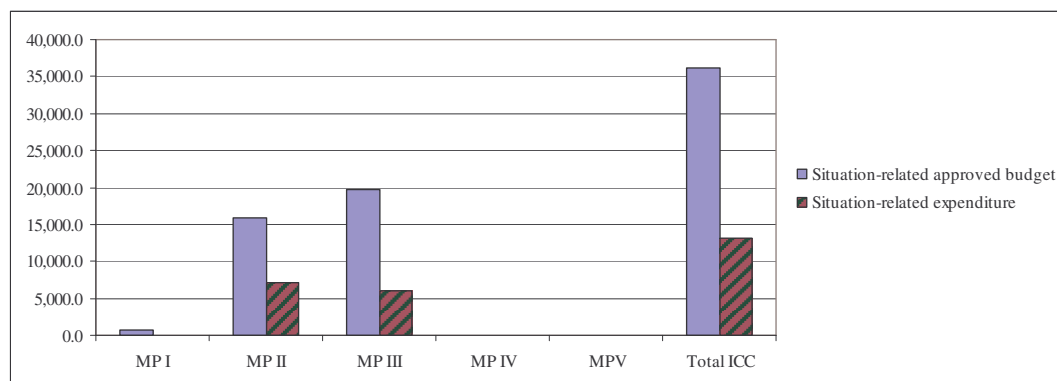
Figure 1
Comparison between basic budget and expenditure, by Major Programme
(in thousands of euros)



Note: MP I = Major Programme I, Judiciary; MP II = Major Programme II, Office of the Prosecutor; MP III = Major Programme III, Registry; MP IV = Major Programme IV, Secretariat of the Assembly of States Parties; MP V = Major Programme V, Investment in the Court’s Premises

Figure 2

Comparison between situation-related budget and expenditure, by Major Programme
(in thousands of euros)



Note: MP I = Major Programme I, Judiciary; MP II = Major Programme II, Office of the Prosecutor; MP III = Major Programme III, Registry; MP IV = Major Programme IV, Secretariat of the Assembly of States Parties; MP V = Major Programme V, Investment in the Court's Premises

7. Further details on the basic and situation-related budget by Major Programme are provided in tables 2a and 2b of the annex

8. In its report on the work of its sixth session, the Committee on Budget and Finance requested that in future the report on the budget performance should include data on post occupancy². Accordingly, two tables are included below showing that 441 out of the 624 approved posts have been filled as at 31 August 2006. Currently vacant are 183 posts (97 professional and 86 general service). Of the 183 vacant posts, 35 are advertised.

Table 3
Staffing 2006: Approved posts versus filled posts by Major Programme

Major Programme	Approved posts 2006	Filled posts as at 31 August 2006	Implementation rate in %	Vacant posts advertised as at 31 August 2006	Vacant posts not advertised as at 31 August 2006	
	[1]	[2]	[2]/[1]= [3]	[4]	[5a]	[5b]
Major Programme I Judiciary	44	32	72.7	0	12	10
Major Programme II Office of the Prosecutor	193	128	66.3	21	44	44
Major Programme III Registry	380	275	72.4	13	92	69
Major Programme IV Secretariat of the ASP	7	6	85.7	1	0	0
Major Programme V Investment in the Court's Premises	0	0	0	0	0	0
Total ICC	624	441	70.7	35	148	123

Note: Column [5a] includes 25 vacant posts which the Court has frozen in 2006 and proposes to abolish in 2007 (2 posts in Major Programme I, Judiciary, and 23 posts in Major Programme III, Registry). Column [5b] refers to vacant posts not advertised, excluding the 25 frozen posts.

² See ICC-ASP/5/1, para. 24.

Table 4
Staffing 2006: Approved posts versus filled posts, by post type (professional and general service staff)

Major Programme	Post type	Approved posts 2006	Filled posts as at 31 August 2006	Implementation rate in %	Vacant posts advertised as at 31 August 2006	Vacant posts not advertised as at 31 August 2006
	[1]	[2]	[3]	[3]/[2]=[4]	[5]	[6]
Major Programme I	P	28	22	78.6	0	6
Judiciary	GS	16	10	62.5	0	6
Major Programme II	P	131	84	64.1	15	32
Office of the Prosecutor	GS	62	44	71.0	6	12
Major Programme III	P	150	107	71.3	12	31
Registry	GS	230	168	73.0	1	61
Major Programme IV	P	3	2	66.7	1	0
Secretariat of the ASP	GS	4	4	100.0	0	0
Major Programme V	P/GS	0	0	0	0	0
Investment in the Court's Premises						
<i>Subtotal professional staff</i>	<i>P</i>	<i>312</i>	<i>215</i>	<i>68.9</i>	<i>28</i>	<i>69</i>
<i>Subtotal general service staff</i>	<i>GS</i>	<i>312</i>	<i>226</i>	<i>72.4</i>	<i>7</i>	<i>79</i>
Total ICC, all posts		624	441	70.7	35	148

Note: P = professional; GS = general service

9. Between 1 January 2006 and 31 August 2006, the Court recruited 91 staff against approved posts (35 professional and 56 general service staff). During the same time period, 15 staff members separated from the organization (12 professional and 3 general service). The trend towards more staff staying on at the Court is a positive one. The turnover rate for the first eight months of 2006 has dropped to 16.5 per cent compared with 26.3 per cent during the same period in the previous year.

10. Table 5 below shows the Court's budget performance since its establishment. As can be seen, the implementation rate improved from 69.5 per cent during the combined budget year 2002/2003, which marked the beginning of the Court, to 95.4 per cent at the end of last year.

Table 5
Comparison of budget performance from 2002 to 2006 (in thousands of euros)

Budget year	Approved budget	Expenditure as at 31 August	Unencumbered balance as at 31 August	Implementation rate as at 31 August in %	Expenditure as at 31 December	Unencumbered balance as at 31 December	Implementation rate as at 31 December in %
	[1]	[2]	[1]-[2]=[3]	[2]/[1]=[4]	[5]	[1]-[5]=[6]	[5]/[1]=[7]
2002/2003	30,893.5	n.a.	n.a.	n.a.	21,478.0	9,415.5	69.5
2004	53,071.8	22,421.0	30,650.8	42.2	43,509.5	9,652.3	82.0
2005	66,891.2	32,342.0	34,549.0	48.4	63,829.7	3,061.5	95.4
2006	80,417.2	37,288.0	43,129.2	46.4	n.a.	n.a.	n.a.

Note: 2005 expenditure includes € 8 million for the judges' pension fund.

Annex

Table 1a: Budgetary performance 2006: resource utilization by item of expenditure – basic budget (in thousands of euros)

Item of expenditure	Approved basic budget 2006	Expenditure as at 31 August 2006	Unencumbered balance as at 31 August 2006	Implementation rate as at 31 August 2006 in %
	[1]	[2]	[1]-[2]=[3]	[2]/[1]=[4]
Judges	3,785.3	1,947.7	1,837.6	51.5
<i>Subtotal judges</i>	<i>3,785.3</i>	<i>1,947.7</i>	<i>1,837.6</i>	<i>51.5</i>
Staff costs	24,258.6	12,546.0	11,712.6	51.7
General temporary assistance	1,380.9	2,110.6	-729.7	152.8
Temporary assistance for meetings	2,481.8	386.3	2,095.5	15.6
Overtime	202.1	168.5	33.6	83.4
Consultants	112.0	101.4	10.6	90.5
<i>Subtotal staff costs</i>	<i>28,435.4</i>	<i>15,312.8</i>	<i>13,122.6</i>	<i>53.9</i>
Travel	678.0	331.1	346.9	48.8
Hospitality	48.0	18.0	30.0	37.5
Contractual services incl. training	3,406.3	2,195.7	1,210.6	64.5
General operating expenses	5,989.3	3,270.0	2,719.3	54.6
Supplies and materials	767.6	413.1	354.5	53.8
Furniture and equipment	1,134.6	565.0	569.6	49.8
<i>Subtotal non-staff costs</i>	<i>12,023.8</i>	<i>6,792.9</i>	<i>5,230.9</i>	<i>56.5</i>
Total ICC	44,244.5	24,053.4	20,191.1	54.4

Table 1b: Budgetary performance 2006: resource utilization by item of expenditure – situation-related budget (in thousands of euros)

Item of expenditure	Approved situation-related budget 2006	Expenditure as at 31 August 2006	Unencumbered balance as at 31 August 2006	Implementation rate as at 31 August 2006 in %
	[1]	[2]	[1]-[2]=[3]	[2]/[1]=[4]
Judges	0.0	0.0	0.0	0.0
<i>Subtotal judges</i>	<i>0.0</i>	<i>0.0</i>	<i>0.0</i>	<i>0.0</i>
Staff costs	18,587.4	6,635.7	11,951.5	35.7
General temporary assistance	3,725.8	2,511.0	1,214.8	67.4
Temporary assistance for meetings	0.0	8.5	-8.5	-
Overtime	109.3	6.5	103.1	5.9
Consultants	142.9	204.0	-61.1	142.8
<i>Subtotal staff costs</i>	<i>22,565.4</i>	<i>9,365.7</i>	<i>13,199.8</i>	<i>41.5</i>
Travel	3,345.8	1,157.0	2,188.8	34.6
Hospitality	0.0	0.3	-0.3	-
Contractual services incl. training	4,947.4	1,012.9	3,934.5	20.5
General operating expenses	4,069.0	971.8	3,097.2	23.9
Supplies and materials	504.7	145.2	359.5	28.8
Furniture and equipment	740.4	581.7	158.7	78.6
<i>Subtotal non-staff costs</i>	<i>13,607.3</i>	<i>3,868.9</i>	<i>9,738.4</i>	<i>28.4</i>
Total ICC	36,172.7	13,234.6	22,938.2	36.6

Table 2a: Budget performance 2006: summary by Major Programme – basic budget
(in thousands of euros)

Major Programme	Approved budget 2006	Expenditure as at 31 August 2006	Unencumbered balance as at 31 August 2006	Implementation rate as at 31 August 2006 in %
	[1]	[2]	[1]-[2]=[3]	[2]/[1]=[4]
Major Programme I Judiciary	7,094.9	3,527.9	3,567.0	49.7
Major Programme II Office of the Prosecutor	5,073.4	2,727.1	2,346.3	53.8
Major Programme III Registry	26,894.8	16,275.1	10,619.7	60.5
Major Programme IV Secretariat of the ASP	4,075.6	1,413.6	2,662.0	34.7
Major Programme V Investment in the Court's premises	1,105.8	109.7	996.1	9.9
Total ICC	44,244.5	24,053.4	20,191.1	54.4

Table 2b: Budget performance 2006: summary by Major Programme – situation-related budget (in thousands of euros)

Major Programme	Approved budget 2006	Expenditure as at 31 August 2006	Unencumbered balance as at 31 August 2006	Implementation rate as at 31 August 2006 in %
	[1]	[2]	[1]-[2]=[3]	[2]/[1]=[4]
Major Programme I Judiciary	656.3	83.4	572.9	12.7
Major Programme II Office of the Prosecutor	15,802.9	7,135.3	8,667.6	45.1
Major Programme III Registry	19,713.5	6,015.9	13,697.6	30.5
Major Programme IV Secretariat of the ASP	0.0	0.0	0.0	0.0
Major Programme V Investment in the Court's premises	0.0	0.0	0.0	0.0
Total ICC	36,172.7	13,234.6	22,938.1	36.6

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