

Fifth session

The Hague

23 November to 1 December 2006

ITEM 11: Consideration and adoption of the budget for the fifth financial year

Proposal by Australia, Canada and New Zealand in relation to the section of the draft resolution on the proposed programme budget for 2007 dealing with the scale of assessments

It is proposed to insert the words in bold below into the section of the draft resolution on the programme budget for 2007 that deals with the scale of assessments (for the programme budget for 2006, section C of resolution ICC-ASP/4/Res.8):

“The Assembly of States Parties...

*Decides that, for the year 2007, the International Criminal Court shall adopt the scale of assessments of the United Nations applicable for the year 2007, with adjustments to take into account the difference in membership between the United Nations and the Assembly of States Parties to the Rome Statute, in accordance with the principles, **including maximum assessment rates**, upon which the scale of the United Nations is based.”*

Explanatory note

1. The objective of the proposed language is to affirm that the United Nations ceiling on assessed contributions applies in respect of contributions of States Parties to the Rome Statute of the International Criminal Court.
2. Article 117 of the Rome Statute provides that “The contributions of States Parties shall be assessed in accordance with an agreed scale of assessment, *based on the scale adopted by the United Nations for its regular budget and adjusted in accordance with the principles on which that scale is based*” (emphasis added). The ceiling on assessed contributions is one of the “principles” on which the United Nations scale is currently based. At the present time, the maximum contribution payable by any one Member State under that scale is 22 per cent.
3. The level of the ceiling is under debate in the Fifth Committee of the United Nations General Assembly. While the proposed language affirms that the United Nations ceiling will apply to assessed contributions to the International Criminal Court, it does not specify what that ceiling should be. If the Fifth Committee subsequently agrees to change the United Nations ceiling, such a change would also apply to assessed contributions to the International

Criminal Court. The adoption of this language would not open a parallel debate on the level of the ceiling in The Hague and would in no way prejudice the outcome of the debate in New York.

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