

**Twenty-first session**

The Hague, 5-10 December 2022

Report of the Working Group on the 2023 proposed programme budget of the International Criminal Court**External audit, programme budget for 2023 and related documents****A. Introduction**

1. The Assembly of States Parties (the Assembly) had before it the 2023 proposed programme budget submitted by the Registrar of the International Criminal Court (the Court), in an advance version, on 5 August 2022,¹ the reports of the thirty-eighth,² resumed thirty-eighth³ and thirty-ninth⁴ sessions of the Committee on Budget and Finance (the Committee), the reports of the Audit Committee on its fifteenth and sixteenth sessions,⁵ the financial statements of the Court for the period 1 January to 31 December 2021,⁶ and the financial statements of the Trust Fund for Victims for the period 1 January to 31 December 2021.⁷ In addition, the Assembly had before it annex V of the report of the Committee on the work of its thirty-ninth session, in which the Court outlined the budgetary implications of the Committee's recommendations on the budgets of the major programmes.

2. The Assembly was provided with statements by the Registrar of the Court, Mr. Peter Lewis, the Chair of the Committee, Mr. Werner Druml, the Vice-Chair of the Audit Committee, Mr. Aiman Ibrahim Hija, and the representative of the External Auditor (the Board of Audit and Inspection (Republic of Korea), Mr. Yang Chan Cho).

3. The Working Group on the Programme Budget met on 7 and 9 December 2022. During the meetings, the draft resolution on the proposed programme budget 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 thirty-ninth session.

¹ *Official Records ... Twenty-first session ... 2022* (ICC-ASP/21/20), vol. II, part A.

² *Ibid.*, part B.1.

³ *Ibid.*, part B.2.

⁴ *Ibid.*, part B.3.

⁵ http://asp.icc-cpi.int/en_menus/asp/AuditCommittee/.

⁶ *Ibid.*, part C.1.

⁷ *Ibid.*, part C.2.

C. Amount of appropriation

5. The Court's 2023 proposed programme budget amounted to €186,826.4 thousand, including €3,585.1 thousand for Major Programme VII-2 (Host State Loan).

6. The Committee considered the Court's 2023 proposed programme budget at its thirty-ninth session and concluded that there were a number of areas where savings could be made. Accordingly, the Committee recommended that the budget allocation be reduced to a total of €179,576.6 thousand, including €3,585.1 thousand for Major Programme VII-2 (Host State Loan).

7. The Assembly endorsed the recommendations contained in the report of the Committee, with the additional adjustments as reflected in resolution ICC-ASP/21/Res.1. The Assembly therefore approved a budget appropriation for 2023 of €173,234.3 thousand. The Assembly noted that this was an exceptional increase on the 2022 approved budget, and did not constitute a precedent.

8. The Assembly noted that without Major Programme VII-2 (Host State Loan), the total level of assessed contributions for the 2023 programme budget amounted to €169,649.2 thousand.

D. Contingency Fund

9. The Assembly decided to maintain the notional level of the Contingency Fund at €7.0 million.

10. 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 2022 were exhausted before accessing the Contingency Fund.

E. Working Capital Fund

11. The Assembly took note of the recommendations of the Committee on Budget and Finance and decided that the Working Capital Fund for each year shall be established in the amount of one-twelfth of the approved budget appropriations for the previous year. 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 2023

12. The Assembly resolved that, for 2023, the total assessed contributions amounted to €169,649.2 thousand.
