

Resolution ICC-ASP/1/Res.4

Adopted at the 1st plenary meeting, on 3 September 2002, by consensus

ICC-ASP/1/Res.4

Establishment of the Committee on Budget and Finance

The Assembly of States Parties,

Bearing in mind article 112, paragraphs 2 (b) and (d) and 4, of the Rome Statute,

Desiring to provide an appropriate mechanism for the budgetary and financial review and monitoring of the resources of the International Criminal Court, including those of the Assembly,

Decides to establish a Committee on Budget and Finance in accordance with the terms of reference set out in the annex to the present resolution.

Annex

1. The Assembly of States Parties establishes, in accordance with the present resolution, a Committee on Budget and Finance composed of 12 members.

2. The Assembly shall elect the members of the Committee on Budget and Finance, who should not be of the same nationality, on the basis of equitable geographical distribution. The members of the Committee shall be experts of recognized standing and experience in financial matters at the international level from States Parties. They shall carry out their duties for three calendar years and may be re-elected. Of the 12 members who are initially elected, 4 shall be elected for a period of one year, 4 for a period of two years and the remaining 4 for a period of three years.

3. The Committee on Budget and Finance shall be responsible for the technical examination of any document submitted to the Assembly that contains financial or budgetary implications or any other matter of a financial, budgetary or administrative nature, as may be entrusted to it by the Assembly of States Parties. In particular, it shall review the proposed programme budget of the Court, prepared by the Registrar, in consultation with the other organs referred to in article 34, subparagraphs (a) and (c), of the Rome Statute, and shall make the relevant recommendations to the Assembly concerning the proposed programme budget. It shall also consider reports of the Auditor concerning the financial operations of the Court and shall transmit them to the Assembly together with any comments which it may deem appropriate.

4. The Committee on Budget and Finance shall meet when required and at least once per year.

5. The Assembly of States Parties shall keep under review the number of members of the Committee on Budget and Finance.

Resolution ICC-ASP/1/Res.5

Adopted at the 1st plenary meeting, on 3 September 2002, by consensus

ICC-ASP/1/Res.5

Procedure for the nomination and election of members of the Committee on Budget and Finance

The Assembly of States Parties,

Bearing in mind its draft resolution establishing the Committee on Budget and Finance,

Mindful of the Rules of Procedure of the Assembly of States Parties,

Approves the following procedure for the election of members of the Committee on Budget and Finance:

A

Nomination of candidates

1. The Secretariat of the Assembly of States Parties shall circulate through the diplomatic channel the invitations for nominations of members of the Committee on Budget and Finance. The invitations will include the requirement that the candidates be experts of recognized standing and experience in financial matters at the international level.
2. States Parties shall nominate their candidates during the nomination period, which shall be fixed by the Bureau of the Assembly of States Parties.
3. Nominations submitted before or after the nomination period shall not be considered.
4. If at the end of the nomination period the number of candidates remains less than the number of seats, the President of the Assembly of States Parties shall extend the nomination period.
5. States Parties to the Statute shall communicate nominations for the election of the members of the Committee on Budget and Finance through the diplomatic channel to the Secretariat of the Assembly of States Parties.
6. Each nomination shall specify how the candidate fulfils the requirements of paragraph 2 of the annex to the draft resolution establishing the Committee on Budget and Finance.
7. The Secretariat of the Assembly of States Parties shall prepare a list in English alphabetical order of all persons thus nominated, with accompanying documents, and shall circulate it through the diplomatic channel.

B

Distribution of seats

8. Bearing in mind the requirements of paragraph 2 of the annex to the draft resolution establishing the Committee on Budget and Finance, the distribution of seats for the first election is as follows:

- African States, two seats;
- Asian States, two seats;
- Eastern European States, two seats;
- Group of Latin American and Caribbean States, two seats;
- Western European and Other States, four seats.

C

Election of members of the Committee on Budget and Finance

9. Every effort shall be made to elect the members of the Committee by consensus, on the basis of a recommendation by the Bureau. In making its recommendation, the Bureau shall consult the regional groups. In the absence of agreement within the concerned regional group, the Bureau shall abstain from making a recommendation regarding that group.

10. In the absence of a consensus, the election of members of the Committee on Budget and Finance shall be a matter of substance, and subject to the requirements of article 112, paragraph 7 (a), of the Statute.

11. The election shall be by secret ballot. The requirement may be dispensed with if the number of candidates corresponds to the number of seats to be filled or in respect of candidates endorsed by the respective regional groups, unless a delegation specifically requests a vote on a given election.

12. The persons elected shall be those candidates from each group who obtain the highest number of votes and a two-thirds majority of States Parties present and voting, provided that an absolute majority of the States Parties constitutes the quorum for voting.

13. For the purpose of the first election, the President of the Assembly of States Parties shall draw lots to determine, pursuant to paragraph 2 of the annex to the draft resolution on the establishment of the Committee on Budget and Finance, the cadence of term of office for the members elected.

14. The present procedure is without prejudice to the overall composition of the Committee on Budget and Finance, the procedures for future elections or the future distribution of seats.

15. The State Party which submitted the nomination of a member of the Committee on Budget and Finance shall defray the expenses of that member while in performance of Committee duties.

Resolution ICC-ASP/2/Res.4

Adopted at the 5th plenary meeting, on 12 September 2003, by consensus

ICC-ASP/2/Res.4

Travel and subsistence expenses of members of the Committee on Budget and Finance

The Assembly of States Parties to the Rome Statute of the International Criminal Court,

Bearing in mind its resolution ICC-ASP/1/Res.5 on the procedure for the nomination and election of members of the Committee on Budget and Finance,

Taking into account the recommendations contained in paragraph 63 of the report of the Committee on Budget and Finance⁹ and paragraph 21 of the report of the Working Group on the Programme Budget for 2004,¹⁰

Decides to amend paragraph 15 of its resolution ICC-ASP/1/Res.5, which reads:

“The State Party which submitted the nomination of a member of the Committee on Budget and Finance shall defray the expenses of that member while in performance of Committee’s duties”

to read:

“Travel and subsistence expenses of members of the Committee on Budget and Finance while in performance of the Committee’s duties shall be met from the programme budget.”

⁹ ICC-ASP/2/7 (see also part II.A.6 of the present report).

¹⁰ ICC-ASP/2/WGPB/L.1.

Resolution ICC-ASP/2/Res.5

Adopted at the 5th plenary meeting, on 12 September 2003, by consensus

ICC-ASP/2/Res.5

Term of office of the members of the Committee on Budget and Finance

The Assembly of States Parties to the Rome Statute of the International Criminal Court,

Recalling its resolution ICC-ASP/1/Res.4 of 3 September 2002 on the establishment of the Committee on Budget and Finance,

Wishing to amend paragraph 2 of the annex to the said resolution,

Decides to amend the last sentence of paragraph 2 of the annex to its resolution ICC-ASP/1/Res.4 of 3 September 2002 on the establishment of the Committee on Budget and Finance, to read as follows:

“Of the 12 members who are initially elected, 6 shall be elected for a period of two years and the remaining 6 for a period of three years.”