

8. Reports of the Committee on Budget and Finance

(a) Report of the Committee on Budget and Finance on the work of its second session, March 2004¹

I. Introduction

A. Opening of the Session and Adoption of the Agenda

1. The Committee on Budget and Finance was convened in accordance with a decision of the Assembly of States Parties taken at its 5th plenary meeting on 12 September 2003, and met at the seat of the Court in The Hague from 29 to 31 March 2004. The Committee held 8 meetings.

2. The session was presided over by the Chairman Mr. Karl Paschke (Germany) and opened by the President of the Court, Mr. Philippe Kirsch.

3. The Secretariat of the Assembly of States Parties provided the substantive servicing for the Committee and its Director, Dr. Medard Rwelamira, acted as Secretary of the Committee.

4. The Committee adopted the following agenda (ICC-ASP/3/CBF.1/L.1):

1. Opening of the session
2. Adoption of the agenda
3. Organization of work
4. Participation of observers
5. Consideration of the Report from the Court
6. Approval of the Report of the meeting
7. Documentation for the August 2-6 meeting
8. Other matters
9. Closing of the session

5. The following members attended the second session of the Committee:

1. Lambert Dah Kindji (Benin)
2. Eduardo Gallardo Aparicio (Bolivia)
3. Fawzi A. Gharaibeh (Jordan)
4. Hahn Myung-jae (Republic of Korea)
5. Peter Lovell (United Kingdom of Great Britain and Northern Ireland)
6. John F. S. Muwanga (Uganda)
7. Karl Paschke (Germany)
8. Elena Sopková (Slovakia)
9. Inna Steinbuka (Latvia)
10. Michel Tilemans (Belgium)
11. Santiago Wins (Uruguay)

6. Officials from the Court were invited to participate in the meetings of the Committee for the purpose of the introduction of the Report from the Court.

¹ Previously issued as ICC-ASP/3/22.

B. Participation of Observers

7. It was decided to accept the request of the Coalition for the International Criminal Court for a 45-minute presentation to be made by its representatives Ms. Cecilia Nilsson Kleffner and Mr. Jonathan O'Donohue. The Committee also decided to accept the request of Mr. Edmond Wellenstein, Director-General of the Host Country ICC Task Force, which is the main interlocutor with the Court, to address the Committee.

C. Travel Expenses of Committee Members

8. The Committee noted that its members, as they travel between their respective resident countries and the venue of meetings of the Committee are entitled to business class fares, following relevant United Nations practice (i.e. Advisory Committee on Administrative and Budgetary Questions; Committee for Programme and Co-ordination and the Committee on Contributions). Consequently, the Committee requested the Assembly of States Parties Secretariat and the Court to handle entitlements accordingly henceforth.

D. Premises of the Court

9. The Committee was addressed by Mr. Edmond Wellenstein of the ICC Task Force. The Committee was informed that the Court will continue to be temporarily housed in the current premises until such time that it can move to its own new premises. Part of the temporary premises have been refurbished at the cost of the Government of the Kingdom of the Netherlands, a Pre-Trial Chamber has been built, another bigger courtroom as well as holding cells are also being constructed. The Court and the Host Country are together working on a brief for the permanent premises and the plan is to submit the brief in due time to the Assembly of States Parties, through the Committee, for approval.

10. The representative of the Host Country stated that the financing of the new premises, which may require several hundred million euro will need to be discussed and approved by the Assembly of States Parties which should consider various options including financing through banking institutions or through private donations.

11. The Committee noted the special responsibility of the Host Country in financing the construction of the permanent premises for the Court.

II. Consideration of the Report Provided by the Court**A. Management Matters****1. Host Country Agreement and Status of Court's Temporary Premises**

12. The Registrar informed the Committee that negotiations were ongoing on the Host Country Agreement and enumerated the limited number of outstanding matters on which negotiations are continuing. These included the status of Nongovernmental organizations, representatives of the media, the Enforcement of Sentences and Provisions relating to Interim Release.

13. The Court noted that some €14 million expenses in addition to those budgeted for in the current programme were to be incurred in connection with the Court's detention facility, secure mail receiving facility, expansion into the C-wing of the current premises and the construction of additional courtrooms. The Committee noted with regret that the recently-installed video recording facility in the Pre-Trial Chamber was already regarded as obsolete. With regard to the issue of construction of detention facilities, the Committee reiterated the need to further explore the possibility of sharing of detention facilities with other international organizations and the Host Country.

14. The Committee requested further information regarding the Host Country's original statements and undertakings in respect of the facilities with which it would furnish the Court. In this regard the Committee sought, but was unable to obtain clarification on expenses incurred against the €33 million offer by the Host Country as indicated in its Statement dated 15 April 2002.

15. The Committee expressed the hope that the Host Country, even in the absence of detailed undertakings, would be gracious and generous, in keeping with its officially-stated intentions, in accommodating the needs of the Court pertaining to space and equipment.

16. The Committee cautioned against non-essential investment of infrastructure resources into the Court's temporary premises. It also requested further information regarding the dimension and timescale for growth envisaged by the Court.

17. The Committee will revert to these issues at its next session in August 2004 in light of the additional information to be provided by the Registrar.

2. Managerial Progress and the Structure of the Court

18. The Court presented the Committee with organigrammes of the structure of each of its Organs, explaining the internal *modus operandi* of each Organ. Co-ordination of their activities is secured through regular meetings of the Co-ordination Council. The judicial activities of the Court obviously depend upon the level of activity of the Office of the Prosecutor. In this respect, the Office of the Prosecutor anticipates that two situations will be under investigation during the course of 2004, with at least one of those situations, the referral by the President of the Republic of Uganda, constituting a full-fledged investigation. However, the extent of these activities will depend on a number of factors, including security which is a major concern for the Court's investigations. The conclusion of the UN-ICC Relationship Agreement and subsequent agreements with the Department of Peace Keeping Operations of the United Nations would greatly facilitate the work of the Court and alleviate the high security risks and costs if the Court were obliged to provide its own security in the field.

19. The Committee recalled its comments and recommendations regarding safety and security in Paragraph 46 of its report of 8 August 2003 (ICC-ASP/2/7) and urged the Court to conclude Memoranda of Understanding with UNSECOORD, as well as with other Intergovernmental Organizations such as the African Union and the European Union and to seek from States Parties contributions to security capabilities in support of field investigations.

20. The Court informed the Committee that of the 375 staff for which budgetary provision has been made for 2004, 177 staff members so far have been recruited on 1 year contracts, with 35 staff members on a General Temporary Assistance basis and 7 consultants. Although this represents slower progress towards the figure of 375 than might be expected, the Court has endeavored not to recruit more staff than it needs at a given time. The Court's vacancy rate for 2003 was 25% but it was difficult to anticipate what the rate will be for 2004.

21. The geographical distribution and gender balance of the Court's recruited staff was discussed, with the Court reporting that no state or region's targets had as yet been exceeded. Its gender balance is currently tipped in favour of males, but the ratio of recruited males to female professionals mirrored precisely the ratio of male to female applicants for those posts. The Committee expressed concern that Asia and Africa were under-represented amongst the staff of the Court.

22. The Committee requested information regarding the redeployment of posts between sections of the Court. The Court undertook to provide a report on redeployment to the next session in August 2004 of the Committee, by which time the redeployment process will have been completed. In its deliberation the Committee expressed a desire to have more information on the number of consultants employed by the Court and the grounds on which consultants are used.

3. Communication Between Members of the Committee and the Court

23. The Committee welcomed the Court's proposed mechanism for facilitating the secure flow and exchange of information between members of the Committee *inter se* and between the Court and the Committee. The proposed mechanism will facilitate the secure online hosting of documents under discussion by the Committee and will obviate the need for the cumbersome circulation of documents by email. Additionally, it will allow online discussion by the Committee members. The Committee expressed its appreciation for the proposed new system, while stating that in order for the system to be successful, it will require the Court to use it to circulate documents and engage in discussions with the Committee, while taking care not to circulate more documents than necessary and so overburden the Committee. The Committee requested the Court to give a practical demonstration of the system at its next session in August 2004. The Committee also noted that it is important that any system adopted by the Court should be durable and not become obsolete technology within a short space of time.

4. Substantive Performance Reports of the Organs

24. The Committee received from the Presidency, the Office of the Prosecutor and the Registry, substantive performance reports on the activities of the respective Organs of the Court for 2003.

25. The Committee expressed concern over a certain fragmentation between the three Organs and the apparent lack of unanimity on a strategy to centralize administrative duties in the Registry, which may result in the possible duplication of activities. The Committee requested the Court to provide a common organizational chart describing the relationship between the different Organs. The Committee also requested details of the criteria by which the Court distinguishes between its organizational sections, units and divisions in order to assist the Committee in its consideration of the substructures of the Organs of the Court. The Court undertook to furnish the Committee with this information at its next session in August 2004.

26. With regard to outreach and external relations, the Committee requested a list of activities which the different Organs of the Court have performed and recommended that the Court develop a common outreach and external relations programme. A strategy document on this issue should be submitted to the Committee at its next session in August 2004.

5. Report on Budget Issues

27. The Committee received a report on the status of implementation of the 2003 budget, including the status of assessed contributions as at 25 March 2004, as well as an audit update. The Court also sought guidance from the Committee on whether financial statements of the Court should be signed by all the heads of Organs or whether the Registrar should continue to be the sole signatory to the financial statements. The Committee decided that the Registrar should continue to sign the Court's financial statements as the sole signatory.

28. The Committee received a status report on the implementation of the Court's 2004 budget. The Committee was also informed that in its review of the budget the Court had identified a potential deficit in the budget caused by technical errors in computing salary costs. This error resulted in an underestimation of the 2004 Programme Budget by €4.75 million. However, the Court indicated that based on the revised and re-prioritized staffing requirements, the forecast total of work months and the Court's other financial requirements, the forecast deficit would be reduced to €860.000. The Committee was also informed that control mechanisms have been put in place to avoid similar mistakes in the future.

29. The Committee expressed its regret that this mistake was made and noted the measures taken by the Court to ensure that such a miscalculation does not reoccur in the future. The Committee undertook to monitor the consequences of this occurrence and decided to revisit the issue at its next session in August 2004.

30. The Court proposed moving the current December to September budget preparation schedule to the period March to November. The advantage of this timetable would be that the draft budget could be finalized in August and submitted to the Committee and Assembly of States Parties in October and November respectively, closer to the period of the actual implementation of the budget. The Committee was of the view that such a move would be useful and would add to the efficiency of the budgetary process. The Committee recommended that the matter should be referred to the Assembly of States Parties for consideration.

31. The Court requested the Committee's advice on the possibility of changing the budgetary cycle from annual to biennial. This would enable the Court to provide better recruitment terms to staff and to undertake long-term capital projects. The Committee was of the view that while the proposal is commendable, it would not be prudent to move to a biennial budgetary cycle at this stage of the development of the Court.

32. On the issue of staff recruitment the Committee was concerned that staff was only being offered one year contracts. This included key positions. The Committee expressed its concern at this approach on two counts. Firstly, it would not facilitate recruiting a workforce with a wide geographical representation and secondly, it could discourage the most able candidates from applying.

33. The Committee received a proposal from the Court to increase the level of the Working Capital Fund in order to cater for unforeseen expenditure as well as appropriations of an urgent nature when the Assembly of States Parties cannot be convened. The Committee observed that the Working Capital Fund was not intended to be a contingency fund but a cash flow fund. The Committee instead took the view that the Court should prepare a detailed proposal of amendments to the Financial Rules and Regulations to be considered by the Committee at its next session in August 2004, regarding the establishment and level of a contingency fund, the creation of a commitment authority for the Registrar to use this fund and defining the role of the Committee and Assembly of States Parties over the commitment authority. The Committee requested the Court to fully justify the level proposed for this fund and to clarify whether this fund would be within the programme budget or in addition to it.

6. Budget 2005

34. The Committee received the Prosecutor's assumptions on the analysis, investigation, and prosecution of cases for 2005 with regard to the two situations that are under consideration by the Court, namely Uganda and the Democratic Republic of the Congo. The Prosecutor expressed his commitment to utilizing the centralized common services of the Registry wherever appropriate and with due regard to the independence of the Office of the Prosecutor and undertook to provide the Committee with a paper setting out the approach to this issue. The Committee noted that the Prosecutor's activities were in keeping with the assumptions presented to the Committee at its last session.

35. With regard to the structure of Budget 2005, the Court drew a distinction between core capacity that would be needed to deal with one case on a zero deployment time and conditional capacity which is additional, scalable capacity that would be required to pursue all its assumed cases.

36. The Committee requested the Court to provide it with details of its procurement activities, in particular the role of the Procurement Review Committee as well as measures that have been put in place to streamline procurement procedures. The Court undertook to furnish this information to the Committee during its next session in August 2004.

37. The Committee noted that insufficient information had been provided by the Court on the status and management of Trust Funds. In this regard, the Committee requested that the Court include in their 2005 Programme Budget information on Trust Fund management and extra budgetary resources received by the Court.

(b) Report of the Committee on Budget and Finance on the work of its third session,
August 2004²

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² Previously issued as ICC-ASP/3/18.

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I. Introduction

A. Opening of the session, election of officers and adoption of the agenda

1. The third session of the Committee on Budget and Finance (the Committee) was convened in accordance with a decision of the Assembly of States Parties (the Assembly) taken at the 5th plenary meeting of its second session on 12 September 2003. The Committee held its third session, comprising ten meetings, at the seat of the Court in The Hague from 2 to 6 August 2004. The President of the Court, Mr. Philippe Kirsch, delivered welcoming remarks at the opening of the session.

2. The session was presided over by the Chairperson, Mr. Karl Paschke (Germany).

3. At its 3rd meeting, on 3 August 2004, the Committee re-elected Mr. Karl Paschke (Germany) as Chairperson and elected Mr. John F. S. Muwanga (Uganda) as Vice-Chairperson. In accordance with article 10, paragraph 2, of the Rules of Procedure of the Committee, the term of office of the Chairperson and Vice-Chairperson started on 4 August 2004. The Committee elected Mr. David Dutton (Australia) as Rapporteur for the session.

4. The Secretariat of the Assembly of States Parties (the Secretariat) provided the substantive servicing for the Committee, and its Director, Mr. Medard Rwelamira, acted as Secretary of the Committee.

5. At its 1st meeting, the Committee adopted the following agenda (ICC-ASP/3/CBF.2/L.1/Rev.2 and Corr.1):

1. Opening of the meeting
2. Adoption of the agenda
3. Election of the Chairperson and Vice-Chairperson
4. Participation of observers
5. Organization of work
6. Brief on the permanent premises of the Court: Meeting with DG Edmond Wellenstein (Netherlands)
7. Report on the investment in the interim premises of the Court
8. Report on the outreach activities of the Court
9. Preliminary report on the half-year financial situation of the Court
10. Rescheduling of the budget cycle
11. Proposal on the amendment to the Financial Regulations and Rules regarding the establishment and level of a Contingency Fund
12. Report on procurement activities
13. Report on translation productivity
14. Report on participation of and reparations to victims
15. Reports on the Trust Funds
16. Consideration of audit reports (financial statements)
17. Report on the organizational chart of the Court
18. Consideration of the draft programme budget for 2005

19. Budget for the proposed secretariat of the Victims Trust Fund
 20. Modality of travel for members of the Committee on Budget and Finance
 21. Approval of the report of the meeting
 22. Other matters
 23. Closing of the meeting
6. The following members attended the third session of the Committee:
1. Lambert Dah Kindji (Benin)
 2. David Dutton (Australia)
 3. Eduardo Gallardo Aparicio (Bolivia)
 4. Fawzi A. Gharaibeh (Jordan)
 5. Hahn Myung-jae (Republic of Korea)
 6. Peter Lovell (United Kingdom of Great Britain and Northern Ireland)
 7. John F. S. Muwanga (Uganda)
 8. Karl Paschke (Germany)
 9. Elena Sopková (Slovakia)
 10. Inna Steinbuka (Latvia)
 11. Michel Tilemans (Belgium)
 12. Santiago Wins Arnábal (Uruguay)
7. The following organs of the Court were invited to participate in the meetings of the Committee to introduce the reports and the draft programme budget for 2005: the Presidency, the Office of the Prosecutor and the Registry.

B. Participation of observers

8. The Committee decided to accept the request of the Coalition for the International Criminal Court to make a presentation to the Committee.

II. Consideration of issues on the agenda of the Committee at its third session

9. The Committee on Budget and Finance vetted the draft programme budget for 2005 thoroughly. Its work was facilitated by the cooperative attitude displayed by Court officials who answered questions and provided additional information in a frank, forthcoming and friendly manner. The Committee was also serviced to its complete satisfaction by the Secretariat.

10. The agenda of the session was, however, somewhat overloaded by an excessive number of reports which had to be considered by the Committee. The Committee recommends that, in future, only substantive reports which it had requested explicitly or which are addressed to the Assembly of States Parties through the Committee because of budgetary implications be submitted to it. In addition, more attention needs to be given to early submission of documentation in order to give members of the Committee sufficient time to study the reports.

11. In their interaction with Court officials, members of the Committee were again impressed by the spirit of unfettered dedication to the high goals of the International Criminal Court and by the strong work motivation which seems to prevail throughout the Court. On the other hand, they could not escape the impression that coherence among the different organs is still wanting.

12. A common administrative strategy has not yet been fully achieved and duplication of functions still exists beyond those areas where it might be warranted by independence considerations. The Committee expects the Court, under the leadership of its President, to continue battling fragmentation and upholding the “One Court” principle.

A. Review of the financial situation

1. Financial statements

13. The Committee examined the report of the External Auditor³ on the audit of the financial statements for the financial period ended 31 December 2003 (ICC-ASP/3/4) as well as the report of the External Auditor on the audit of the Trust Fund for Victims for the financial period ended 31 December 2003 (ICC-ASP/3/5) and noted with appreciation the high quality of the audit report. The representative of the External Auditor, Mr. Damian Brewitt, made a presentation to the Committee.

14. The Committee welcomed the advice of Mr Brewitt that the Court had made an excellent start-up and the unqualified opinion of the Auditor on the financial statements of the Court. The Committee also noted the disclaimer of the Auditor in respect of the financial statements for the Trust Fund for Victims, given its inability to confirm the origins of some money donated to the Fund. The Committee recommends that the Assembly endorse the reports of the Auditor.

15. The Committee also discussed several recommendations contained in the reports of the Auditor. In particular, the Committee encouraged the Court to implement risk management procedures in its operations and to ensure better planning and implementation of procurement.

16. Several areas were identified by the Committee as warranting attention from the Auditor in the future, including results-based budgeting, information technology investment and human resources management. The Committee emphasized the importance of continuing its close dialogue with the external and internal auditors in the future.

2. Preliminary report on the half-year financial situation of the Court

17. The Committee recalled that the Court had informed the Committee during its second session of a miscalculation in computing salary costs in the 2004 budget. The error had created a potential deficit of €4,750.0⁴ for posts and €860.1 for general temporary assistance (GTA). The Committee was informed that the Court had been monitoring expenditure closely following agreement among managers to stagger recruitment (ICC-ASP/3/CBF.2/15/Rev.3). Actual salary expenditure for the period January-June 2004 was reported as €6,712.2. Projected expenditure for the period July-December was €12,430.1, producing a total for the year of €19,142.3. The approved salary budget for 2004 was €19,246.5, resulting in a projected surplus of €104.2. The Committee observed that this projection showed that the Court would be able to absorb the error within the approved budget.

³ The National Audit Office of the United Kingdom.

⁴ The figures in this paragraph are expressed in thousands of euros.

18. The Committee also received details of expenditure in the current financial period for each major programme by item of expenditure.⁵ At 31 July 2004, expenditures had constituted 44.7 per cent of appropriations for the Judiciary, 17.6 per cent for the Office of the Prosecutor, 42.5 per cent for the Registry and 39 per cent for the Secretariat. Some 36 per cent of the overall budget had been spent. At 3 August 2004, 77 per cent of posts in the Judiciary had been filled; 44 per cent of posts in the Office of the Prosecutor had been filled and 22 per cent were under recruitment; and 75 per cent of posts in the Registry had been filled and 14 per cent were under recruitment. The low level of expenditure in the Office of the Prosecutor reflected the fact that the Prosecutor had only recently decided to open investigations, and that recruitment for investigation functions had been deferred until that time. Although an acceleration of expenses was likely in the Office of the Prosecutor later in the year, inter alia as vacancies were reduced in all areas, it appeared likely that the 2004 budget would not be fully spent. The Committee welcomed this in light of its observation the previous year that the budget contained a high degree of contingency and in light of its expectation that the budget would not be fully spent unless investigations and judicial activity were to commence quickly.

3. Status of contributions

19. The Committee reviewed the status of contributions as at 31 July 2004. It noted that a total of €2,607,187 was outstanding from the 2002-2003 financial period and that €17,119,741 was outstanding for the current 2004 period. The Committee was concerned that only 20 States Parties had paid their contributions in full for 2004. It also expressed concern that 23 States Parties had yet to make any payment to the Court for either financial period.

20. The Committee observed that the Court did not have cash reserves which could be used to cover a shortfall in contributions and that, as the operations of the Court increased over the coming years, there was a danger that the Court would face a cash crisis due to non-payment by States Parties. The Committee recommends that the Assembly monitor this situation closely and take steps to encourage full and timely payment by all States Parties.

21. The Committee was aware that some States Parties had encountered difficulties in paying their assessments due to a lack of clarity and predictability in the assessment notices issued by the Court, especially where adjustments had been made to the amount of contributions due. The Committee recommends that the Court advise States Parties of how and when it intends to issue assessment notices in future, and stresses the need for predictability in issuing notices to enable States to pay in full and on time.

22. The Committee considered the interpretation of article 112, paragraph 8, of the Rome Statute which states that:

“A State Party which is in arrears in the payment of its financial contributions towards the costs of the Court shall have no vote in the Assembly and in the Bureau if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The Assembly may, nevertheless, permit such a State Party to vote in the Assembly and in the Bureau if it is satisfied that the failure to pay is due to conditions beyond the control of the State Party.”

23. The Committee noted that State Parties that had not paid any assessments to the Court by the end of the year would lose their right to vote in the Assembly and in the Bureau on 1 January 2005. The Committee recommends that the Registrar write to States Parties that could lose their vote on 1 January 2005, and that it do so annually hereafter for States likely to fall under article 112, paragraph 8, at the beginning of each year.

⁵ See annex IV.

B. Budget process**1. Amendment of the meeting schedule and budget preparation timelines**

24. The Committee considered the budget preparation and approval timelines in the light of its recommendation at its last session that the Assembly consider rescheduling its annual meeting to a later date in the calendar year. The Committee was concerned that accurate planning and budgeting was impeded by the gap between submission of the draft programme budget and the start of the financial period to which the draft budget related, especially while the Court was new and growing quickly. Accordingly, the Committee recommends that the Assembly amend the meeting schedule in order to reduce the gap between preparation of the budget and commencement of the financial period.

25. The simplest method of reducing the gap would be for the Committee and the Assembly to meet in October and November respectively. However, the Committee also recognizes that the dense programme of intergovernmental meetings late in the year might prevent the Assembly from scheduling its annual meeting at a time later than September. Accordingly, the Committee recommends that the Assembly establish a financial period for the Court from 1 July to 30 June, with the Committee meeting in April and the Assembly meeting in May.

26. The shift to a 1 July to 30 June financial period could commence from 1 January 2006. Rather than require the Court to prepare a six-month budget for the first half of 2006, the Assembly could extend the 2005 budget for a further six months. Supplementation to the 2005 budget level could be obtained either from the contingency fund or through a proposal to make specific revisions. Assessments would be issued to State Parties in January 2005 for the 2005 budget, in January 2006 for the first half of 2006, and in July 2006 for the financial year 2006-2007.

2. Establishment of a contingency fund

27. The Committee recalled paragraph 14 of the report of its first session (ICC-ASP/2/7 and Corr.1) and paragraph 33 of the report of its second session (ICC-ASP/3/CBF.1/L.4), in which it expressed support for the principle of establishing a mechanism by which the Court could seek additional resources for new situations or unexpected developments that arose during a financial period. The Committee noted that, notwithstanding the clear assumptions described in the budget, a significant degree of uncertainty remained with respect to some of the activities of the Court during 2005 which impeded its ability to budget accurately.

28. The Committee recognized that once the annual budget of the Court had been approved by the Assembly, the Court would have limited flexibility to deal with either new situations or additional needs for existing situations. Without a flexible mechanism to obtain supplementary resources to address situations and circumstances that were unexpected or relatively uncertain, the Court would need to include on an ongoing basis a higher level of contingency in the budget than was consistent with prudent financial management. The Committee was also conscious of the difficulty that the Prosecutor, in particular, could face if an unexpected situation was referred to him and a lack of access to supplementary funding precluded him from responding in an effective and timely manner. To provide the Court with the necessary funding to deal with situations and circumstances that were not foreseen or were sufficiently uncertain that they could not be accurately estimated in the approved budget, the Committee recommends the establishment of a contingency fund.

29. The Committee received a report from the Court proposing the establishment of a contingency fund within the limitations imposed by the existing Financial Regulations and Rules (ICC-ASP/3/CBF.2/12/Rev.1). After careful consideration of the proposal of the Court, the Committee concluded that the Regulations and Rules did not provide sufficient flexibility and that it would be preferable to design a contingency fund that better met the needs of the Court.

30. The Committee accordingly recommends that the contingency fund should be available to the Court to meet:

- (i) Costs associated with a new situation following a decision by the Prosecutor to open an investigation under article 13 of the Rome Statute; and
- (ii) Unavoidable expenses for developments in existing situations that could not be foreseen or could not be accurately estimated at the time of adoption of the budget.

31. The contingency fund should be utilized by means of a short, supplementary budget request transmitted to the Committee through its Chairperson, stipulating the reasons for the request and the resources required. The Court would be authorized to draw the requested funds for the purpose contained in the request after a period of two weeks, taking into account any comments on the resource requirements submitted by the Chairperson. The resource request and comments of the Chairperson would be distributed to the Assembly for consideration at its next meeting. All approved resources obtained in this way would relate only to the financial period for which the budget had already been approved and would need to be justified in full in the draft programme budget for the next financial period.

32. The Committee also recommends that the contingency fund be established initially at a level of €15 million and constituted from surpluses from the 2002-2003 and 2004 financial periods so as to avoid the need for additional assessments to States Parties. The Committee was aware that, at the time of the third session of the Assembly, the surplus of €9,936,306 would be available but that the 2004 surplus would not be available until the Assembly had received a final report on the 2004 financial period. The Committee recommends that the Assembly either: (i) transfer only the 2002-2003 surplus to the contingency fund at this stage and transfer part of the 2004 surplus next year, thus fully constituting the fund; or (ii) transfer the 2002-2003 surplus to the contingency fund at this stage and assess States Parties for the balance of the fund level in conjunction with their assessments for the 2005 financial period. Further, the Committee recommends that the Assembly should review the level of the fund periodically, in light of experience with its use and the potential needs of the Court. Finally, the Committee recommends that the fund be replenished as needed each year by authorization of the Assembly when it approves the programme budget and that the assessment to States Parties be made at the same time as the annual budget assessment.

33. The Committee requests the Court to prepare the consequent amendments to the Financial Regulations and Rules for submission to the Assembly at its third session (see annex II).

C. Consideration of the draft programme budget for 2005

1. Recommendations of a general nature

(a) General observations

34. The Committee observed that its consideration of the draft programme budget for 2005 of the International Criminal Court was taking place at a time when the Court was moving from its start-up phase, in which it had been occupied with designing systems and recruiting personnel, into an operational phase, with investigations and the likelihood of legal proceedings during 2005. The Committee was impressed with the swift and efficient manner in which the Court had started its work over the previous two years and commended the staff of the Court for their efforts.

35. The Committee noted that the 2005 budget was based on several assumptions and many related working hypotheses and welcomed the explanation in the budget document and oral presentations of the assumptions of the Court for 2005. The budget was prepared on the assumption that the Court would examine four situations in depth during 2005, while keeping

several others under analysis. Situation 1, with a single case, would be ready for trial in January 2005 and would last eight months. Investigations for two cases in situation 2 would continue until May 2005, at which time they would be ready for trial. Trials in situation 2 would continue for the rest of 2005. Situation 3 was under analysis in the Office of the Prosecutor and would continue in that phase until July 2005, after which there might be an investigation. Situation 4 was at an advanced analysis stage that might not lead to investigations or proceedings.

36. The Committee concluded that these assumptions were both ambitious and reasonable but noted that there were significant uncertainties in the timetable for each situation. Progress would depend heavily on cooperation with relevant national and international authorities, conditions on the ground and whether indictees were arrested and transferred to the custody of the Court. The Committee concluded that a considerable degree of contingency remained in the budget owing to these uncertainties and that the likelihood that specific hypotheses would be realized varied considerably.

37. In reviewing the programme budget, the Committee recognized that estimates in some instances were unlikely to be realistic. As in its review of the budget the previous year, it wished to avoid building an excessive level of contingency into the budget since that could undermine effective and efficient management of the operations of the Court. Nonetheless, the Committee emphasized the need to enable the Court to move expeditiously to conduct investigations opened by the Prosecutor and to hold efficient proceedings when required.

38. The Committee therefore decided to recommend (see paragraph 28 above) the establishment of a contingency fund to ensure timely access to funds without building an excessive level of contingency into the budget. The Committee also decided to recommend against approval of some resources at this time, for which the need in 2005 was unlikely. Further, the Committee took a cautious approach to approving new resources where it was not clear that the workload would justify such resources during 2005. Nonetheless, the Committee expected that the Court would need to continue to expand as its workload grew and that the Court would submit resource requests (including some not approved at this stage) either through the contingency fund or through future budgets as the workload required. This approach enabled the Committee to make rational and informed decisions on proposed resources and to ensure that the Court would have sufficient funds available for each situation.

(b) Categorization of resources

39. The Committee recalled its request in paragraph 14 of the report on its first session (ICC-ASP/2/7 and Corr.1) for the Court to consider options for arranging the budget according to each situation. The proposed 2005 budget presented resources in two categories: “core” and “conditional”. These categories were defined in the Office of the Prosecutor but were inconsistently applied in the Judiciary and Registry. The Committee was informed that the Court did not yet have in place systems capable of producing and maintaining a budget in which costs were shown separately for core functions and activities relating to each situation.

40. The Committee agreed that the introduction of core/conditional categorization in the budget was a useful improvement. It provided an interim framework pending the development of systems capable of producing the budget by situation, and it strengthened internal control over spending by tying resource requests in some instances to stated conditions. However, the core/conditional framework was not sufficiently well-defined to provide a stable categorization of costs over successive budgetary periods, especially in the Judiciary and the Registry. Nor would it provide an effective basis for reporting financial performance to States Parties and holding the Court accountable for spending of conditional resources.

41. In the short term, the Committee recommends that the term “conditional” be replaced by “situation-specific” with a view to creating a clear distinction in the budget between core costs which are likely to remain relatively constant and resources related to active situations which are likely to vary depending on the number of situations and the phases of work in each situation. It further recommends that the Court refine its definitions for these categories in all major programmes and report to the Committee at its next session.

42. In the medium term, with the installation of a more sophisticated accounting system, the Committee recommends that the Court seek to structure the budget by situation. Such a framework would offer significant benefits in terms of transparency and accountability to States Parties.

(c) Results-based budgeting and presentation

43. The Committee recalled its comments on the format of the proposed 2004 budget in paragraphs 18 to 21 of the report on its first session (ICC-ASP/2/7 and Corr.1). While the Committee had recognized the efforts made by the Court and the difficulties in implementing results-based budgeting in a new and rapidly growing international court, it had concluded that the results framework as currently implemented by the Court did not provide an adequate basis for planning or reporting. In particular, concern had been expressed about the low level of many of the indicators, the excessive number of indicators in some subprogrammes and the form of objectives in some instances.

44. In reviewing the draft programme budget for 2005, the Committee welcomed the inclusion of key objectives for each organ of the Court but was disappointed that the budget still contained at the subprogramme level an excessive number of indicators that would be impossible to measure. There was also a tendency to repeat similar wording for objectives, expected accomplishments, indicators and outputs without sufficiently refining the different conceptual phases. Moreover, the budget document was unduly lengthy and the inclusion of too many elements obscured a focus on results and key indicators.

45. The Committee recommends that the Court develop further its understanding and application of results-based budgeting to ensure effective management of the Court and effective oversight by the Committee and the Assembly. In particular, the Committee requests that a closer link be drawn between: each objective; its expected accomplishments; its performance indicators; and required resources. The results-based framework requires further development before it can serve as the basis of self-evaluation and performance reporting to the Assembly.

46. For future budget documents, the Committee recommends that the Court prepare a set of overarching objectives and expected accomplishments for the Court as a whole, reflecting the collective plans of the Court for advancing the aims of the Rome Statute. Such aims should be underpinned by the objectives of each of the organs.

47. The Committee also recommends that a smaller number of indicators be included, stressing the necessity of working toward measurable indicators wherever possible, and that indicators should be selected to add value to the budgetary and management process.

48. The Committee decided to continue to monitor the application and development of results-based budgeting in the Court.

49. For future presentations of the draft programme budget, the Committee recommends that the Court consider streamlining the presentation by excluding some descriptive material on the structure and functions of each area with which the Committee has become familiar and omitting lists of outputs for each section. The Committee also recommends that the Court

seek to combine the resource and post tables for each section in a single table. Further, the Committee requests that the financial data for the Court as a whole, contained in annex III of the draft programme budget, be broken down by section. Finally, the Committee recommends the inclusion of an additional table by object of expenditure for the budget as a whole and the inclusion of training as a separate object of expenditure.

50. The Committee noted that the performance information for the 2002-2003 financial period contained in the budget document did not include financial data and focused primarily on outputs. The Committee recommends that the Court include in future performance reports data on financial performance and results achieved rather than outputs. This information should be submitted annually to the Assembly through the Committee either in the draft programme budget or in a separate performance report.

2. Recommendations relating to major programmes

(a) The Judiciary – the Presidency and Chambers

Introduction of Major Programme I: The Judiciary – the Presidency and Chambers

51. The Committee reviewed Major Programme 1: The Judiciary – the Presidency and Chambers. In introducing Major Programme 1, the Registrar of the Court and the Chef de Cabinet of the Presidency stated that the proposed core budget for Major Programme 1 was based on the assumption that the Court would be faced in 2005 with two situations under investigation, with prosecutions and trials resulting from at least one of those situations during the course of the year. The Committee was informed that the conditional budget for Major Programme 1 was based on the assumption that the Court would be faced with one or more additional situations in which investigations or analyses were undertaken. The Committee was also informed that it was envisaged that the posts which were conditional in the draft programme budget for 2005 would become core posts in the draft programme budget for 2006 since this would facilitate the recruitment of qualified professional staff and help build the necessary institutional memory. The Committee was informed that the Presidency had closely examined the model of the International Criminal Tribunal for the former Yugoslavia (ICTY) in respect of its staffing arrangements but that the division-based structure of the Judiciary of the Court differed significantly from the chambers-based organization of the ICTY. The Committee was further informed that an element of the work of the Presidency was conducted in 2004 by staff “loaned” from Chambers but that with the anticipated increase in the work of Chambers such arrangements would not be practicable in 2005.

Observations and recommendations of the Committee

Programme 1100: Presidency

52. The Committee supports the creation of four core professional posts to strengthen capacity in administration and outreach (paras. 116, 118, 120 and 122 of the draft programme budget for 2005).⁶ However, the Committee recommends against one proposed conditional P-2 post (paras. 131 to 133 of the draft programme budget for 2005) since significant GTA resources would provide sufficient flexibility for the Presidency to cover administrative needs during 2005.

⁶ ICC-ASP/3/2*.

Programme 1200: Chambers

53. The Committee welcomed the clarity and transparency with which the Court set out the future structure it envisaged for legal support to the judges. It was informed that 45 officers would be required to service a full docket of cases, including a P-2 and a P-3 officer assigned to each judge, and a number of legal officers assigned to the Pre-Trial, Trial and Appeals Divisions. By comparison, the ICTY had a total of 48 legal officers performing comparable functions, while the Special Court for Sierra Leone had a much smaller number. While the Committee was conscious of the differences between each institution, it emphasized the need for the Court to establish the leanest structure possible without compromising its ability to produce legal judgments of the highest quality. Accordingly, it asked the Court to provide additional justification in future years based on workload experience when it requests approval for the posts envisaged.

54. With respect to the resources requested in 2005, the Committee recommends approval of six new Professional posts and three General Service posts. However, it recommends against approval of three conditional P-4 Legal Advisers on the grounds that there is not yet sufficient evidence that the workload will require these positions and that significant GTA resources would ensure sufficient flexibility to cover likely needs.

(b) Office of the Prosecutor

Introduction of Major Programme II: Office of the Prosecutor

55. The Office of the Prosecutor and the Registry introduced Major Programme II and the Committee was briefed on the recent planning visit of the Court to the Democratic Republic of the Congo. The Office of the Prosecutor noted that the draft budget for the programme was based on dealing with two situations, both of which had been formally opened by the Prosecutor after referrals from States. It pointed out that its work would rely heavily on the cooperation of States and international organizations in order to reduce costs to the Court and that the draft budget reflected the need to move to investigations and trials following a period of analysis of the situations. The draft programme budget also included provisions for a third investigation team to ensure that the Prosecutor could open an additional situation if one was referred to him.

56. The Committee observed that the Office of the Prosecutor was likely to face logistical and practical challenges in conducting investigations in the two situations opened by the Prosecutor. It noted that this could affect the timelines assumed by the Prosecutor and that the proposed programme budget might not provide sufficient resources for activities and security in the field for the Office of the Prosecutor or the Registry.

Observations and recommendations of the Committee

57. The Committee was impressed by the Prosecutor's innovative and strategic approach to his work. The Committee welcomed advice that the Office of the Prosecutor was analysing situations in depth from The Hague, carefully planning its investigations in advance, and seeking to conduct focused investigations to support a small number of selected charges against the most senior leaders of crimes. This strategy appeared to offer a means of maximizing the impact and cost-effectiveness of the Court and of avoiding the resource-intensive investigatory approaches that had been employed by the ad hoc tribunals.

58. The Committee observed that the Court had decided not to establish field offices from which to perform its investigations and witness protection functions, and that it was developing plans to carry out these functions effectively through periodic travel to the field. The Committee noted that the decision not to establish field offices at this stage should save money and reduce the security risks inherent in creating an ongoing field presence, and agreed that it would be preferable to avoid creating such offices if possible. However, the Committee was also aware that it could yet prove necessary to establish offices if the Court found it was unable to perform investigations and witness protection functions effectively without a field office. Since only limited resources were provided in the draft programme budget for a field office, the Committee expected that any decision to expand field activity would probably make it necessary to obtain substantial additional resources from the contingency fund or future programme budgets.

59. The Committee was also informed that the draft programme budget had been prepared on the assumption that field security and transportation in some locations would be provided primarily by national or international authorities. The Committee doubted that it would be possible to obtain significant security and local transportation support from other authorities on a cost-free basis. Accordingly, the Committee expected that the Court would probably require substantial additional resources from the contingency fund or future programme budgets.

60. The Committee noted that the Prosecutor had undertaken a substantial restructuring of the Office of the Prosecutor since approval of the last budget. While the Committee had recommended the previous year that the Court be granted authority to redeploy posts within each major programme in order to ensure flexibility, it had not envisaged the use of that authority on such an extensive scale.

61. With respect to the new structure, the Committee was disquieted by the unusual arrangement whereby the Chef de Cabinet of the Prosecutor would simultaneously head the Jurisdiction, Complementarity and Cooperation Division (JCCD). Such an arrangement did not appear to provide clear lines of authority in the Office of the Prosecutor and could complicate the roles of the two elected Deputy Prosecutors. The Committee suggested that the Prosecutor consider restoring the JCCD within his Immediate Office to accommodate the dual roles of its head.

62. The Committee also noted that duplication of administrative structures was occurring in the Office of the Prosecutor. While the Committee believed that a small administrative and human resources capacity in the Immediate Office of the Prosecutor was appropriate and helped ensure the independence of the Prosecutor, it was concerned that the Office of the Prosecutor had begun to assume administrative functions that ought to be performed by the Registry for the Court as a whole.

Programme 2100: Prosecutor

63. The Committee recommends that three conditional translator posts in the Services Section (para. 184 of the draft programme budget for 2005) not be approved, given substantial GTA provisions for the same function. The Committee also recommends that the Court report on the possibility of rationalizing the translation capacities of the Court in a single location in the Registry while fully respecting the confidentiality requirements of the Office of the Prosecutor.

64. The Committee recommends that the Staff Strategy Unit be replaced by one post (preferably at the P-3 level) in the Immediate Office of the Prosecutor or the Services Section devoted to human resources functions. The Committee emphasizes that human resources functions should be performed by the Registry for the Court as a whole and recommends that the remaining two posts be redeployed within the Office of the Prosecutor or transferred to the Registry if necessary.

65. The Committee was not convinced that the Office of the Prosecutor required a separate Public Information Unit and recommends that the Unit be replaced by a single officer in the Immediate Office of the Prosecutor assigned to supporting the external relations of the Prosecutor and communications functions. The Committee recommends that the remaining two posts be redeployed.

Programme 2200: Jurisdiction, Complementarity and Cooperation Division

66. The Committee approves the concept of the Situations Analysis Section and the creation of an additional P-3 analyst post (para. 223 of the draft programme budget for 2005), but is not convinced that two additional associate analyst posts at the P-2 level (para. 225 of the draft programme budget for 2005) would be required for insertion into investigation teams. The inclusion of these posts in investigation teams would duplicate the skills of other members of those teams and undermine the effectiveness of the clear demarcation between situations analysis and investigation functions. Accordingly, the Committee also recommends that the related travel provision of €133.07⁷ (para. 226 of the draft programme budget for 2005) be reduced by 35 per cent.

Programme 2300: Investigation Division

67. The Committee observed that the circumstances and timing of the possible opening of a third situation by the Prosecutor during 2005 were unclear, while recognizing the importance of ensuring that the Prosecutor was able to commence investigations swiftly after taking a decision to open one. Accordingly, it recommends that the proposed third investigation team (para. 248 of the draft programme budget for 2005) and one local liaison assistant (para. 250 of the draft programme budget for 2005) not be approved at this time. The Committee also recommends that the travel provision for the Division be reduced by a third to reflect the reduction in approved staff. However, the Committee expected that the Court would seek resources to open investigations if and when a third situation commenced on the basis of the workload of the Office of the Prosecutor, including from the contingency fund if necessary.

Programme 2400: Prosecution Division

68. The Committee observed that a number of uncertainties would affect the need of the Office of the Prosecutor for additional staff in the Prosecution Division in 2005 and that the workload for trial teams was as yet untested. It noted that the Prosecution Section already included sufficient posts to establish two pre-trial teams and one trial team. Accordingly, the Committee recommends that the additional 13 staff proposed in the Prosecution Section not be approved at this time. However, the Committee expected that the Court would seek approval of a second trial team and augmentation of the existing teams at a later date as trial work increased and after demonstrating that the workload of the Office of the Prosecutor required an augmentation in the size of teams.

⁷ See footnote 2.

69. On the same rationale as contained in paragraph 68, the Committee recommends that the two conditional appeals counsel posts in the Appeals Section not be approved at this time.

(c) Registry

Introduction of Major Programme III: Registry

70. In his overview of the draft programme budget for 2005, the Registrar highlighted that as the Court moved towards the investigations and trial phase of its activities it was anticipated that the areas which would see the greatest growth in their workload and hence require a significant increase in the allocation of resources were the Division of Court Services and the Division of Victims and Counsel. The Registrar emphasized the responsibility with which he is tasked in relation to ensuring the protection and participation of victims and witnesses and explained that the proposed allocation of resources within the draft programme budget for 2005 reflected the importance he attaches to this responsibility.

71. The Committee was informed that the new phase of the activities of the Court was expected to result in a new dimension to the security function performed by the Registry, which would now extend its protection from the seat of the Court in The Hague to the field areas in which investigations were being undertaken. The Registrar emphasized that the Court's preference was to work with security arrangements already extant in the field, but that the Security and Safety Section of the Registry would nevertheless extend the scope of its work in 2005.

72. The Committee noted that a portion of the additional costs foreseen by the Registry resulted from the Court bearing the cost of utilities in its temporary premises, a cost that had previously been borne by the host country.

Observations and recommendations of the Committee

73. The Committee observed that in a number of instances requests for travel resources had very limited or no justification and that there appeared to be a tendency to distribute small amounts of travel money to every section. The Committee accordingly recommends that the total travel budget for the Registry be reduced by 25 per cent and requests the Registrar to redistribute the funds according to priorities.

74. The Committee also observed that the justifications for consultancy resources were not convincing in several instances, and it expressed concern that such resources had not been used as judiciously as possible. The Committee accordingly recommends that the total consultancy budget for the Registry be reduced by 25 per cent and requests the Registrar to redistribute the funds according to priorities.

3100: Office of the Registrar

75. The Committee noted that a GTA provision of €185.0⁸ was proposed to cover "peak periods, extended sick leave and maternity leave" (para. 283 of the draft programme budget for 2005). The Committee observed that such needs did not require a separate provision and should be accommodated within the appropriations provided for staff costs. Accordingly, the Committee recommends that the amount not be approved.

⁸ See footnote 2.

76. The Committee recommends that the GS administrative post proposed in the Immediate Office of the Registrar (para. 285 of the draft programme budget for 2005) not be approved since the Office already has several administrative staff and sufficient justification was not provided to the Committee.

77. The Committee noted that the P-4 post of Information Security Officer had not yet been filled and queried whether the information security function would not be better located in the Information and Communications Technologies Section. Given that the P-4 post is vacant and it is therefore not possible to predict the workload of this function, the Committee recommends that the GS-OL post of Information Security Compliance Analyst (para. 294 of the draft programme budget for 2005) be deferred to a future budgetary period.

3200: Common Administrative Services Division

78. In light of the automated and computerized nature of the tasks of the Accounts, Payroll and Disbursements Units of the Finance Section, the Committee was not convinced that sufficient justification had been provided in respect of the three Finance Assistants referred to in paragraph 323 of the draft programme budget for 2005. The Committee therefore recommends that the posts not be approved and that a GTA provision equal to three months' work for three staff at the same level be included in the budget to ensure the Finance Section has sufficient flexibility to manage any excessive workload.

79. Regarding the Information and Communications Technologies Section, the Committee noted that several of the information technology projects envisaged by the Court for 2004 had been delayed and was mindful of the undertakings given by the Registry in its presentation of the draft programme budget for 2004 that a lean and efficient information and communication technology operation would be established. Accordingly, the Committee recommends that only one of the two P-2 posts referred to in paragraphs 344 and 345 of the draft programme budget for 2005 be approved, and requests the Registrar to redistribute the proposed workload. It also recommends that the four GS-OL posts referred to in paragraphs 346, 347 and 348 of the draft programme budget for 2005 not be approved since the workload for these functions is not yet sufficiently established.

80. Further, the Committee was not convinced that the conditional resources proposed for the Information and Communications Technologies Section were justified. Accordingly, it recommends that six conditional GS posts (paras 353 to 358 of the draft programme budget for 2005), contractual services of €153.0⁹, general operating expenses of €262.0, supplies of €40.0, and furniture of €763.0 (paras 367 to 370 of the draft programme budget for 2005) not be approved.

81. With respect to the Budget and Control Section, the Committee recommends that the Registrar consider relocating the Section from the Common Administrative Services Division to his Immediate Office to ensure a closer relationship to him, given the importance of the planning, budgeting and control function. The Committee also observed that the Section may need to be strengthened in the future to augment the capacity of the Court for planning, results-based budgeting and risk management consistent with other recommendations contained in this report.

⁹ See footnote 2.

3300: Division of Court Services

82. The Committee noted the redeployment of a P-2 post of Associate Legal Officer in the Detention Section (paragraph 391 of the draft programme budget for 2005). While the Committee recognized the need for the Court to establish detention arrangements, it was not convinced that several posts were required at this time and observed that the P-2 post appeared to cover the same responsibilities as the existing posts. The Committee recommends that the Registrar keep the resources for the Section under review.

83. The Committee observed that the budget contained a provision for general operating expenses sufficient to cover the cost of renting a block of twelve cells from the host country during 2005. It also understood that since the time of preparation of the budget the possibility had also emerged of sharing some cells with the ICTY, which had spare capacity. The Committee recommends that the Court consider renting cells from the ICTY if required.

84. The Committee noted that a substantial number of new posts were proposed in the Court Interpretation and Translation Section and the Victims and Witnesses Unit. The need for these posts depended heavily on whether legal proceedings for situations 1 and 2 would commence, as assumed, during 2005. The Committee recommends approval of these posts on a situation-specific basis, on the understanding that the posts will not be filled until the workload so requires.

3500: Division of Victims and Counsel

85. Within the Defence Support Section, the Committee noted the provision for legal aid. Since the Committee had been unable to consider the report to the Assembly of States Parties on options for ensuring adequate defence counsel for accused persons¹⁰ (see para. 115 below) at its third session, the Committee indicated its intention to return to this issue and the related resources at its next session.

86. With respect to the Victims Participation and Reparations Section, the Committee was conscious of the importance and unprecedented nature of the Court's responsibilities and functions for victims. The Committee noted that these functions would need to be performed with care, given the sensitivity of victims' issues and the risks to the Court's reputation if expectations were raised excessively. The Committee also observed that the volume of work for victims' participation and reparations was not yet clear and that the workload for legal counsel had not yet been tested. The Committee recommends that the proposed core posts be approved to ensure the establishment of the Public Counsel for Victims and to strengthen the administrative functions in the Section. It also recommends that the six proposed conditional posts not be approved at this time since posts already exist to cover each of the functions and it is not clear that the workload will justify these posts during 2005. However, the Committee expects that the Court will seek approval of additional posts at a later date through the contingency fund if necessary.

87. The Committee encouraged the Court to ensure close collaboration between the relevant organs and sections that dealt with victims functions.

¹⁰ ICC-ASP/3/CBF.2/3.

(d) Secretariat of the Assembly of States Parties**Introduction of Major Programme IV: Secretariat of the Assembly of States Parties**

88. The Committee heard the presentation, by the Registrar and the Director of the Secretariat, of the proposed programme budget for 2005 for Major Programme IV regarding the Secretariat of the Assembly of States Parties.

89. The Committee was informed that the budget for the Secretariat had been prepared on the assumption that a single meeting of the Assembly and two meetings of the Committee on Budget and Finance would be held in The Hague and that Bureau meetings would continue to be held in New York. The Committee noted that any increase in the meetings calendar would probably require additional resources.

Observations and recommendations of the Committee

90. The Committee noted that a provision of €68.0¹¹ for the website of the Secretariat had been included in the draft budget (para. 482 of the draft programme budget for 2005). The Committee emphasized that the content of the Assembly should be included on the website of the Court within the common IT infrastructure of the Court. The Committee recommends that the provision be approved on the understanding that it is a one-off cost for development of additional capacity in the website of the Court to meet the specific functional needs of the Secretariat. The Committee further requests the Registry to ensure that the Secretariat is provided with adequate common administrative services and support for its work, pursuant to the provisions of Assembly resolution ICC-ASP/2/Res.3, which deems the Secretariat to be part of the Registry for administrative purposes.

(e) Investment in the premises of the Court**Introduction of Major Programme V: Investment in the Court's premises**

91. The Committee heard the Registrar's presentation of the proposed programme budget for 2005 for Major Programme V regarding investment in the premises of the Court.

Observations and recommendations of the Committee

92. The Committee had no objection to the provision for investment in the interim premises. However, it emphasized that the Committee did not expect that the costs of all future improvements to the interim premises would necessarily be met from the budget of the Court.

93. The Committee welcomed clarification by the Registrar that the Court envisaged building a complex of 48 cells within the Scheveningen prison, depending on confirmation regarding the location of the permanent premises of the Court, and that for the time being cells would be rented in the same prison.

¹¹ See footnote 2.

D. Budget for the proposed New York liaison office

94. The Committee considered the report of the Court regarding the establishment of a liaison office in New York and the attached budget requesting €438.0¹² to fund the office in 2005 (ICC-ASP/3/6). While the Committee was conscious of the need for the Court to engage with the United Nations and permanent missions in New York, it was not convinced that the submission provided an adequate basis for establishing a liaison office. In particular, the Committee was not convinced that liaison functions, especially those to keep the Office of the Prosecutor informed of discussions in the Security Council, could not be performed adequately from The Hague via modern communications technologies and with periodic travel. Further, the extensive tasks identified by the report for a New York office were not commensurate with the limited human resources requested in the report for staffing such an office. Moreover, the Committee felt that a high standard of justification was needed to assure States Parties that a New York liaison office would add significant value to the work of the Court.

95. In these circumstances, the Committee recommends that the Court resubmit a proposal for a liaison office next year, following further consideration of the possibilities for direct liaison between relevant organs of the Court and interlocutors in New York, ensuring that the proposed functions are properly aligned with the level of resources proposed.

E. Budget for the proposed secretariat of the Trust Fund for Victims

96. The Committee considered the report to the Assembly on the activities and projects of the Board of Directors of the Trust Fund for Victims 2003-2004 and the attached budget submission (ICC-ASP/3/14). The Committee did not receive a proposed addendum to the report addressing the qualified audit opinion issued by the external auditor on the financial statements of the Trust Fund for the period 2002-2003.

97. The Committee observed that article 22 of the draft regulations of the Trust Fund for Victims, which stated that the costs of the secretariat shall be borne by the Court, contradicted paragraph 2 of Assembly resolution ICC/ASP/1/Res.6, which reads:

“The Assembly of States Parties

... .

2. Decides also that the Trust Fund shall be funded by:
 - (a) Voluntary contributions from Governments, international organizations, individuals, corporations and other entities, in accordance with relevant criteria adopted by the Assembly of States Parties;
 - (b) Money and other property collected through fines or forfeiture transferred to the Trust Fund if ordered by the Court pursuant to article 79, paragraph 2, of the Statute;
 - (c) Resources collected through awards for reparations if ordered by the Court pursuant to rule 98 of the Rules of Procedure and Evidence;
 - (d) Such resources, other than assessed contributions, as the Assembly of States Parties may decide to allocate to the Trust Fund;”

¹² See footnote 2.

98. As the draft regulations of the Trust Fund appeared to contradict the previous resolution of the Assembly as to the funding basis of the proposed secretariat of the Trust Fund for Victims, it was unclear on what basis the Committee could consider the proposed budget for the secretariat. The Committee was therefore unable to consider the budget submission for the proposed secretariat of the Trust Fund. The Committee recommends that the Assembly consider the contradiction between Assembly resolution ICC/ASP/1/Res.6 and the draft regulations of the Fund.

99. The Committee also noted that the proposed secretariat of the Trust Fund would have a close relationship with the Victims Participation and Reparations Section of the Court and requested that it be provided with information at its next session on this subject, explaining how the responsibilities of each organ would be demarcated. Furthermore, the Committee observed that, assuming that the Assembly intended the proposed secretariat of the Trust Fund to be funded from voluntary contributions, it would be premature to approve a substantial budget for the secretariat in the absence of sufficient pledges of voluntary contributions.

F. Other reports

1. Report on the permanent premises of the Court

100. The Committee received a report on developments in formulating requirements for the permanent premises of the Court and was addressed by Mr. Edmond Wellenstein, Director-General, ICC Task Force, Ministry of Foreign Affairs of the host country, the Registrar and Judge Kaul. The Committee was informed that the Court and the host country were working together to review and modify the April 2002 draft architect's brief which had been prepared by the host country. Judge Kaul was leading the effort of the Court to review the functional requirements contained in the brief. It was anticipated that a final version of the brief might be settled by the end of the year. The Committee was also informed that the site initially selected for the permanent premises of the Court now appeared to be too small due to an increase in the estimate of Court staff from between 600 and 800 to approximately 1,800 and the need for more extensive security measures than had been envisaged previously. Mr. Wellenstein said that the host country was exploring possibilities for expanding the preferred site. Both the host country and the Registrar stated that the option of permanently housing the Court at the current premises of the ICTY had been examined but found to be impractical.

101. The Committee observed that the Assembly had not yet taken a decision in principle to proceed towards planning the construction of permanent premises for the Court and that the probable cost of such a project could well exceed €500 million. The Committee therefore recommends that the Assembly consider the desirability of establishing purpose-built permanent premises for the Court. While it would take several years before detailed plans and financing options could be developed, the Committee believes that an indication of the views of the Assembly is needed.

102. Given the significant financial burden for States Parties that the construction of permanent premises would create, the Committee also recommends that the Court and the Assembly consider the possibility of continuing to use the interim premises in the longer term. The Committee observed that permanent premises were unlikely to be available before 2012 at the earliest and that the Court would be located in the interim site for at least a decade. The Committee requests that the Court prepare an analysis of the costs and benefits of continuing to use the current premises in order to assist the Assembly in considering the options.

103. The Committee indicated its readiness to continue to engage with the Court and the host country as plans for permanent premises move forward.

2. Report on investment in the interim premises of the Court

104. The Committee received a report (ICC-ASP/3/CBF.2/7) on investment in the interim premises of the Court and was addressed by Mr. Edmond Wellenstein, Director-General, ICC Task Force, Ministry of Foreign Affairs of the host country. The Committee was informed that it was unlikely that the Court would leave its current location before 2012. The Registrar informed the Committee that, since the host country was unable to finance the construction of a second trial chamber, the Court had, accordingly, included in the draft programme budget for 2005 an item requesting the Assembly to fund the construction of such a chamber.

105. The Committee recalled paragraph 14 of the report of its second session (ICC-ASP/3/CBF.1/L.4) and received clarification that the host country had committed itself to providing €10 million for investment in the interim premises and €23 million to cover the cost of renting premises over the course of 10 years. The host country indicated that since that time the actual cost it had met had risen to €30 million for investment and that the anticipated cost of rent for ten years had tripled as a result of inflation and ever-rising real estate values.

106. The Committee welcomed the investment already undertaken by the host country in the interim premises of the Court and requested that it be kept informed of further progress.¹³

3. Report on the outreach activities of the Court

107. The Committee considered the report of the Court on its outreach activities (ICC-ASP/3/CBF.2/10). It was clear from the report that the Court had been active and successful in disseminating information and that the President in particular had reached out to audiences in different parts of the world. However, the Committee was concerned at the lack of a coherent strategy for public information, outreach and communication. There appeared to be a mindset of independence in each of the organs which inhibited cooperation on a holistic strategy for the Court and which could lead to duplication of efforts.

108. The Committee requests the Court to develop a single, integrated strategy for public information and outreach. The strategy should specify objectives for the short and medium term, clearly identify target audiences, and include measurable indicators by which success can be gauged. The Committee requests the Court to provide an update on its strategy in the next draft programme budget.

4. Report on the Trust Funds

109. The Committee took note of the report on Trust Fund management and extrabudgetary resources received by the Court (ICC-ASP/3/CBF.2/14 and Add.1). The balances of the trust funds at 31 March 2004 were as follows:

Internship and Visiting Professionals Programme	€1,000,392
ICC Victims Mandate Awareness	€104,295
ICC Institutional Video	€41,615
ICC Victims and Witnesses Library	€41,392
Least Developed Countries Participating in the Activities of the Assembly	€30,000
General Trust Fund	€29,786

110. The Committee observed that in some instances voluntary funds might be used to supplement functions funded principally from the assessed budget of the Court. In such circumstances, the Committee recommends that future programme budgets contain estimates for voluntary resources (including posts) anticipated during the financial period for each programme and subprogramme, clearly identifying the purpose of the resources.

¹³ See paragraphs 91 to 93 above and 118 below.

5. Report on the organization chart of the Court

111. The Committee observed that the organization chart submitted (ICC-ASP/3/CBF.2/9) was of great value and recommends that in future years it be incorporated in the draft programme budget.

6. Report on procurement activities

112. The Committee took note of the document entitled "Procurement activities of the Procurement Review Committee 1 January 2003 to 30 April 2004" (ICC-ASP/3/CBF.2/13) and decided to continue to be seized of the matter.

7. Report on translation productivity

113. The Committee took note of the report on translation productivity (ICC-ASP/3/CBF.2/1) and decided to revert to this issue at a later date.

8. Report on participation of and reparations to victims

114. The Committee took note of the report on participation of and reparations to victims (ICC-ASP/3/CBF.2/2).

9. Report on options for ensuring adequate defence counsel for accused persons

115. The Committee was unable to allocate sufficient time during its session to discuss the report to the Assembly of States Parties on options for ensuring adequate defence counsel for accused persons (ICC-ASP/3/CBF.2/3) and decided to revert to the report at its next session.

116. The Committee requests the Court to provide additional information at its next session on how the Court intends to determine indigence for the purposes of legal aid.

10. Report on information technology

117. The Committee took note of the report on information technology (ICC-ASP/3/CBF.2/4).

11. Report on detention facilities

118. The Committee was told that the ICTY had informed the Registry that availability of cells existed and will grow.

12. Report on consultants and redeployment of posts

119. The Committee took note of the report on consultants employed by the Court (ICC-ASP/3/CBF.2/8) and requested the Court to submit a further report to the third session of the Assembly on its use of consultants, the procedures by which consultancy services were obtained, and the nationality of consultants employed by the Court. Further, the Committee requested that a report on the human resources management policies of the Court including, inter alia, recruitment procedures, contractual arrangements, performance assessment and geographic distribution of staff be submitted to the Committee at its next session.

13. Report on a performance assessment system for staff

120. The Committee took note of the report on the development of the performance assessment system for staff (ICC-ASP/3/CBF.2/16) and decided to revert to this matter at a later date when it discusses human resources management.

14. Report on cooperation in safety and security matters with other international and regional organizations

121. The Committee took note of the report on cooperation in safety and security matters with other international and regional organizations (ICC-ASP/3/CBF.2/18) and urged a speedy conclusion of the agreement referred to in paragraph 5 of the report. Furthermore, the Committee recalled its recommendation concerning the possibility of reaching agreements with other intergovernmental organizations¹⁴ and, in this connection, requested that it be kept apprised of developments.

G. Other matters

Future meetings

122. The Committee decided to hold its fourth session in The Hague from 4 to 6 April 2005. It also decided that unless the Assembly amended the financial period pursuant to the recommendation contained in paragraph 25 of this report, the Committee would hold its fifth session in The Hague from 1 to 5 August 2005.

¹⁴ ICC-ASP/CBF.1/L.4, paragraph 19.

Annex I

List of documents

Committee on Budget and Finance

ICC-ASP/3/2*	Draft Programme Budget for 2005 (reissued for technical reasons)
ICC-ASP/3/4	Financial Statements for the period 1 Sept 2002 to 31 Dec 2003
ICC-ASP/3/5	Victims Trust Fund – financial statements for the period 1 Sept 2002 to 31 Dec 2003
ICC-ASP/3/6	Establishment of a New York Liaison Office for the International Criminal Court and the Secretariat of the Assembly of States Parties
ICC-ASP/3/14	Report to the Assembly of States Parties on the activities and projects of the Board of Directors of the Trust Fund for Victims
ICC-ASP/2/7 and Corr. 1	Report of the Committee on Budget and Finance (4-8 Aug 2003)
ICC-ASP/3/CBF.1/L.4	Report of the Committee on Budget and Finance (29-31 Mar 2004)
ICC-ASP/3/CBF.2/L.1/Rev.2 and Corr.1	Provisional agenda
ICC-ASP/3/CBF.2/L.2	Annotated list of items in the provisional agenda
ICC-ASP/3/CBF.2/1	Report on translation productivity
ICC-ASP/3/CBF.2/2	Report on participation of and reparations to victims
ICC-ASP/3/CBF.2/3	Report on options for ensuring adequate defence counsel for accused persons
ICC-ASP/3/CBF.2/4	Report on information technology
ICC-ASP/3/CBF.2/5	Report to the Assembly of States Parties regarding discussions on the permanent premises of the Court
ICC-ASP/3/CBF.2/6	Report on detention facilities
ICC-ASP/3/CBF.2/7	Report on investment in the interim premises of the Court
ICC-ASP/3/CBF.2/8	Consultants employed by the Court
ICC-ASP/3/CBF.2/9	Organizational chart of the Court
ICC-ASP/3/CBF.2/10	Report on the outreach activities of the Court
ICC-ASP/3/CBF.2/11	Report on the budget preparation schedule

ICC-ASP/3/CBF.2/12/Rev.1*	Report on the proposal for a contingency fund
ICC-ASP/3/CBF.2/13	Procurement activities of the Procurement Review Committee 1 Jan 2003 to 30 April 2004
ICC-ASP/3/CBF.2/14 Add.1	Report on the trust fund management and extra budgetary resources received by the Court
ICC-ASP/3/CBF.2/15/Rev.3	Preliminary report on the half year financial situation of the Court
ICC-ASP/3/CBF.2/16	Report on the development of the performance assessment system for staff
ICC-ASP/3/CBF.2/17	Report on overtime
ICC-ASP/3/CBF.2/18	Report on cooperation in safety and security matters with other international and regional organizations
ICC-ASP/3/CBF.2/19	Report on year-on-year comparisons in the proposed programme budgets
ICC-ASP/3/CBF.2/20	Report on request for information on consultants and redeployment of posts

Annex II

Proposal to establish a contingency fund

The following are the amendments to the Financial Regulations and Rules that are necessary to establish a contingency fund:

Amendments to regulation 6 – Funds

After regulation 6.5 insert the following:

- 6.6 There shall be established a Contingency Fund to ensure that the Court can meet:
- (a) Costs associated with a new situation following a decision by the Prosecutor to open an investigation; or
 - (b) Unavoidable expenses for developments in existing situations that could not be foreseen or could not be accurately estimated at the time of adoption of the budget.

The level of the Fund and the means by which it shall be financed (i.e. by assessed contributions and/or cash surpluses in the budget) shall be determined by the Assembly of States Parties.

- 6.7 If a need to meet unforeseen or unavoidable expenses arises, the Registrar, by his or her own decision or at the request of the Prosecutor or the President, is authorized to enter into commitments not exceeding the total level of the Contingency Fund. Before entering into such commitments, the Registrar shall submit a short, supplementary budget notification to the Chairperson of the Committee on Budget and Finance. Two weeks after having notified the Chairperson of the Committee on Budget and Finance, and taking into account any financial comments on the funding requirements submitted by the Chairperson, the Registrar may enter into commitments as decided or requested. All funding obtained in this way shall relate only to the financial period(s) for which a programme budget has already been approved.
- 6.8 Advances made from the Contingency Fund shall be reimbursed as soon as funding is available for the purposes that gave rise to the expenses.
- 6.9 The Registrar shall report to the Assembly of States Parties, through the Committee on Budget and Finance, on any exercise of the commitment authority given under regulation 6.7.
- 6.10 Income derived from Contingency Fund investments shall be classed as miscellaneous income for credit to the General Fund.

Amendment to regulation 5 – Provision of funds:

Amend regulation 5.8 as follows:

- 5.8 Payments made by a State Party shall be credited first to the Working Capital Fund, then to the contributions due to the General Fund, and then to the Contingency Fund, in the order in which the State Party was assessed.

Annex III

**Budgetary implications of implementation of the recommendations
of the Committee on Budget and Finance**

Comparison of proposed budget and the recommendations of the Committee on Budget and Finance

TOTAL - ALL MAJOR PROGRAMMES

Item	Proposed budget 2005 Post table 2005			Proposed budget 2005 (thousands of euros)			CBF Post table 2005			CBF - Proposed budget 2005 (thousands of euros)		
	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total
Judges	18		18	4,011		4,011	18		18	4,011		4,011
Professional staff	222	58	280	20,954	3,180	24,134	220	23	243	20,828	1,072	21,900
General Service staff	202	44	246	9,952	1,375	11,327	196	27	223	9,717	836	10,553
<i>Subtotal staff</i>	<i>424</i>	<i>102</i>	<i>526</i>	<i>30,906</i>	<i>4,554</i>	<i>35,461</i>	<i>416</i>	<i>50</i>	<i>466</i>	<i>30,545</i>	<i>1,908</i>	<i>32,453</i>
General temporary assistance				1,137	1,708	2,845				1,009	1,708	2,717
Temporary assistance for meetings				370		370				370		370
Overtime				269	83	352				269	83	352
Consultants				605		605				537		537
<i>Subtotal other staff</i>				<i>2,381</i>	<i>1,791</i>	<i>4,172</i>				<i>2,185</i>	<i>1,791</i>	<i>3,976</i>
Travel				1,298	1,326	2,624				1,201	1,024	2,225
Hospitality				41		41				41		41
Contractual services				7,703	3,652	11,355				7,871	3,498	11,369
General operating expenses				4,406	1,810	6,216				4,406	1,548	5,954
Supplies and materials				802	73	875				848	33	881
Furniture and equipment				3,771	1,038	4,809				3,771	275	4,046
<i>Subtotal non-staff</i>				<i>18,021</i>	<i>7,899</i>	<i>25,920</i>				<i>18,138</i>	<i>6,378</i>	<i>24,516</i>
Total All Major Programmes				55,319	14,244	69,563				54,879	10,077	64,956

Changes are indicated in grey

Comparison of proposed budget and the recommendations of the Committee on Budget and Finance

1. Major Programme I - Judiciary

Item	Proposed budget 2005 Post table 2005			Proposed budget 2005 (thousands of euros)			CBF Post table 2005			CBF - Proposed budget 2005 (thousands of euros)		
	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total
Judges	18		18	4,011		4,011	18		18	4,011		4,011
Professional staff	27	4	31	2,070	236	2,306	27	0	27	2,070	0	2,070
General Service staff	14		14	688		688	14		14	688		688
<i>Subtotal staff</i>	41	4	45	2,758	236	2,994	41		41	2,758		2,758
General temporary assistance				100	200	300				100	200	300
Overtime				5		5				5		5
Consultants				50		50				50		50
<i>Subtotal other staff</i>				155	200	355				155	200	355
Travel				140		140				140		140
Hospitality				11		11				11		11
Contractual services				25		25				25		25
Supplies and materials				4		4				4		4
<i>Subtotal non-staff</i>				180		180				180		180
Total Major Programme I				7,104	436	7,540				7,104	200	7,304

Changes are indicated in grey

1.1 Programme 1100 – Presidency

<i>Item</i>	<i>Proposed budget 2005 Post table 2005</i>			<i>Proposed budget 2005 (thousands of euros)</i>			<i>CBF Post table 2005</i>			<i>CBF - Proposed budget 2005 (thousands of euros)</i>		
	<i>Core</i>	<i>Conditional</i>	<i>Total</i>	<i>Core</i>	<i>Conditional</i>	<i>Total</i>	<i>Core</i>	<i>Conditional</i>	<i>Total</i>	<i>Core</i>	<i>Conditional</i>	<i>Total</i>
<i>Judges</i>	3		3	701		701	3		3	701		701
Professional staff	6	1	7	467	41	508	6	0	6	467	0	467
General Service staff	3		3	160		160	3		3	160		160
<i>Subtotal staff</i>	9	1	10	627	41	668	9		9	627		627
General temporary assistance				100		100				100		100
Overtime				5		5				5		5
Consultants				50		50				50		50
<i>Subtotal other staff</i>				155		155				155		155
Travel				80		80				80		80
Hospitality				10		10				10		10
<i>Subtotal non-staff</i>				90		90				90		90
Total programme				1,573	41	1,614				1,573		1,573

1.2 Programme 1200 – Chambers

Item	Proposed budget 2005 Post table 2005			Proposed budget 2005 (thousands of euros)			CBF Post table 2005			CBF - Proposed budget 2005 (thousands of euros)		
	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total
<i>Judges</i>	15		15	3,310		3,310	15		15	3,310		3,310
Professional staff	21	3	24	1,603	195	1,798	21	0	21	1,603	0	1,603
General Service staff	11		11	528		528	11		11	528		528
<i>Subtotal staff</i>	32	3	35	2,131	195	2,326	32		32	2,131		2,131
General temporary assistance					200	200					200	200
<i>Subtotal other staff</i>					200	200					200	200
Travel				60		60				60		60
Hospitality				1		1				1		1
Contractual services				25		25				25		25
Supplies and materials				4		4				4		4
<i>Subtotal non-staff</i>				90		90				90		90
Total programme				5,531	395	5,926				5,531	200	5,731

Comparison of proposed budget and the recommendations of the Committee on Budget and Finance

2. Major Programme II - Office of the Prosecutor

Item	Proposed budget 2005 Post table 2005			Proposed budget 2005 (thousands of euros)			CBF Post table 2005			CBF - Proposed budget 2005 (thousands of euros)		
	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total
Professional staff	90	28	118	8,750	1,725	10,475	89	1	90	8,681	82	8,763
General Service staff	35	14	49	1,771	539	2,310	35	8	43	1,771	307	2,078
<i>Subtotal staff</i>	<i>125</i>	<i>42</i>	<i>167</i>	<i>10,521</i>	<i>2,264</i>	<i>12,785</i>	<i>124</i>	<i>9</i>	<i>133</i>	<i>10,452</i>	<i>389</i>	<i>10,841</i>
General temporary assistance				398	1,428	1,826				398	1,428	1,826
Overtime				15	15	30				15	15	30
Consultants				175		175				175		175
<i>Subtotal other staff</i>				<i>588</i>	<i>1,443</i>	<i>2,031</i>				<i>588</i>	<i>1,443</i>	<i>2,031</i>
Travel				793	957	1,750				762	747	1,509
Hospitality				10		10				10		10
Contractual services				217	524	741				217	524	741
General operating expenses				50		50				50		50
Supplies and materials				26	25	51				26	25	51
Furniture and equipment				519	275	794				519	275	794
<i>Subtotal non-staff</i>				<i>1,615</i>	<i>1,781</i>	<i>3,396</i>				<i>1,584</i>	<i>1,571</i>	<i>3,155</i>
Total Major Programme II				12,724	5,488	18,212				12,624	3,403	16,027

Changes are indicated in grey

2.1 Programme 2100 – Prosecutor

Item	Proposed budget 2005 Post table 2005			Proposed budget 2005 (thousands of euros)			CBF Post table 2005			CBF - Proposed budget 2005 (thousands of euros)		
	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total
Professional staff	20	3	23	1,973	148	2,121	20		20	1,973		1,973
General Service staff	15	3	18	761	84	845	15	3	18	761	84	845
<i>Subtotal staff</i>	35	6	41	2,734	232	2,966	35	3	38	2,734	84	2,818
General temporary assistance				330	744	1,074				330	744	1,074
Overtime				15	15	30				15	15	30
Consultants				175		175				175		175
<i>Subtotal other staff</i>				520	759	1,279				520	759	1,279
Travel				141	53	194				141	53	194
Hospitality				10		10				10		10
Contractual services				217	424	641				217	424	641
General operating expenses				50		50				50		50
Supplies and materials				26	25	51				26	25	51
Furniture and equipment				351		351				351		351
<i>Subtotal non-staff</i>				795	502	1,297				795	502	1,297
Total programme				4,049	1,493	5,542				4,049	1,345	5,394

Changes are indicated in grey

2.2 Programme 2200 - Jurisdiction, Complementarity and Cooperation Division

Item	Proposed budget 2005 Post table 2005			Proposed budget 2005 (thousands of euros)			CBF Post table 2005			CBF - Proposed budget 2005 (thousands of euros)		
	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total
Professional staff	11	2	13	1,044	123	1,167	11	0	11	1,044	0	1,044
General Service staff	2		2	100		100	2		2	100		100
<i>Subtotal staff</i>	13	2	15	1,144	123	1,267	13		13	1,144		1,144
General temporary assistance Overtime				68		68				68		68
<i>Subtotal other staff</i>				68		68				68		68
Travel Hospitality				330		330				299		299
<i>Subtotal non-staff</i>				330		330				299		299
Total programme				1,542	123	1,665				1,511		1,511

Changes are indicated in grey

2.3 Programme 2300 - Investigation Division

Item	Proposed budget 2005 Post table 2005			Proposed budget 2005 (thousands of euros)			CBF Post table 2005			CBF - Proposed budget 2005 (thousands of euros)		
	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total
Professional staff	42	11	53	3,958	705	4,663	42	1	43	3,958	82	4,040
General Service staff	14	9	23	710	386	1,096	14	5	19	710	223	933
<i>Subtotal staff</i>	56	20	76	4,668	1,091	5,759	56	6	62	4,668	305	4,973
General temporary assistance					684	684					684	684
<i>Subtotal other staff</i>					684	684					684	684
Travel				270	855	1,125				270	645	915
Contractual services					100	100					100	100
Furniture and equipment				168	275	443				168	275	443
<i>Subtotal non-staff</i>				438	1,230	1,668				438	1,020	1,458
Total programme				5,106	3,005	8,111				5,106	2,009	7,115

2.4 Programme 2400 - Prosecution Division

Item	Proposed budget 2005 Post table 2005			Proposed budget 2005 (thousands of euros)			CBF Post table 2005			CBF - Proposed budget 2005 (thousands of euros)		
	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total
Professional staff	17	12	29	1,775	749	2,524	16	0	16	1,706	0	1,706
General Service staff	4	2	6	200	69	269	4	0	4	200	0	200
<i>Subtotal staff</i>	<i>21</i>	<i>14</i>	<i>35</i>	<i>1,975</i>	<i>818</i>	<i>2,793</i>	<i>20</i>	<i>0</i>	<i>20</i>	<i>1,906</i>	<i>0</i>	<i>1,906</i>
Travel Hospitality				52	49	101				52	49	101
<i>Subtotal non-staff</i>				<i>52</i>	<i>49</i>	<i>101</i>				<i>52</i>	<i>49</i>	<i>101</i>
Total programme				2,027	867	2,894				1,958	49	2,007

Comparison of proposed budget and the recommendations of the Committee on Budget and Finance

3. Total Major Programme III - Registry

Item	Proposed budget 2005 Post table 2005			Proposed budget 2005 (thousands of euros)			CBF Post table 2005			CBF - Proposed budget 2005 (thousands of euros)		
	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total
Professional staff	102	26	128	9,757	1,219	10,976	101	22	123	9,700	990	10,690
General Service staff	149	30	179	7,276	836	8,112	143	19	162	7,041	529	7,570
<i>Subtotal staff</i>	<i>251</i>	<i>56</i>	<i>307</i>	<i>17,033</i>	<i>2,055</i>	<i>19,088</i>	<i>244</i>	<i>41</i>	<i>285</i>	<i>16,741</i>	<i>1,519</i>	<i>18,260</i>
General temporary assistance				517	80	597				389	80	469
Temporary assistance for meetings				300		300				300		300
Overtime				244	68	312				244	68	312
Consultants				277		277				209		209
<i>Subtotal other staff</i>				<i>1,338</i>	<i>148</i>	<i>1,486</i>				<i>1,142</i>	<i>148</i>	<i>1,290</i>
Travel				269	369	638				203	277	480
Hospitality				10		10				10		10
Contractual services				4,338	3,128	7,466				4,506	2,974	7,480
General operating expenses				4,272	1,810	6,082				4,272	1,548	5,820
Supplies and materials				729	48	777				775	8	783
Furniture and equipment				2,377	763	3,140				2,377	0	2,377
<i>Subtotal non-staff</i>				<i>11,995</i>	<i>6,118</i>	<i>18,113</i>				<i>12,143</i>	<i>4,807</i>	<i>16,950</i>
Total Major Programme III	251	56	307	30,366	8,321	38,687	244	41	285	30,026	6,474	36,500

Changes are indicated in grey

3.1 Programme 3100 - Office of the Registrar

Item	Proposed budget 2005 Post table 2005			Proposed budget 2005 (thousands of euros)			CBF Post table 2005			CBF - Proposed budget 2005 (thousands of euros)		
	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total
Professional staff	15		15	1,536		1,536	15		15	1,536		1,536
General Service staff	43	5	48	2,153	139	2,292	41	5	46	2,074	139	2,213
<i>Subtotal staff</i>	58	5	63	3,689	139	3,828	56	5	61	3,610	139	3,749
General temporary assistance				185		185				0		0
				0		0						0
Overtime				97		97				97		97
Consultants										0	0	
<i>Subtotal other staff</i>				282		282				97		97
Travel				60	202	262				45	152	197
Hospitality				10		10				10		10
Contractual services				1,027	6	1,033				1,115	6	1,121
General operating expenses				80		80				80		80
Supplies and materials				68	8	76				83	8	91
Furniture and equipment				122		122				122		122
<i>Subtotal non-staff</i>				1,367	216	1,583				1,455	166	1,621
Total programme				5,338	355	5,693				5,162	305	5,467

Changes are indicated in grey

3.2 Programme 3200 - Common Administrative Services

Item	Proposed budget 2005 Post table 2005			Proposed budget 2005 (thousands of euros)			CBF Post table 2005			CBF - Proposed budget 2005 (thousands of euros)		
	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total
Professional staff	37	1	38	3,590		3,590	36	1	37	3,533	0	3,533
General Service staff	70	9	79	3,480	251	3,731	66	0	66	3,324	0	3,324
<i>Subtotal staff</i>	<i>107</i>	<i>10</i>	<i>117</i>	<i>7,070</i>	<i>251</i>	<i>7,321</i>	<i>102</i>		<i>103</i>	<i>6,857</i>		<i>6,857</i>
General temporary assistance				122	20	142				179	20	199
Overtime				147	58	205				147	58	205
Consultants				213		213				160		160
<i>Subtotal other staff</i>				<i>482</i>	<i>78</i>	<i>560</i>				<i>486</i>	<i>78</i>	<i>564</i>
Travel				79		79				58		58
Hospitality						0						0
Contractual services				2,359	153	2,512				2,439	0	2,439
General operating expenses				2,878	377	3,255				2,878	115	2,993
Supplies and materials				476	40	516				476	0	476
Furniture and equipment				2,255	763	3,018				2,255	0	2,255
<i>Subtotal non-staff</i>				<i>8,047</i>	<i>1,333</i>	<i>9,380</i>				<i>8,106</i>	<i>115</i>	<i>8,221</i>
Total programme				15,599	1,662	17,261				15,449	193	15,642

Changes are indicated in grey

3.3 Programme 3300 - Division of Court Services

Item	Proposed budget 2005 Post table 2005			Proposed budget 2005 (thousands of euros)			CBF Post table 2005			CBF - Proposed budget 2005 (thousands of euros)		
	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total
Professional staff	33	20	53	3,098	949	4,047	33	20	53	3,098	949	4,047
General Service staff	25	14	39	1,127	390	1,517	25	14	39	1,127	390	1,517
<i>Subtotal staff</i>	58	34	92	4,225	1,339	5,564	58	34	92	4,225	1,339	5,564
General temporary assistance				30	30	60				30	30	60
Temporary assistance for meetings				300		300				300		300
Overtime					10	10					10	10
Consultants				35		35				26		26
<i>Subtotal other staff</i>				365	40	405				356	40	396
Travel				82	159	241				62	120	182
Contractual services				335	168	503				335	167	502
General operating expenses				1,314	1,329	2,643				1,314	1,329	2,643
<i>Subtotal non-staff</i>				1,731	1,656	3,387				1,711	1,616	3,327
Total programme				6,321	3,035	9,356				6,292	2,995	9,287

Changes are indicated in grey

3.4 Programme 3400 - Public Information and Documentation Section

Item	Proposed budget 2005 Post table 2005			Proposed budget 2005 (thousands of euros)			CBF Post table 2005			CBF - Proposed budget 2005 (thousands of euros)		
	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total
Professional staff	6		6	531		531	6		6	531		531
General Service staff	4		4	210		210	4		4	210		210
<i>Subtotal staff</i>	<i>10</i>		<i>10</i>	<i>741</i>		<i>741</i>	<i>10</i>		<i>10</i>	<i>741</i>		<i>741</i>
General temporary assistance				150		150				150		150
Consultants				9		9				7		7
<i>Subtotal other staff</i>				<i>159</i>		<i>159</i>				<i>157</i>		<i>157</i>
Travel				16	3	19				13	2	15
Hospitality						0						0
Contractual services				227	40	267				227	40	267
General operating expenses				0	0	0				0	0	0
Supplies and materials				185		185				216		216
<i>Subtotal non-staff</i>				<i>428</i>	<i>43</i>	<i>471</i>				<i>456</i>	<i>42</i>	<i>498</i>
Total programme				1,328	43	1,371				1,354	42	1,396

Changes are indicated in grey

3.5 Programme 3500 - Division of Victims and Counsel

Item	Proposed budget 2005 Post table 2005			Proposed budget 2005 (thousands of euros)			CBF Post table 2005			CBF - Proposed budget 2005 (thousands of euros)		
	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total	Core	Conditional	Total
Professional staff	11	5	16	1,002	270	1,272	11	1	12	1,002	41	1,043
General Service staff	7	2	9	306	56	362	7	0	7	306	0	306
<i>Subtotal staff</i>	<i>18</i>	<i>7</i>	<i>25</i>	<i>1,308</i>	<i>326</i>	<i>1,634</i>	<i>18</i>	<i>1</i>	<i>19</i>	<i>1,308</i>	<i>41</i>	<i>1,349</i>
General temporary assistance				30	30	60				30	30	60
Consultants				20		20				16		16
<i>Subtotal other staff</i>				<i>50</i>	<i>30</i>	<i>80</i>				<i>46</i>	<i>30</i>	<i>76</i>
Travel				32	5	37				25	3	28
Contractual services				390	2,761	3,151				390	2,761	3,151
General operating expenses					104	104					104	104
<i>Subtotal non-staff</i>				<i>422</i>	<i>2,870</i>	<i>3,292</i>				<i>415</i>	<i>2,868</i>	<i>3,283</i>
Total programme				1,780	3,226	5,006				1,769	2,939	4,708

Changes are indicated in grey

Comparison of proposed budget and the recommendations of the Committee on Budget and Finance

4. Major Programme IV - Secretariat of the Assembly of States Parties

<i>Item</i>	<i>Proposed budget 2005 Post table 2005</i>			<i>Proposed budget 2005 (thousands of euros)</i>			<i>CBF Post table 2005</i>			<i>CBF - Proposed budget 2005 (thousands of euros)</i>		
	<i>Core</i>	<i>Conditional</i>	<i>Total</i>	<i>Core</i>	<i>Conditional</i>	<i>Total</i>	<i>Core</i>	<i>Conditional</i>	<i>Total</i>	<i>Core</i>	<i>Conditional</i>	<i>Total</i>
Professional staff	3		3	377		377	3		3	377		377
General Service staff	4		4	217		217	4		4	217		217
<i>Subtotal staff</i>	<i>7</i>		<i>7</i>	<i>594</i>		<i>594</i>	<i>7</i>		<i>7</i>	<i>594</i>		<i>594</i>
General temporary assistance				122		122				122		122
Temporary assistance for meetings				70		70				70		70
Overtime				5		5				5		5
<i>Subtotal other staff</i>				<i>197</i>		<i>197</i>				<i>197</i>		<i>197</i>
Travel				96		96				96		96
Hospitality				10		10				10		10
Contractual services				1,923		1,923				1,923		1,923
General operating expenses				84		84				84		84
Supplies and materials				43		43				43		43
Furniture and equipment				113		113				113		113
<i>Subtotal non-staff</i>				<i>2,269</i>		<i>2,269</i>				<i>2,269</i>		<i>2,269</i>
Total Major Programme IV				3,060		3,060				3,060		3,060

Changes are indicated in grey

Comparison of proposed budget and the recommendations of the Committee on Budget and Finance

5. Major Programme V - Investment in the Court's premises

<i>Item</i>	<i>Proposed budget 2005 Post table 2005</i>			<i>Proposed budget 2005 (thousands of euros)</i>			<i>CBF Post table 2005</i>			<i>CBF - Proposed budget 2005 (thousands of euros)</i>		
	<i>Core</i>	<i>Conditional</i>	<i>Total</i>	<i>Core</i>	<i>Conditional</i>	<i>Total</i>	<i>Core</i>	<i>Conditional</i>	<i>Total</i>	<i>Core</i>	<i>Conditional</i>	<i>Total</i>
Consultants				103		103				103		103
<i>Subtotal other staff</i>				<i>103</i>		<i>103</i>				<i>103</i>		<i>103</i>
Contractual services				1,200		1,200				1,200		1,200
Furniture and equipment				762		762				762		762
<i>Subtotal non-staff</i>				<i>1,962</i>		<i>1,962</i>				<i>1,962</i>		<i>1,962</i>
Total Major Programme V				2,065		2,065				2,065		2,065

5.1 Programme 5100 - Interim premises

<i>Item</i>	<i>Proposed budget 2005 Post table 2005</i>			<i>Proposed budget 2005 (thousands of euros)</i>			<i>CBF Post table 2005</i>			<i>CBF - Proposed budget 2005 (thousands of euros)</i>		
	<i>Core</i>	<i>Conditional</i>	<i>Total</i>	<i>Core</i>	<i>Conditional</i>	<i>Total</i>	<i>Core</i>	<i>Conditional</i>	<i>Total</i>	<i>Core</i>	<i>Conditional</i>	<i>Total</i>
Overtime												
Consultants				13		13				13		13
<i>Subtotal other staff</i>				<i>13</i>		<i>13</i>				<i>13</i>		<i>13</i>
Contractual services				1,050		1,050				1,050		1,050
Furniture and equipment				762		762				762		762
<i>Subtotal non-staff</i>				<i>1,812</i>		<i>1,812</i>				<i>1,812</i>		<i>1,812</i>
Total programme				1,825		1,825				1,825		1,825

5.2 Programme 5200 - Permanent premises

<i>Item</i>	<i>Proposed budget 2005 Post table 2005</i>			<i>Proposed budget 2005 (thousands of euros)</i>			<i>CBF Post table 2005</i>			<i>CBF - Proposed budget 2005 (thousands of euros)</i>		
	<i>Core</i>	<i>Conditional</i>	<i>Total</i>	<i>Core</i>	<i>Conditional</i>	<i>Total</i>	<i>Core</i>	<i>Conditional</i>	<i>Total</i>	<i>Core</i>	<i>Conditional</i>	<i>Total</i>
Consultants				90		90				90		90
<i>Subtotal other staff</i>				90		90				90		90
Contractual services				150		150				150		150
<i>Subtotal non-staff</i>				150		150				150		150
Total programme				240		240				240		240

Annex IV

Status of expenditure (by cost category) – budget 2004

Comparison of Appropriation and Expenditure - Status as at 31 July 2004

(in thousands of euros)

Major Programme I: Judiciary

<i>Item</i>	<i>Appropriation 2004</i>	<i>Disbursements</i>	<i>Unliquidated obligations</i>	<i>Total expenditure</i>	<i>Unencumbered balance</i>	<i>Implementation rate</i>
	(1)	(2)	(3)	(2)+(3)=(4)	(1)-(4)=(5)	(4)/(1)
Judges	4,207	1,569	9	1,578	2,629	37.5%
Professional and General Service staff	1,256	765	2	767	489	61.1%
General temporary assistance	91	61	0	61	30	67.0%
Overtime	15	0	0	0	15	0.0%
Consultants	62	23	35	58	4	93.6%
Travel	119	92	6	98	21	82.3%
Hospitality	10	2	5	7	3	70.0%
Contractual services	21	14	1	15	6	71.4%
Total - Major Programme I	5,781	2,526	58	2,584	3,197	44.7%

Comparison of Appropriation and Expenditure - Status as at 31 July 2004

(in thousands of euros)

Major Programme II: Office of the Prosecutor

<i>Item</i>	<i>Appropriation 2004</i>	<i>Disbursements</i>	<i>Unliquidated obligations</i>	<i>Total expenditure</i>	<i>Unencumbered balance</i>	<i>Implementation rate</i>
	(1)	(2)	(3)	(2)+(3)=(4)	(1)-(4)=(5)	(4)/(1)
Professional and General Service staff	6,855	1,837	40	1,877	4,978	27.4%
General temporary assistance	3,761	232	0	232	3,529	6.1%
Overtime	31	0	0	0	31	0.0%
Consultants	200	59	66	125	75	62.5%
Travel	1,261	139	34	173	1,088	13.7%
Hospitality	10	3	3	6	4	60.0%
Contractual Services	821	24	14	38	783	4.6%
Supplies and materials	0	6	9	15	-15	-
Furniture and equipment	1,102	0	0	0	1,102	0.0%
Total - Major Programme II	14,041	2,300	166	2,466	11,575	17.6%

Comparison of Appropriation and Expenditure - Status as at 31 July 2004

(in thousands of euros)

Major Programme III: Registry

<i>Item</i>	<i>Appropriation 2004</i>	<i>Disbursements</i>	<i>Unliquidated obligations</i>	<i>Total expenditure</i>	<i>Unencumbered balance</i>	<i>Implementation rate</i>
	(1)	(2)	(3)	(2)+(3)=(4)	(1)-(4)=(5)	(4)/(1)
Professional and General Service staff	10,798	5,253	34	5,287	5,511	48.9%
General temporary assistance	1,060	350	17	367	693	34.6%
Overtime	544	28	0	28	516	5.2%
Consultants	539	192	277	469	70	87.0%
Travel	909	99	29	128	781	14.1%
Hospitality	20	3	4	7	13	35.0%
Contractual services	11,150	695	1,733	2,428	8,722	21.8%
General operating expenses	1,011	426	654	1,080	-69	106.8%
Supplies and materials	672	183	187	370	302	55.1%
Furniture and equipment	3,947	1,429	1,417	2,846	1,101	72.1%
Total - Major Programme III	30,650	8,658	4,352	13,010	17,640	42.4%

Comparison of Appropriation and Expenditure - Status as at 31 July 2004

(in thousands of euros)

Major Programme IV: Secretariat of the Assembly of States Parties

<i>Item</i>	<i>Appropriation 2004</i>	<i>Disbursements</i>	<i>Unliquidated obligations</i>	<i>Total expenditure</i>	<i>Unencumbered balance</i>	<i>Implementation rate</i>
	(1)	(2)	(3)	(2)+(3)=(4)	(1)-(4)=(5)	(4)/(1)
Professional and General Service staff	425	197	0	197	228	46.4%
General temporary assistance	85	52	19	71	14	82.4%
Travel	0	33	32	65	-65	-
Hospitality	0	2	1	3	-3	-
Contractual services	1,845	153	468	621	1,224	33.7%
General operating expenses	92	4	5	9	83	9.8%
Supplies and materials	4	3	1	4	0	100.0%
Furniture and equipment	148	0	42	42	106	28.4%
Total - Major Programme IV	2,599	444	568	1,012	1,587	38.9%

Annex V¹⁵

Status of contributions

Status of assessed contributions, 2002-2003

As at 31 July 2004

States Parties	Assessment WCF ¹⁶	2002 Assessment budget	2003 Assessment budget	Total assessed contributions	Contributions received for WCF	Contributions received 2002 budget	Contributions received 2003 budget	Total contributions received	Overpayment ¹⁷	Total outstanding contributions ¹⁸
Afghanistan	264	-	306	570	264	-	458	722	(152)	-
Albania	113	-	1,034	1,147	-	-	-	-	-	1,147
Andorra	151	634	1,838	2,622	151	634	1,834	2,619	-	3
Antigua and Barbuda	75	317	919	1,311	-	-	-	-	-	1,311
Argentina	43,741	183,654	445,148	672,543	43,741	183,654	185,628	413,023	-	259,520
Australia	61,894	259,873	747,426	1,069,193	61,894	259,873	747,426	1,069,193	-	-
Austria	36,004	151,170	435,041	622,216	36,004	151,170	435,072	622,247	(31)	-
Barbados	340	-	3,445	3,785	340	-	4,122	4,462	(677)	-
Belgium	42,949	180,326	518,650	741,925	42,949	180,326	518,650	741,925	-	-

¹⁵ Previously issued as ICC-ASP/3/18/Add.1/Rev.1.

¹⁶ Working Capital Fund.

¹⁷ Overpayments are carried forward to be applied against assessed contributions for 2004.

¹⁸ Total outstanding contributions are calculated as: total assessed contributions minus total contributions received plus overpayments.

States Parties	Assessment WCF ¹⁶	2002 Assessment budget	2003 Assessment budget	Total assessed contributions	Contributions received for WCF	Contributions received 2002 budget	Contributions received 2003 budget	Total contributions received	Overpayment ¹⁷	Total outstanding contributions ¹⁸
Belize	38	158	459	656	-	-	-	-	-	656
Benin	75	317	919	1,311	75	317	723	1,116	-	195
Bolivia	302	1,268	3,675	5,245	302	1,268	1,781	3,350	-	1,895
Bosnia and Herzegovina	151	634	1,838	2,622	151	634	1,902	2,687	(65)	-
Botswana	377	1,585	4,594	6,556	377	1,585	4,509	6,471	-	85
Brazil	78,991	331,655	1,097,940	1,508,585	-	-	-	-	-	1,508,585
Bulgaria	491	2,060	5,972	8,523	491	2,060	6,164	8,715	(192)	-
Cambodia	75	317	919	1,311	75	317	919	1,311	-	-
Canada	97,332	408,666	1,175,117	1,681,115	97,332	408,666	1,222,656	1,728,654	(47,539)	-
Central African Republic	38	158	459	656	-	-	-	-	-	656
Colombia	6,454	13,548	92,337	112,339	-	-	-	-	-	112,339
Costa Rica	755	3,169	9,188	13,112	-	-	-	-	-	13,112
Croatia	1,472	6,180	17,916	25,568	1,472	6,180	17,971	25,623	(55)	-
Cyprus	1,434	6,021	17,457	24,912	1,434	6,021	17,458	24,914	(2)	-

States Parties	Assessment WCF ¹⁶	2002 Assessment budget	2003 Assessment budget	Total assessed contributions	Contributions received for WCF	Contributions received 2002 budget	Contributions received 2003 budget	Total contributions received	Overpayment ¹⁷	Total outstanding contributions ¹⁸
Democratic Republic of the Congo	151	634	1,838	2,622	-	-	-	-	-	2,622
Denmark	28,494	119,637	344,082	492,213	28,494	119,637	360,889	509,020	(16,807)	-
Djibouti	38	-	421	459	38	-	464	502	(43)	-
Dominica	38	158	459	656	-	-	-	-	-	656
Ecuador	944	3,961	11,485	16,390	944	3,961	11,485	16,390	-	-
Estonia	377	1,585	4,594	6,556	377	1,585	4,779	6,741	(185)	-
Fiji	151	634	1,838	2,622	151	634	15	800	-	1,822
Finland	19,851	83,349	239,801	343,002	19,851	83,349	250,876	354,077	(11,075)	-
France	245,916	1,032,519	2,970,409	4,248,845	245,916	1,032,519	3,099,270	4,377,706	(128,861)	-
Gabon	528	2,218	6,431	9,178	-	-	-	-	-	9,178
Gambia	38	158	459	656	-	-	-	-	-	656
Georgia	189	-	191	380	-	-	-	-	-	380
Germany	371,554	1,560,030	4,487,771	6,419,354	371,554	1,560,030	4,683,312	6,614,895	(195,541)	-
Ghana	189	792	2,297	3,278	189	792	2,297	3,278	-	-

States Parties	Assessment WCF ¹⁶	2002 Assessment budget	2003 Assessment budget	Total assessed contributions	Contributions received for WCF	Contributions received 2002 budget	Contributions received 2003 budget	Total contributions received	Overpayment ¹⁷	Total outstanding contributions ¹⁸
Greece	20,493	86,043	247,611	354,147	20,493	86,043	443,472	550,009	(195,862)	-
Guinea	113	-	1,148	1,262	-	-	-	-	-	1,262
Honduras	151	634	2,297	3,082	-	-	-	-	-	3,082
Hungary	4,567	19,174	55,127	78,867	4,567	19,174	59,443	83,183	(4,316)	-
Iceland	1,245	5,229	15,160	21,634	1,245	5,229	15,160	21,635	(1)	-
Ireland	11,209	47,062	135,060	193,332	11,209	47,062	142,822	201,093	(7,761)	-
Italy	192,627	808,775	2,326,690	3,328,092	192,627	808,775	2,326,690	3,328,092	-	-
Jordan	302	1,268	3,675	5,245	302	1,268	3,664	5,234	-	11
Latvia	377	1,585	4,594	6,556	377	1,585	4,779	6,741	(185)	-
Lesotho	38	158	459	656	38	39	-	77	-	579
Liechtenstein	226	951	2,756	3,934	226	951	2,757	3,934	-	-
Lithuania	642	-	3,254	3,896	642	-	3,254	3,896	-	-
Luxembourg	3,019	12,677	36,751	52,447	3,019	12,677	36,751	52,447	-	-
Malawi	75	79	919	1,073	-	-	-	-	-	1,073

States Parties	Assessment WCF ¹⁶	2002 Assessment budget	2003 Assessment budget	Total assessed contributions	Contributions received for WCF	Contributions received 2002 budget	Contributions received 2003 budget	Total contributions received	Overpayment ¹⁷	Total outstanding contributions ¹⁸
Mali	75	317	919	1,311	75	317	917	1,309	-	2
Malta	566	-	6,317	6,883	566	-	6,871	7,437	(554)	-
Marshall Islands	38	158	459	656	38	158	460	656	-	-
Mauritius	415	1,743	5,053	7,211	415	1,743	5,257	7,415	(204)	-
Mongolia	38	158	459	656	38	158	823	1,019	(363)	-
Namibia	264	1,109	3,216	4,589	264	1,109	3,216	4,589	-	-
Nauru	38	158	459	656	38	158	460	656	-	-
Netherlands	66,083	277,462	798,418	1,141,963	66,083	277,462	851,820	1,195,366	(53,402)	-
New Zealand	9,171	38,506	110,713	158,389	9,171	38,506	110,721	158,397	(8)	-
Niger	38	158	459	656	-	-	-	-	-	656
Nigeria	2,113	8,874	31,238	42,226	2,113	8,874	32,451	43,438	(1,212)	-
Norway	24,607	103,315	296,765	424,687	24,607	103,315	308,772	436,694	(12,006)	-
Panama	679	2,852	8,269	11,801	679	2,852	7,543	11,075	-	726
Paraguay	604	2,535	7,350	10,489	-	-	-	-	-	10,489

States Parties	Assessment WCF ¹⁶	2002 Assessment budget	2003 Assessment budget	Total assessed contributions	Contributions received for WCF	Contributions received 2002 budget	Contributions received 2003 budget	Total contributions received	Overpayment ¹⁷	Total outstanding contributions ¹⁸
Peru	4,491	18,857	54,208	77,556	-	-	-	-	-	77,556
Poland	12,039	50,548	173,649	236,237	12,039	50,548	186,680	249,268	(13,031)	-
Portugal	17,587	73,842	212,238	303,667	17,587	73,842	212,484	303,913	(246)	-
Republic of Korea	70,423	-	779,468	849,892	70,423	-	388,723	459,146	-	390,746
Romania	2,227	9,349	26,645	38,220	2,227	9,349	26,645	38,220	-	-
St. Vincent and the Grenadines	38	-	421	459	38	-	421	459	-	-
Samoa	38	40	459	537	38	40	449	526	-	11
San Marino	75	317	919	1,311	75	317	956	1,348	(37)	-
Senegal	189	792	2,297	3,278	189	792	2,193	3,174	-	104
Serbia and Montenegro	755	3,169	9,188	13,112	755	3,169	9,188	13,112	-	-
Sierra Leone	38	158	459	656	-	-	-	-	-	656
Slovakia	1,623	6,814	19,754	28,190	1,623	6,814	20,552	28,989	(799)	-
Slovenia	3,057	12,835	37,211	53,103	3,057	12,835	22,786	38,678	-	14,425
South Africa	15,511	65,127	187,431	268,069	15,511	65,127	187,444	268,082	(13)	-

States Parties	Assessment WCF ¹⁶	2002 Assessment budget	2003 Assessment budget	Total assessed contributions	Contributions received for WCF	Contributions received 2002 budget	Contributions received 2003 budget	Total contributions received	Overpayment ¹⁷	Total outstanding contributions ¹⁸
Spain	95,823	402,328	1,157,086	1,655,236	95,823	402,328	1,198,463	1,696,614	(41,377)	-
Sweden	39,061	164,005	471,678	674,744	39,061	164,005	471,711	674,777	(33)	-
Switzerland	48,081	201,877	585,262	835,220	48,081	201,877	585,303	835,261	(41)	-
Tajikistan	38	158	459	656	-	-	-	-	-	656
The former Yugoslav Republic of Macedonia	226	951	2,756	3,934	226	951	2,757	3,934	-	-
Timor-Leste	38	40	459	537	38	40	459	536	-	1
Trinidad and Tobago	604	2,535	7,350	10,489	604	2,535	7,329	10,468	-	21
Uganda	189	792	2,297	3,278	189	792	2,390	3,371	(93)	-
United Kingdom	210,553	884,043	2,543,177	3,637,774	210,553	884,043	2,653,093	3,747,689	(109,915)	-
United Republic of Tanzania	151	317	1,838	2,305	151	317	1,838	2,306	(1)	-
Uruguay	3,057	12,835	36,751	52,643	-	-	-	-	-	52,643
Venezuela	7,925	33,276	95,553	136,755	-	-	-	-	-	136,755
Zambia	75	-	842	918	-	-	-	-	-	918
Total (92 States Parties)	1,915,700	7,723,375	23,170,125	32,809,200	1,811,688	7,302,388	21,930,626	31,044,702	(842,689)	2,607,187

Status of assessed contributions, 2004

As at 31 July 2004

States Parties	2004 Assessed WCF ¹	2004 Assessed budget	Total assessed contributions	Contributions received for WCF	Contributions received 2004 budget	Total contributions received ²	Overpayment	Total outstanding contributions ³
Afghanistan	(81)	2,195	2,114	(81)	233	152		1,962
Albania	345	5,488	5,833	-	-	-		5,833
Andorra	307	5,488	5,795	-	-	-		5,795
Antigua and Barbuda	200	3,293	3,492	-	-	-		3,492
Argentina	43,745	1,049,310	1,093,055	-	-	-		1,093,055
Australia	83,794	1,747,387	1,831,181	83,794	1,747,447	1,831,241	(60)	-
Austria	42,605	942,843	985,448	42,605	764,320	806,925		178,523
Barbados	575	10,976	11,551	575	102	677		10,874
Belgium	54,878	1,173,340	1,228,218	54,878	488,621	543,499		684,719
Belize	54	1,098	1,151	-	-	-		1,151

¹ Working Capital Fund.

² Overpayments from 2002-2003 totalling €842,689 are included in "Total contributions received".

³ Total outstanding contributions are calculated as: total assessed contributions minus total contributions received plus overpayments.

States Parties	2004 Assessed WCF ¹	2004 Assessed budget	Total assessed contributions	Contributions received for WCF	Contributions received 2004 budget	Total contributions received ²	Overpayment	Total outstanding contributions ³
Benin	108	2,195	2,303	-	-	-		2,303
Bolivia	522	9,878	10,400	-	-	-		10,400
Bosnia and Herzegovina	124	3,293	3,416	124	3,293	3,417	(1)	-
Botswana	721	13,171	13,892	-	-	-		13,892
Brazil	60,383	1,671,652	1,732,035	-	-	-		1,732,035
Bulgaria	1,065	18,659	19,724	1,065	10,202	11,267		8,457
Burkina Faso	183	1,098	1,281	-	-	-		1,281
Cambodia	108	2,195	2,303	108	1,594	1,702		601
Canada	160,093	3,087,562	3,247,655	160,093	3,087,669	3,247,762	(107)	-
Central African Republic	54	1,098	1,151	-	-	-		1,151
Colombia	7,730	170,129	177,859	-	-	-		177,859
Congo ⁴	92	457	549	-	-	-		549

⁴ Congo ratified the Rome Statute on 3 May 2004. In accordance with article 126, paragraph 2, of the Rome Statute, it became a State Party on 1 August 2004. The assessed contributions in this table are calculated with effect from that date.

States Parties	2004 Assessed WCF ¹	2004 Assessed budget	Total assessed contributions	Contributions received for WCF	Contributions received 2004 budget	Total contributions received ²	Overpayment	Total outstanding contributions ³
Costa Rica	1,990	32,928	34,919	-	-	-		34,919
Croatia	1,914	40,611	42,525	1,914	49,857	51,771	(9,245)	-
Cyprus	2,135	42,807	44,942	2,135	42,808	44,943	(1)	-
Democratic Republic of the Congo	124	3,293	3,416	-	-	-	-	3,416
Denmark	37,212	788,080	825,292	37,212	833,407	870,619	(45,327)	-
Djibouti	54	1,098	1,151	43	-	43		1,108
Dominica	54	1,098	1,151	-	-	-		1,151
Ecuador	795	20,854	21,649	795	9,031	9,826		11,823
Estonia	721	13,171	13,892	721	13,172	13,893	(1)	-
Fiji	215	4,390	4,605	-	-	-		4,605
Finland	28,925	585,023	613,949	28,925	585,045	613,970	(21)	-
France	305,905	6,618,557	6,924,462	305,905	5,332,334	5,638,239		1,286,223
Gabon	296	9,878	10,174	-	-	-		10,174

States Parties	2004 Assessed WCF ¹	2004 Assessed budget	Total assessed contributions	Contributions received for WCF	Contributions received 2004 budget	Total contributions received ²	Overpayment	Total outstanding contributions ³
Gambia	54	1,098	1,151	-	-	-		1,151
Georgia	86	3,293	3,378	-	-	-		3,378
Germany	421,127	9,507,453	9,928,580	421,127	5,323,464	5,744,591		4,183,989
Ghana	177	4,390	4,567	-	-	-		4,567
Greece	28,009	581,731	609,739	28,009	780,195	808,204	(198,464)	-
Guinea	162	3,293	3,454	-	-	-		3,454
Honduras	307	5,488	5,795	-	-	-		5,795
Hungary	6,964	138,298	145,262	6,964	138,302	145,265	(3)	-
Iceland	1,866	37,319	39,185	1,866	26,253	28,119		11,066
Ireland	20,820	384,162	404,982	20,820	384,174	404,995	(13)	-
Italy	254,412	5,361,800	5,616,212	254,412	2,247,542	2,501,954		3,114,258
Jordan	705	12,074	12,778	705	12,085	12,790	(12)	-
Latvia	996	16,464	17,460	996	16,466	17,461	(2)	-

States Parties	2004 Assessed WCF ¹	2004 Assessed budget	Total assessed contributions	Contributions received for WCF	Contributions received 2004 budget	Total contributions received ²	Overpayment	Total outstanding contributions ³
Lesotho	54	1,098	1,151	-	-	-		1,151
Liechtenstein	232	5,488	5,720	232	5,486	5,718		2
Lithuania	1,554	26,343	27,897	-	-	-		27,897
Luxembourg	4,027	84,516	88,543	4,027	16,377	20,404		68,139
Malawi	17	1,098	1,114	-	-	-		1,114
Mali	108	2,195	2,303	-	-	-		2,303
Malta	715	15,366	16,082	554	-	554		15,528
Marshall Islands	54	1,098	1,151	54	796	850		301
Mauritius	592	12,074	12,665	592	8,765	9,357		3,308
Mongolia	54	1,098	1,151	54	310	364		787
Namibia	285	6,586	6,871	285	5,412	5,697		1,174
Nauru	54	1,098	1,151	-	-	-		1,151
Netherlands	88,573	1,854,952	1,943,525	88,573	1,855,017	1,943,591	(65)	-

States Parties	2004 Assessed WCF ¹	2004 Assessed budget	Total assessed contributions	Contributions received for WCF	Contributions received 2004 budget	Total contributions received ²	Overpayment	Total outstanding contributions ³
New Zealand	11,053	242,571	253,624	11,053	242,579	253,632	(8)	-
Niger	54	1,098	1,151	-	-	-		1,151
Nigeria	1,731	46,099	47,830	1,213	-	1,213		46,617
Norway	37,530	745,274	782,804	37,530	745,300	782,830	(26)	-
Panama	1,060	20,854	21,914	-	-	-		21,914
Paraguay	494	13,171	13,665	-	-	-		13,665
Peru	3,928	100,980	104,908	-	-	-		104,908
Poland	30,148	505,996	536,144	30,148	506,014	536,162	(18)	-
Portugal	25,424	515,874	541,298	25,424	515,892	541,316	(18)	-
Republic of Korea	93,934	1,971,298	2,065,232	-	-	-		2,065,232
Romania	3,264	65,856	69,120	3,264	23,132	26,396		42,724
St. Vincent and the Grenadines	54	1,098	1,151	54	798	852		299
Samoa	54	1,098	1,151	54	798	852		299

States Parties	2004 Assessed WCF ¹	2004 Assessed budget	Total assessed contributions	Contributions received for WCF	Contributions received 2004 budget	Total contributions received ²	Overpayment	Total outstanding contributions ³
San Marino	200	3,293	3,492	37	-	37		3,455
Senegal	269	5,488	5,757	269	3,992	4,260		1,496
Serbia and Montenegro	984	20,854	21,838	984	6,869	7,853		13,985
Sierra Leone	54	1,098	1,151	-	-	-		1,151
Slovakia	3,044	55,978	59,022	3,044	55,978	59,022	(0)	-
Slovenia	4,447	90,004	94,451	-	-	-		94,451
South Africa	11,211	320,501	331,711	-	-	-		331,711
Spain	134,789	2,765,964	2,900,753	134,789	2,052,697	2,187,485		713,268
Sweden	52,269	1,095,410	1,147,678	52,269	822,611	874,879		272,799
Switzerland	61,460	1,313,833	1,375,293	61,460	938,581	1,000,040		375,252
Tajikistan	54	1,098	1,151	-	-	-		1,151
The former Yugoslav Republic of Macedonia	323	6,586	6,909	323	2,534	2,857		4,052
Timor-Leste	54	1,098	1,151	-	-	-		1,151

States Parties	2004 Assessed WCF ¹	2004 Assessed budget	Total assessed contributions	Contributions received for WCF	Contributions received 2004 budget	Total contributions received ²	Overpayment	Total outstanding contributions ³
Trinidad and Tobago	1,409	24,147	25,557	1,409	17,699	19,108		6,449
Uganda	360	6,586	6,946	360	612	972		5,974
United Kingdom	350,145	6,725,025	7,075,169	350,145	6,725,258	7,075,402	(233)	-
United Republic of Tanzania	398	6,586	6,984	-	-	-		6,984
Uruguay	1,336	52,685	54,021	-	-	-		54,021
Venezuela	7,724	187,690	195,414	-	-	-		195,414
Zambia	108	2,195	2,303	-	-	-		2,303
Total (94 States Parties)	2,509,300	53,071,846	55,581,146	2,263,906	36,451,123	38,715,029	(253,624)	17,119,741