International Criminal Court ICC-ASP/25/30

Assembly of States Parties

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Report of the Bureau on arrears

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I. Introduction

1. Pursuant to articles 112, 115 and 117 of the Rome Statute, the expenses of the Court and of the Assembly of States Parties ("Assembly"), as outlined in the budget considered and decided by the Assembly, shall be provided by, *inter alia*, contributions made by States Parties. The contributions of States Parties shall be assessed in accordance with an agreed scale of assessment based on the scale adopted by the United Nations for its regular budget and adjusted in accordance with the principles on which that scale is based.

2. Pursuant to regulation 105.1 of the Financial Regulations and Rules, "assessed contributions and advances shall be considered as due and payable in full within thirty days of the receipt of the communication of the Registrar referred to in regulation 5.5 or as of the first day of the calendar year to which they relate, whichever is the later." For the purposes of this report, lack of full payment within this timeframe is considered an "outstanding contribution." Pursuant to the same regulation, "[a]s of 1 January of the following calendar year, the unpaid balance of such contributions and advances shall be considered to be one year in arrears." Further, as per article 112, paragraph 8, of the Statute, "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."

3. The Assembly has regularly "emphasize[d] the importance of endowing the Court with the necessary financial resources, and urge[d] all States Parties to the Rome Statute to transfer their assessed contributions in full and by the deadline for contributions or, in the event of pre-existing arrears, immediately, in accordance with article 115 of the Rome Statute, rule 105.1 of the Financial Regulations and Rules, and other relevant decisions taken by the Assembly."

4. The mandate for the facilitation on arrears in 2026 was contained in the omnibus resolution adopted at the twenty-fourth session of the Assembly (resolution ICC-ASP/24/Res.6, annex I):

> 15. With regard to the **programme budget**,
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> […]
>
> (b) *decides* that the Bureau, through the President of the Assembly, the Coordinator of the working group and the facilitator, should continue to monitor the status of payments received throughout the financial year of the Court and, as appropriate, continue to engage in dialogue with States Parties that have outstanding contributions or are in arrears, and, via the annual facilitation on the topic of arrears, report thereon to the Assembly at its twenty-fifth session; and
>
> (c) *requests* the Secretariat to inform States Parties periodically of States that have recovered their voting rights following payment of their arrears;

5. Resolution ICC-ASP/24/Res.4 (the "budget resolution") is also of relevance to the arrears facilitation:

> **I. Outstanding contributions**
>
> *The Assembly of States Parties,*
>
> 1. *Notes with concern* the state of arrears and the report of the Bureau on the arrears

of States Parties,[1] and *welcomes* that the Court has received 95 per cent of the assessed contributions to the 2025 budget at end October 2025;

2. *Continues to underline* the importance of endowing the Court with the necessary financial resources and the relevant provisions of resolution ICC-ASP/4/Res.4 concerning timely payments of assessed contributions and arrears, *urges* all States Parties to pay their assessed contributions in full and on time in accordance with the Financial Regulations and Rules of the Court, and *decides* to keep the issue under review and continue to consider the relevant recommendations of the report of the Independent Expert Review, the Committee, the External Auditor and other bodies; and

3. *Recalls* the Court's development of guidelines[2] for States Parties which are in arrears and subject to the provisions of article 112, paragraph 8, of the Rome Statute, and which face significant economic hardship, to enter into voluntary and sustainable payment plans and to work voluntarily, in coordination with the Court, to develop such payment plans, and *further requests* the Court to keep States Parties informed of any such payment plans and their implementation through The Hague Working Group facilitation on the budget, including via the monthly financial reports provided to States Parties.

6. In addition, resolution ICC-ASP/24/Res.3, by which the Assembly adopted a new procedure and criteria for the waiver of the loss of voting rights, is also of relevance to the arrears facilitation.

7. On 26 February 2026, the Bureau appointed Ambassador Michael Imran Kanu (Sierra Leone), Vice-President of the Assembly and Coordinator of the New York Working Group, as facilitator on arrears.

II. Status of contributions and arrears

8. As at 28 February 2026, the Court had received 83 per cent of the assessed contributions to the approved budget for 2026. This was a significant increase compared to the same point in previous years, and a response to the Court's appeal for payments at the earliest possible date in order to address potential liquidity implications arising from the possible sanctions and the mitigating measures being taken by the Court. The total amount of outstanding contributions as at 28 February 2026 was €60.2 million, of which €33.6 million related to the 2026 budget, and €26.6 million to prior years. A total of 40 States Parties had outstanding contributions of more than one year, and 14 of those were ineligible to vote under article 112, paragraph 8, of the Rome Statute.

9. As at 31 October 2026, the Court had received 95 per cent of the assessed contributions to the approved budget for 2026. The total amount of outstanding contributions was €33.4 million, of which €10.3 million related to the 2026 budget, and €23.1 million to prior years. A total of 17 States Parties had outstanding contributions of more than one year, and seven of those were ineligible to vote under article 112, paragraph 8, of the Rome Statute.

10. Of the seven States Parties ineligible to vote as at 31 October 2026, one State Party had been in arrears for close to two decades, three States Parties had been in arrears for one decade or more, and three States Parties had been in arrears for six years or less.

11. At its fiftieth and fifty-first sessions, the Committee on Budget and Finance ("the Committee") reviewed the status of contributions and arrears. At its fiftieth session, the Committee reiterated its encouragement to all States Parties to pay their assessed

[1] ICC-ASP/24/31.
[2] ICC-ASP/18/6.

contributions in full and in a timely manner, and urged those States Parties with outstanding arrears, including long-outstanding contributions from prior years, to engage with the Court with a view to settling their obligations as soon as possible, including, where appropriate, through structured payment arrangements.[3] At its fifty-first session, the Committee urged all States Parties to pay their assessed contributions in full and on time, and called upon States Parties in arrears to take concrete steps towards settling outstanding amounts without further delay. The Committee also encouraged the Court to continue its engagement with the States Parties concerned, including, where appropriate and feasible, through realistic and reliable payment plans, and encouraged States Parties to reinforce collective and diplomatic efforts to promote timely payment.[4]

III. Consultations and sharing of information

12. Throughout the reporting period, Vice-President Kanu monitored the status of contributions to the Court, regularly updated States Parties in meetings of the New York Working Group, and, where possible, engaged bilaterally with States Parties with long term arrears. The President of the Assembly also monitored the status of contributions, regularly updated the Bureau and, where possible, engaged bilaterally with States Parties with long term arrears.

13. As in previous years, information on the status of contributions to the Court was annexed to the reports of the two sessions of the Committee on Budget and Finance.[5] In addition, as initially mandated by the Assembly at its seventeenth session, States Parties continued to receive a monthly financial report from the Court which included information on the status of contributions.

A. Implementation of resolution ICC-ASP/24/Res.3 on the procedure and criteria for the waiver of the loss of voting rights

14. In 2026 the Secretariat of the Assembly implemented the relevant provisions of the new procedure for the waiver of the loss of voting rights contained in resolution ICC-ASP/24/Res.3 which had been adopted by the Assembly at its twenty-fourth session.

15. As of January 2026, the monthly financial report from the Court contained an annex with a list of the States Parties subject to the loss of voting rights under article 112, paragraph 8, of the Rome Statute.

16. On 29 January 2026, the Secretariat sent notes verbales to the 17 States Parties subject to the loss of voting rights as at that date. Pursuant to resolution ICC-ASP/24/Res.3, the notes verbales outlined the available options for recovering voting rights, including partial payments, payment plans, and waivers. On 18 June 2026, the Secretariat undertook a second round of outreach, sending notes verbales to the 14 States Parties subject to the loss of voting rights as at that date. The notes verbales reiterated the available options for recovering voting rights, including the submission of a request for waiver, to be considered by the Bureau, by 1 July 2026.

17. At its 8 July 2026 meeting, the Bureau considered the requests for waivers of the loss of voting rights in respect of both the special session of the Assembly, scheduled to take place on 24 July 2026, and the twenty-fifth session of the Assembly. The Bureau decided to recommend that the Assembly grant any requests for waivers at the special session, in light of the exceptional circumstances, while also undertaking to continue its review of waiver requests in respect of the twenty-fifth session. At the special session the Assembly agreed

[3] ICC-ASP/25/15, para. 25.
[4] CBF/51/5/AV, para. 307.
[5] ICC-ASP/25/15 and ICC-ASP/25/25.

with the recommendation of the Bureau, and waivers were granted to the nine States Parties that had submitted requests.

18. At its 8 July 2026 meeting the Bureau had also agreed that, as no detailed supporting documentation had been submitted with the requests, it would not be necessary to seek technical advice from the Committee on Budget and Finance as foreseen under the new resolution.

19. The Bureau returned to the topic of waivers for the twenty-fifth session at its 2 September 2026 meeting. The Bureau took note that seven of the nine States Parties that were subject to the loss of voting rights as at that date had submitted requests for waivers, although some of those requests were only submitted in relation to the special session. In order to be able to make a more informed recommendation to the Assembly for the twenty-fifth session, the Bureau decided to request the Secretariat to invite the States Parties who had submitted waiver requests to provide additional supporting documentation, for the consideration of the Bureau, by 23 October 2026. The Bureau would then take up the matter in November, in order to make a recommendation to the Assembly.

20. States Parties received regular updates from the Secretariat on the implementation of resolution ICC-ASP/24/Res.3 during meetings of the New York Working Group, and during consultations on the topic of Budget Management Oversight in The Hague.[6]

IV. Recommendations

1. During the reporting period, the Court faced no serious liquidity problems as a result of arrears. Nonetheless, given the overriding importance of timely payment to the Court, particularly in the current climate, the status of contributions should be kept under close observation. The Assembly must continue to undertake focused efforts to ensure that no assessed contributions to the Court remain outstanding and to ensure that requests for payment are acted upon by all States Parties. For this reason, it is recommended that the Assembly continues to have an annual facilitation on the topic of arrears.

2. The draft language for the omnibus resolution contained in the annex is recommended for the consideration of the Assembly.

[6] See the report of the Bureau on the budget sub-topic of Budget Management Oversight (ICC-ASP/25/[...]), paras. 25 to 28.

Annex

Draft language to be included in the omnibus resolution

1. The following paragraphs of the 2025 omnibus resolution (ICC-ASP/24/Res.6), located in the section on the programme budget, are to be maintained as follows:

> 162. *Takes note with concern* of the report of the Bureau on the arrears of States Parties;[7]
>
> 163. *Emphasizes* the importance of endowing the Court with the necessary financial resources, and *urges* all States Parties to the Rome Statute to transfer their assessed contributions in full and by the deadline for contributions or, in the event of pre-existing arrears, immediately, in accordance with article 115 of the Rome Statute, rule 105.1 of the Financial Regulations and Rules, and other relevant decisions taken by the Assembly;

2. Paragraph 15, sub-paragraphs b) and c), of annex I of the 2025 omnibus resolution are to be amended as follows:

> 15. With regard to **the programme budget**,
>
> […]
>
> (b) *decides* that the Bureau, through the President of the Assembly, the Coordinator of the working group and the facilitator, should continue to monitor the status of payments received throughout the financial year of the Court and, as appropriate, continue to engage in dialogue with States Parties that have outstanding contributions or are in arrears, and, via the annual facilitation on the topic of arrears, report thereon to the Assembly at its ~~twenty-fifth~~ **twenty-sixth** session; and
>
> (c) *requests* the Secretariat to inform States Parties periodically of States that have recovered their voting rights following payment of their arrears **as part of the continued implementation of the procedure for the waiver of the loss of voting rights contained in resolution ICC-ASP/24/Res.3**;

[7] ICC-ASP/25/30.