

**Nineteenth session**

New York, 7-17 December 2020

Report of the Working Group on the 2021 proposed programme budget of the International Criminal Court**External audit, programme budget for 2021 and related documents****A. Introduction**

1. The Assembly of States Parties (the Assembly) had before it the 2021 proposed programme budget submitted by the Registrar of the International Criminal Court (the Court), in an advance version, on 30 July 2020,¹ the reports of the thirty-fourth² and thirty-fifth³ sessions of the Committee on Budget and Finance (the Committee), the reports of the Audit Committee on its eleventh and twelfth sessions,⁴ the financial statements for the Court for the period 1 January to 31 December 2019,⁵ and the Trust Fund for Victims financial statements for the period 1 January to 31 December 2019.⁶ In addition, the Assembly had before it annex III of the report of the Committee on the work of its thirty-fifth session, in which the Court outlined the budgetary implications of the Committee's recommendations on the budgets of the major programmes.

2. The Assembly was provided with statements by the Registrar of the Court, Mr. Peter Lewis, the Chair of the Committee, Ms. Mónica Sánchez Izquierdo, the Chair of the Audit Committee, Ms. Margaret Wambui Ngugi Shava, and the External Auditor (la Cour des comptes (France)). The Assembly was further assisted by the Vice-Chair of the Committee, Mr. Werner Druml.

3. The Working Group on the Programme Budget met on 15 December 2020. During the meeting, the draft resolution was considered and finalized.

4. The Working Group noted that, as a result of the restrictions imposed by the COVID-19 pandemic, there had been limited time available for informal consultations throughout 2020. The Coordinator of the Working Group therefore recommended that informal consultations in The Hague Working Group budget facilitation commence early in 2021, in order for all relevant issues to be considered in full.

¹ *Official Records ... Nineteenth session ... 2020, (ICC-ASP/19/20), vol. II, part A.*

² *Ibid.*, part B.1.

³ *Ibid.*, part B.2.

⁴ Available on the website of the Assembly at http://asp.icc-cpi.int/en_menus/asp/AuditCommittee/.

⁵ *Ibid.*, part C.1.

⁶ *Ibid.*, part C.2.

B. External audit

5. The Assembly noted with appreciation the reports of the External Auditor and the related comments of the Committee, contained in the report on the work of its thirty-fifth session.

6. The Assembly decided to appoint the Board of Audit and Inspection of the Republic of Korea as the new External Auditor of the Court and the Trust Fund for Victims for four years starting with the financial year 2021.

C. Amount of appropriation

7. The Court's 2021 proposed programme budget amounted to €148,502.3 thousand, including €3,585.1 thousand for Major Programme VII-2 (Host State Loan).

8. The Committee considered the Court's 2021 proposed programme budget at its thirty-fifth session and concluded that there were a number of areas where savings could be made. Accordingly, the Committee recommended that the budget allocation be reduced to a total of €148,259.0 thousand, including €3,585.1 thousand for Major Programme VII-2 (Host State Loan).

9. The Assembly endorsed the recommendations contained in the report of the Committee. The Assembly therefore approved a budget appropriation for 2021 of €148,259.0 thousand.

10. The Assembly noted that without Major Programme VII-2 (Host State Loan), the total level of assessed contributions for the 2021 programme budget amounted to €144,673.9 thousand.

D. Contingency Fund

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

12. The Assembly authorized the Court to transfer funds between major programmes at year end if the costs of unforeseen activities could not be absorbed within one major programme while a surplus existed in other major programmes, to ensure that all appropriations for 2020 were exhausted before accessing the Contingency Fund.

E. Working Capital Fund

13. The Assembly took note of the recommendations of the Committee on Budget and Finance and decided that the Working Capital Fund for 2021 shall be established in the amount of €11.6 million. The Assembly also decided that the Court may only use the surplus funds and funds received from the payment of outstanding contributions to reach the established level of the Working Capital Fund.

14. The Assembly noted that the Committee had recommended at its thirty-fifth session, in light of the liquidity risk faced by the Court, that the Bureau and the Assembly keep the level of the Working Capital Fund under review. The Assembly further noted that States Parties will continue to consider this important and urgent matter in The Hague Working Group facilitation on the budget.

F. Financing of appropriations for 2021

15. The Assembly resolved that, for 2021, the total assessed contributions amounted to €144,673.9 thousand.
