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**Sixth session**

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30 November to 14 December 2007

**Report on budget performance  
of the International Criminal Court as at 31 July 2007\***

**Introduction**

1. The Assembly of States Parties, by its resolution ICC-ASP/5/Res.4 of 1 December 2006, approved a budget of €88,871,800 for the year 2007. The Registrar presents herewith the report on the budget performance of the International Criminal Court for the period from 1 January to 31 July 2007.

**Overview of budget performance of the International Criminal Court**

2. The programme budget for 2007 was based on the assumption that a trial would start at the beginning of 2007. Three key issues have adversely affected the Court's ability to fully implement the 2007 budget so far: the lack of a trial, owing to a number of circumstances; travel restrictions due to security risks affecting areas of key interest to the Court, causing the Court to cancel some of its planned activities; and difficulty in recruitment. Last year's recruitment difficulties for the Court persisted into the beginning of 2007, but they are in the process of being addressed. Nevertheless, as a result of delayed recruitment, detailed in paragraph 11 and table 3, the Court has utilized general temporary assistance (GTA), resulting in over-expenditure on this item.

3. As a consequence of the issues mentioned above, the Court expects savings to occur in 2007. It should be noted, however, that the expected surplus is notably less than it was in 2006. This is reflected in the forecasted implementation rate increase for 2007 over 2006, as shown in table 4 below.

4. As at 31 July 2007 the implementation rate for the Court was 42.3 per cent. The forecast for 2007 indicates potential savings for the whole year in the amount of €12.5 million, which corresponds to an implementation rate of 85.9 per cent. This is an improvement of 5.5 per cent on the Court's implementation rate for 2006, which was 80.4 per cent.

5. Budget implementation as at 31 July and the forecast for the year-end are set out in the following tables, first per item of expenditure (table 1) and, second, per Major Programme (table 2).

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\* Previously issued as ICC-ASP/6/CBF.2/7.

**Table 1: Budgetary performance 2007: resource utilization by item of expenditure – total ICC (thousands of euros)**

	Approved budget 2007 [1]	Expenditure <sup>1</sup> as at 31 July 2007 [2]	Implementation rate as at 31 July 2007 in % [2]/[1]=[3]	Forecast 2007 [4]	Forecasted implementation rate as at 31 December 2007 in % [4]/[1]=[5]
Judges	5,833	1,669	28.6	5,712 <sup>2</sup>	97.9
<i>Sub-total judges</i>	5,833	1,669	28.6	5,712	97.9
Staff costs	47,021	19,372	41.2	36,239	77.1
General temporary assistance	7,106	4,675	65.8	8,336	117.3
Temporary assistance for meetings	1,672	286	17.1	1,600	95.7
Overtime	324	114	35.2	265	81.8
Consultants	239	168	70.3	288	120.6
<i>Sub-total staff costs</i>	56,362	24,615	43.7	46,728	82.9
Travel	4,058	1,620	39.9	3,058	75.4
Hospitality	48	22	45.8	48	100.0
Contractual services incl. training	7,539	2,976	39.5	7,052	93.5
General operating expenses	11,308	5,221	46.2	10,265	90.8
Supplies and materials	1,500	507	33.8	1,069	71.3
Furniture and equipment	2,223	944	42.5	2,418	108.8
<i>Sub-total non-staff costs</i>	26,677	11,290	42.3	23,909	89.6
<b>Total ICC</b>	<b>88,872</b>	<b>37,574</b>	<b>42.3</b>	<b>76,350</b>	<b>85.9</b>

Footnotes:

1. SAP status as at 21 August 2007.
2. 2.85 million euros in 2007 forecasted figures for Judges pension accrual.

**Table 2: Budget performance 2007: summary by Major Programme (thousands of euros)\***

	Approved budget 2007 [1]	Expenditure as at 31 July 2007 [2]	Implementation rate as at 31 July 2007 in % [2]/[1]=[3]	Forecast 2007 [4]	Forecasted implementation rate as at 31 December 2007 in % [4]/[1]=[5]
Major Programme I					
Judiciary	9,999	3,458	34.5	8,954	89.6
Major Programme II					
Office of the Prosecutor	23,371	9,743	41.7	19,675	84.2
Major Programme III					
Registry	48,841	23,213	47.5	42,676	87.4
Major Programme IV					
Secretariat of the ASP	4,378	925	21.1	3,822	87.3
Major Programme V					
Investment in Court's premises	2,283	235	10.3	1,222	53.5
<b>Total ICC</b>	<b>88,872</b>	<b>37,574</b>	<b>42.3</b>	<b>76,350</b>	<b>85.9</b>

\* Distributed maintenance included

**Overview of resource utilization**

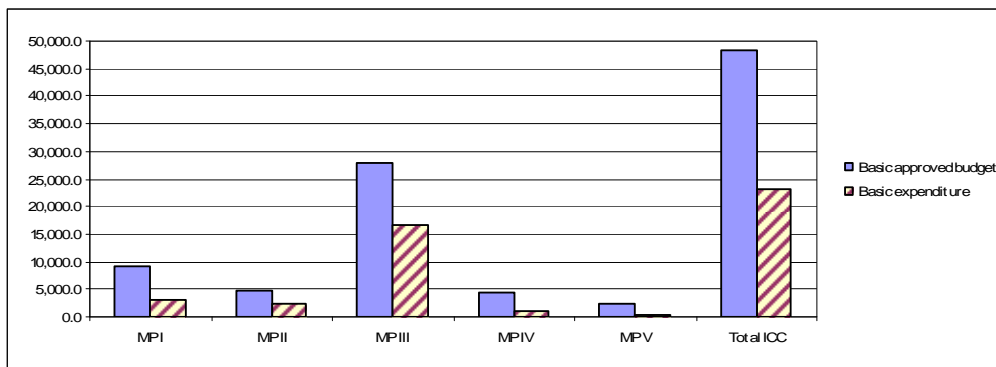
6. The Court’s improved implementation rate in 2007 is attributable to several parallel factors. Recruitment shortfalls have been partly compensated for by an increase in GTA budget implementation. The relatively low implementation rate in Major Programme IV as at July is related to the uneven rate of expenditure under this programme. Major meetings will take place during the 4<sup>th</sup> quarter of 2007 leading to fuller utilization of the funds. In Major programme V (Investment in the Court’s Premises) expenditures have been low to date as compared to the budget, due to changing assumptions concerning the interim premises. Finally, unbudgeted infrastructure investments for the Central African Republic have had an impact on the budget, particularly in the area of furniture and equipment.

7. The Court wishes to put the forecasted improved implementation of 85.9 per cent for 2007 in perspective with its difficulties in recovering State Parties’ contributions. As at 31 July, the outstanding contributions for 2007 represented 23 per cent of the current year’s assessed contributions. In addition, outstanding contributions from prior years amounted to approximately €5 million. The Court is confident this year’s progress in budget implementation will continue in 2008 and is concerned that the combination of late payments and efficient budget implementation could lead to future financial constraints for the Court. As a consequence, efforts made to recover all outstanding contributions as early as possible in the year will become more and more important to the Court.

8. Major Programme V remains a difficult programme to analyse in terms of implementation rate, due to the fact that budgeted assumptions quickly became outdated. Under the new assumptions, space limitations remain an issue for the Court. These limitations are partially compensated for by the implementation of alternative measures such as the construction of an additional server room on the unoccupied parking lot of the headquarters building.

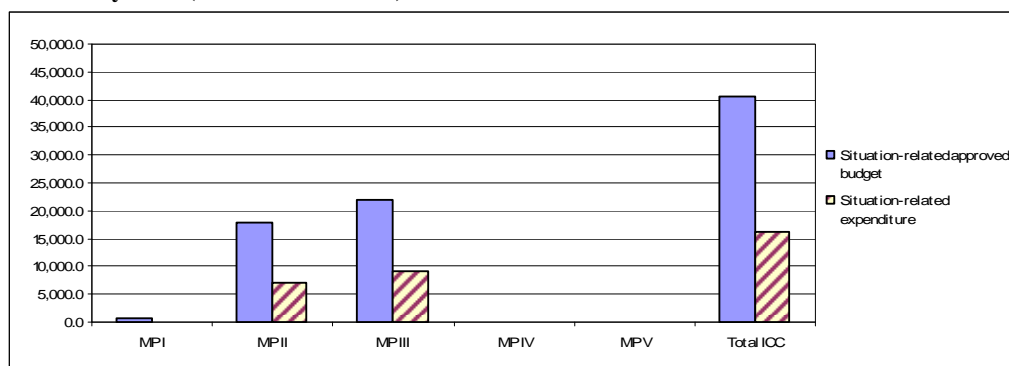
9. Figure 1 below draws a comparison between the basic budget and expenditure of the Court. Figure 2 provides the information for situation-related budget and expenditure.

**Figure 1: Comparison between basic budget and expenditure, by Major Programme, as at 31 July 2007 (thousands of euros)**



Note: MP I = Major Programme 1, Judiciary; MP II = Major Programme II, Prosecutor; MP III = Major Programme III, Registry; MP IV = Major Programme IV, Secretariat of the Assembly of States Parties; MP V = Major Programme V, Investment in the Court’s Premises.

**Figure 2: Comparison between situation-related budget and expenditure, by Major Programme, as at 31 July 2007 (thousands of euros)**



Note: MP I = Major Programme I, Judiciary; MP II = Major Programme II, Prosecutor; MP III = Major Programme III, Registry; MP IV = Major Programme IV, Secretariat of the Assembly of States Parties; MP V = Major Programme V, Investment in the Court's Premises.

10. Further details on the basic and situation-related budget by Major Programme are provided in tables 1a and 1b of the annex.

11. Data on post occupancy can be found in the following two tables. Measures have been implemented to speed up the recruitment process, with further measures currently under consideration. By the end of the year, the Court expects to have recruited an additional 83 posts, leading to an improvement in its recruitment backlog.

**Table 3: Staffing 2007: Approved posts versus filled posts by post type (professional and general services staff)**

	Post type	Approved posts 2007	Posts filled as at 31 July 2007	Posts under recruitment as at 31 July 2007	Advertised posts not under recruitment as at 31 July 2007	Vacant posts not advertised as at 31 July 2007	Forecasted filled posts at 31 December 2007
	[1]	[2]	[3]	[4]	[5]	[6]	[7]
Major Programme I	P	27	21	4	1	1	23
	GS	16	9	2	2	3	13
Major Programme II	P	135	93	23	10	8	110
	GS	65	45	4	9	7	60
Major Programme III	P	159	118	16	22	5	128
	GS	233	179	25	13	15	215
Major Programme IV	P	4	3	0	0	1	3
	GS	5	4	0	0	1	3
Major Programme V	P	2	0	1	1	0	1
Investment in Court's premises	GS	1	0	0	0	1	0
<i>Sub-total Professional staff</i>	<b>P</b>	<b>327</b>	<b>235</b>	<b>45</b>	<b>34</b>	<b>15</b>	<b>264</b>
<i>Sub-total General Services staff</i>	<b>GS</b>	<b>320</b>	<b>237</b>	<b>30</b>	<b>24</b>	<b>27</b>	<b>291</b>
<b>Total ICC</b>		<b>647</b>	<b>472</b>	<b>75</b>	<b>58</b>	<b>42</b>	<b>555</b>

12. Table 4 below shows the Court's budget performance since its establishment. As can be seen, the implementation rate improved from 69.5 per cent during the combined budget year 2002/2003, which marked the beginning of the Court, to 80.4 per cent at the end of 2006. It is expected that the implementation rate will further improve in 2007 to 85.9 per cent.

**Table 4: Comparison of budget performance from 2002 to 2007 (thousands of euros)**

Budget year	Approved budget [1]	Expenditure as at 31 August <sup>1</sup> [2]	Implementation rate as at 31 August in % [2]/[1]=[3]	Forecast 2007 [4]	Implementation rate as at 31 December [4]/[1]=[5]
2002/2003	30,893	n.a.	n.a.	21,479	69.5
2004	53,071	22,421	42.2	43,510	82.0
2005	66,891	32,342	48.4	62,120	92.8 <sup>2</sup>
2006	80,417	37,288	46.4	64,678	80.4
2007	88,872	44,651	50.2	76,350	85.9

1. Data from SAP as at 5 September.

2. €6.3 million included for Judges' pension liability. Without the pension costs the implementation rate would be 83.4%.

## Annex

**Table 1a: Budget performance 2007 by Major Programme - basic budget and situation-related expenditure (thousands of euros)\***

	2007 basic appropriation	July 2007 basic expenditure	Implementation rate in % as at 31 July 2007	2007 situation-related appropriation	July 2007 situation-related expenditure	Implementation rate in % as at 31 July 2007
Major Programme I						
Judiciary	9,263	3,305	35.7	736	153	20.8
Presidency	2,471	1,015	41.1			
Chambers	6,792	2,290	33.7	736	153	20.8
Major Programme II						
Office of the Prosecutor	5,002	2,401	48.0	18,369	7,344	40.0
Prosecutor	2,912	1,510	51.9	4,580	1,561	34.1
Jurisdiction, Complementarity & Coop. Div	899	357	39.8	1,076	402	37.3
Investigations Division	599	245	41.0	9,908	4,034	40.7
Prosecution Division	592	289	48.7	2,805	1,347	48.0
Major Programme III						
Registry	27,513	15,047	59.3	21,328	8,160	38.3
Office of the Registrar	6,142	3,069	50.0	2,119	784	37.0
Common Administrative Services Division	12,288	7,857	63.9	6,311	2,979	47.2
Division of Court Services	5,474	2,291	41.9	8,611	3266	37.9
Public Information and Documentation Section	1,310	791	60.4	1,354	279	20.6
Division of Victims and Counsel	1,581	881	55.7	2,933	852	29.0
Secretariat of the Trust Fund for Victims	718	158	22.0			
Major Programme IV						
Secretariat of the ASP	4,378	928	21.2			
Major Programme V						
Investment in Court's premises	2,283	236	10.3			
Interim Premises	1,773	126	7.1			
Permanent Premises	510	110	21.6			
<b>Total ICC</b>	<b>48,439</b>	<b>21,917</b>	<b>45.2</b>	<b>40,433</b>	<b>15,657</b>	<b>38.7</b>

\* Distributed maintenance included.

**Table 1b: Budget performance 2007 by commitment item - basic budget and situation-related expenditure (thousands of euros)**

	2007 appropriation	July 2007 basic expenditure	Implementation rate in % as at 31 July 2007	2007 appropriation	July 2007 situation- related expenditure	Implementation rate in % as at 31 July 2007
Judges	5,833	1,669	28.6	0	0	0.0
<i>Sub-total judges</i>	5,833	1,669	28.6	0	0	0.0
Staff costs	24,950	11,139	44.6	22,071	8,230	37.3
General temporary assistance	2,350	2,284	97.2	4,756	2,395	50.4
Temporary assistance for meetings	1,627	272	16.7	45	14	31.1
Overtime	240	97	40.5	84	17	20.2
Consultants	62	66	106.4	177	103	58.2
<i>Sub-total staff costs</i>	29,229	13,858	47.4	27,133	10,759	39.6
Travel	952	414	43.5	3,106	1,206	38.8
Hospitality	48	23	47.9	0	0	0.0
Contractual services incl. training	3,350	1,712	51.0	4,189	1,267	30.2
General operating expenses	6,358	3,405	53.6	4,951	1,812	36.7
Supplies and materials	1,025	401	39.1	475	105	22.1
Furniture and equipment	1,644	435	26.5	579	508	87.7
<i>Sub-total non-staff costs</i>	13,377	6,390	47.7	13,300	4,898	36.9
<b>Total ICC</b>	<b>48,439</b>	<b>21,917</b>	<b>45.2</b>	<b>40,433</b>	<b>15,657</b>	<b>38.7</b>

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