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Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Report of the Fifth Committee

Rapporteur: Mr. Ken Siah (Singapore)

I. Introduction

1. At its 2nd plenary meeting, on 20 September 2013, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-eighth session the item entitled “Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991” and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 22nd, 25th and 26th meetings, on 10, 18 and 27 December 2013. Statements and observations made in the course of the Committee’s consideration of the item are reflected in the relevant summary records ([A/C.5/68/SR.22](#), 25 and 26).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on the budget for the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, for the biennium 2014-2015 ([A/68/386](#));

(b) Second performance report of the Secretary-General on the budget of the International Tribunal for the Former Yugoslavia for the biennium 2012-2013 ([A/68/582](#));

(c) Related report of the Advisory Committee on Administrative and Budgetary Questions ([A/68/642](#));



(d) Report of the Secretary-General on revised estimates for the International Criminal Tribunal for Rwanda, the International Tribunal for the Former Yugoslavia and the International Residual Mechanism for Criminal Tribunals: effect of changes in rates of exchange and inflation ([A/68/660](#));

(e) Related report of the Advisory Committee on Administrative and Budgetary Questions ([A/68/7/Add.24](#)).

II. Consideration of draft resolution A/C.5/68/L.15

4. At its 26th meeting, on 27 December, the Committee had before it a draft resolution entitled “Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991” ([A/C.5/68/L.15](#)), submitted by the Chair of the Committee.

5. At the same meeting, the Committee adopted draft resolution [A/C.5/68/L.15](#), as proposed by the Chair, without a vote (see para. 7).

6. After the adoption of the draft resolutions on agenda items 144, “Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994”, 145, Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991”, and 146, “Financing of the International Residual Mechanism for Criminal Tribunals”, a statement was made by the representative of the Russian Federation (see [A/C.5/68/SR.26](#)).

III. Recommendation of the Fifth Committee

7. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

The General Assembly,

I

Second performance report on the budget of the International Tribunal for the Former Yugoslavia for the biennium 2012-2013

Having considered the second performance report of the Secretary-General on the budget, for the biennium 2012-2013, of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991¹ and the related report of the Advisory Committee on Administrative and Budgetary Questions,²

Recalling its resolution [47/235](#) of 14 September 1993 on the financing of the Tribunal and its subsequent resolutions thereon, the latest of which were resolutions [66/239](#) of 24 December 2011 and [67/243](#) of 24 December 2012,

1. *Takes note* of the second performance report of the Secretary-General on the budget of the International Tribunal for the Former Yugoslavia for the biennium 2012-2013,¹ and the related report of the Advisory Committee on Administrative and Budgetary Questions;²

2. *Endorses* the conclusions and recommendations contained in section III.A of the report of the Advisory Committee on Administrative and Budgetary Questions;

3. *Resolves* that, for the biennium 2012-2013, the amount of 283,067,700 United States dollars gross (251,736,900 dollars net) approved in its resolution [67/243](#) for the financing of the Tribunal shall be adjusted by the amount of 4,074,200 dollars gross (4,476,100 dollars net) for a total of 278,993,500 dollars gross (247,260,800 dollars net);

II

Budget for the International Tribunal for the Former Yugoslavia for the biennium 2014-2015

Having considered the reports of the Secretary-General on the budget for the International Tribunal for the Former Yugoslavia for the biennium 2014-2015³ and

¹ A/68/582.

² A/68/642.

³ A/68/386.

on the revised estimates arising from the effects of changes in rates of exchange and inflation;⁴

Having considered also the related reports of the Advisory Committee on Administrative and Budgetary Questions,⁵

1. *Takes note* of the report of the Secretary-General on the budget for the International Tribunal for the Former Yugoslavia for the biennium 2014-2015³ and on the revised estimates arising from the effects of changes in rates of exchange and inflation;⁴

2. *Endorses* the conclusions and recommendations contained in the related reports of the Advisory Committee on Administrative and Budgetary Questions,⁵ subject to the provisions of the present resolution;

3. *Decides* that the recosting will be calculated in accordance with the formula agreed upon in its resolution concerning the programme budget for the biennium 2014-2015;⁶

4. *Emphasizes* the importance of the continued efforts of the Secretary-General to implement the completion strategy for the Tribunal in an efficient and timely manner;

5. *Recalls* paragraph 36 of the report of the Advisory Committee on Administrative and Budgetary Questions,⁷ and in this regard requests the Secretary-General to ensure that the Tribunal adheres to the revised travel policy pursuant to resolution 67/254, and to reflect any cost savings resulting from the revised travel policy in the context of the second performance report;

6. *Decides* to appropriate to the Special Account for the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 a total amount of 201,688,200 dollars gross (179,998,600 dollars net) for the biennium 2014-2015, as detailed in the annex to the present resolution;

7. *Also decides* that the financing of the appropriation for the biennium 2014-2015 under the Special Account shall take into account the estimated income of 285,500 dollars for the biennium, which shall be set off against the aggregate amount of the appropriation;

8. *Further decides* that the total assessment for 2014 under the Special Account shall amount to 100,701,350 dollars, being half of the estimated appropriation approved for the biennium 2014-2015, after taking into account 142,750 dollars, which is half of the estimated income for the biennium of 285,500 dollars;

9. *Decides* to apportion the amount of 50,350,675 dollars gross (44,928,275 dollars net) among Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2014;

⁴ A/68/660.

⁵ A/68/642 and A/68/7/Add.24.

⁶ Resolution 68/246 of 27 December 2013.

⁷ A/68/642.

10. *Also decides* to apportion the amount of 50,350,675 dollars gross (44,928,275 dollars net) among Member States in accordance with the scale of assessments applicable to peacekeeping operations for 2014;

11. *Further decides* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraphs 9 and 10 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 10,844,800 dollars approved for the Tribunal for 2014.

Annex

Financing for the biennium 2014-2015 of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

	<i>Gross</i>	<i>Net</i>
	<i>(United States dollars)</i>	
Estimated appropriation for the biennium 2014-2015	198 667 000	177 140 500
Revised estimates: effects of changes in rates of exchange and inflation	3 021 200	2 858 100
Recommendations of the Advisory Committee on Administrative and Budgetary Questions	—	—
Recommendations of the Fifth Committee	—	—
Estimated initial appropriation for the biennium 2014-2015	201 688 200	179 998 600
Less: estimated income for the biennium 2014-2015	(285 500)	(285 500)
Estimated initial appropriation for the biennium 2014-2015, net of estimated income	201 402 700	179 713 100
Total assessment for 2014		
Requirements representing half of the estimated appropriation for the biennium 2014-2015	100 701 350	89 856 550
Decrease in the final appropriation for the biennium 2012-2013	(4 074 200)	(4 476 100)
Transfer of credit in accordance with paragraph 3 (c) (i) of resolution 68/245 on the second performance report for the programme budget for the biennium 2012-2013	4 074 200	4 476 100
Net contributions assessed on Member States for 2014	100 701 350	89 856 550
<i>Of which:</i>		
Contributions assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2014	50 350 675	44 928 275
Contributions assessed on Member States in accordance with the scale of assessments applicable to peacekeeping operations of the United Nations for 2014	50 350 675	44 928 275