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Agenda item 153

Financing of the International Residual Mechanism for Criminal Tribunals

Report of the Fifth Committee

Rapporteur: Mr. Tsu Tang Terrence **Teo** (Singapore)

I. Introduction

1. At its 2nd plenary meeting, on 18 September 2020, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-fifth session the item entitled “Financing of the International Residual Mechanism for Criminal Tribunals” and to allocate it to the Fifth Committee.

2. During the main part of the seventy-fifth session, the Fifth Committee met formally and remotely owing to the coronavirus disease (COVID-19) pandemic, during which it considered the item. The Committee formally considered the item in person at its 8th meeting, on 30 December 2020. Statements and observations made in the course of the Committee’s formal consideration of the item are reflected in the relevant summary records.¹

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

(a) Report of the Secretary-General on the proposed budget for the International Residual Mechanism for Criminal Tribunals for 2021 ([A/75/383](#));

(b) Related report of the Advisory Committee on Administrative and Budgetary Questions ([A/75/632](#));

(c) Report of the Secretary-General on the revised estimates for the International Residual Mechanism for Criminal Tribunals: effect of changes in rates of exchange and inflation ([A/75/639](#));

(d) Related report of the Advisory Committee on Administrative and Budgetary Questions ([A/75/647](#));

¹ [A/C.5/75/SR.8](#).



(e) Financial report and audited financial statements for the year ended 31 December 2019 and report of the Board of Auditors on the International Residual Mechanism for Criminal Tribunals ([A/75/5/Add.15](#)).

II. Consideration of draft resolution [A/C.5/75/L.16](#)

4. At its 8th meeting, on 30 December, the Committee had before it a draft resolution entitled “Financing of the International Residual Mechanism for Criminal Tribunals” ([A/C.5/75/L.16](#)), submitted by the Chair of the Committee on the basis of informal consultations coordinated by the representative of Switzerland.

5. At the same meeting, the Committee adopted draft resolution [A/C.5/75/L.16](#) without a vote (see para. 6).

III. Recommendation of the Fifth Committee

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

Financing of the International Residual Mechanism for Criminal Tribunals

The General Assembly,

Having considered the reports of the Secretary-General on the proposed budget for the International Residual Mechanism for Criminal Tribunals for 2021¹ and on the revised estimates arising from the effect of changes in rates of exchange and inflation,² the financial report and audited financial statements for the year ended 31 December 2019 and the report of the Board of Auditors on the International Residual Mechanism for Criminal Tribunals³ and the recommendations contained therein, as well as the related reports of the Advisory Committee on Administrative and Budgetary Questions,⁴

Recalling its resolution 66/240 A of 24 December 2011 on the financing of the International Residual Mechanism for Criminal Tribunals and its subsequent resolutions thereon, the latest of which was resolution 74/259 of 27 December 2019,

1. *Takes note* of the reports of the Secretary-General on the proposed budget of the International Residual Mechanism for Criminal Tribunals for 2021 and on the revised estimates arising from the effect of changes in rates of exchange and inflation;
2. *Endorses* the conclusions and recommendations contained in the reports of the Advisory Committee, subject to the provisions of the present resolution;
3. *Requests* the Secretary-General to ensure that the Mechanism makes every effort to promptly complete its remaining work and to report on concrete measures undertaken in this regard in the next budget proposal;
4. *Also requests* the Secretary-General to undertake a comprehensive review of post and non-post resources, including requirements for general temporary assistance positions, across the Mechanism, and to reflect such findings in the context of the next budget submission;
5. *Further requests* the Secretary-General to continue his efforts to promote the nationalization of positions, as appropriate, and to report thereon in the context of his next budget proposal;
6. *Requests* the Secretary-General to ensure that the Mechanism undertakes all efforts necessary to expedite the conclusion of its remaining work, including by making greater use of the lessons learned;
7. *Urges* the Mechanism to undertake all efforts necessary to improve its travel planning procedures, including compliance with the advance purchase policy directive;

¹ A/75/383.

² A/75/639.

³ *Official Records of the General Assembly, Seventy-fifth Session, Supplement No. 50 (A/75/5/Add.15).*

⁴ A/75/632 and A/75/647.

8. *Encourages* the Secretary-General to consider possible options to foster the usage of virtual meetings and online training tools within the Mechanism, as appropriate;

9. *Emphasizes* the importance of the Mechanism strictly abiding by its statute and applicable established administrative procedures, the Financial Regulations and Rules of the United Nations⁵ and the Staff Regulations and Rules of the United Nations;⁶

10. *Approves* the establishment of one general temporary assistance position within existing resources;

11. *Decides* to appropriate to the special account for the International Residual Mechanism for Criminal Tribunals a total amount of 97,519,900 United States dollars gross (88,431,800 dollars net) for 2021, as detailed in the annex to the present resolution;

12. *Also decides* that the total assessment for 2021 under the special account amounting to 87,435,236 dollars shall consist of:

(a) 97,519,900 dollars, being the estimated appropriation approved for the period;

(b) Less 6,818,000 dollars, being the credit of the cancellation of prior period obligations corresponding to the biennium 2016–2017;

(c) Less 3,266,664 dollars, being the surplus resulting from the final expenditure for the budget for the biennium 2018–2019;

13. *Further decides* to apportion the amount of 43,717,618 dollars gross (40,208,842 dollars net) among Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2021;

14. *Decides* to apportion the amount of 43,717,618 dollars gross (40,208,842 dollars net) among Member States in accordance with the scale of assessments applicable to peacekeeping operations of the United Nations for 2021;

15. *Also 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 13 and 14 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income in the amount of 7,017,552 dollars approved for the Mechanism for 2021.

⁵ ST/SGB/2013/4 and ST/SGB/2013/4/Amend.1.

⁶ ST/SGB/2018/1.

Annex

Financing of the International Residual Mechanism for Criminal Tribunals for 2021

	Gross	Net of staff assessment
	(United States dollars)	
Estimated appropriation for 2021 ^a	97 194 000	88 029 600
Revised estimates: effect of changes in rates of exchange and inflation ^b	5 471 700	4 977 600
Recommendations of the Advisory Committee on Administrative and Budgetary Questions ^c	(5 145 800)	(4 575 400)
Recommendations of the Fifth Committee	—	—
Estimated initial appropriation for 2021	97 519 900	88 431 800
Total assessment for 2021		
Requirements for 2021	97 519 900	88 431 800
Cancellation of commitments for the biennium 2016–2017	(6 818 000)	(6 818 000)
Surplus resulting from the final expenditure for the budget for the biennium 2018–2019	(3 266 664)	(1 196 116)
Net contributions assessed on Member States for 2021	87 435 236	80 417 684
<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 2021	43 717 618	40 208 842
Contributions assessed on Member States in accordance with the scale of assessments applicable to peacekeeping operations of the United Nations for 2021	43 717 618	40 208 842

^a See [A/75/383](#).

^b See [A/75/639](#).

^c Reflects amounts after recosting.