



# General Assembly

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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. Felipe **García Landa** (Mexico)

#### **I. Introduction**

1. At its 2nd plenary meeting, on 15 September 2017, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-second 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 27th and 29th meetings, on 19 and 23 December 2017. Statements and observations made in the course of the Committee’s consideration of the item are reflected in the relevant summary records.<sup>1</sup>

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

(a) Second performance report of the Secretary-General on the budget of the International Tribunal for the Former Yugoslavia for the biennium 2016–2017 ([A/72/603](#));

(b) Financial report and audited financial statements for the year ended 31 December 2016 and report of the Board of Auditors on 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/72/5/Add.14](#));

<sup>1</sup> [A/C.5/72/SR.27](#) and [A/C.5/72/SR.29](#).



(c) Related report of the Advisory Committee on Administrative and Budgetary Questions ([A/72/654](#)).

## **II. Consideration of draft resolution [A/C.5/72/L.7](#)**

4. At its 29th meeting, on 23 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.5/72/L.7](#)), submitted by the Chair of the Committee on the basis of informal consultations coordinated by the representative of Hungary.

5. At the same meeting, the Committee adopted draft resolution [A/C.5/72/L.7](#) 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 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,*

*Having considered* the second performance report of the Secretary-General on the budget of the International Tribunal for the Former Yugoslavia for the biennium 2016–2017,<sup>1</sup> the related report of the Advisory Committee on Administrative and Budgetary Questions,<sup>2</sup> the financial report and audited financial statements for the year ended 31 December 2016 and the report of the Board of Auditors on 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<sup>3</sup> and the recommendations contained therein,

*Recalling* its resolution [47/235](#) of 14 September 1993 on the financing of the International Tribunal for the Former Yugoslavia and its subsequent resolutions thereon, the latest of which were resolutions [70/242](#) of 23 December 2015 and [71/268](#) of 23 December 2016,

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 2016–2017;<sup>1</sup>

2. *Endorses* the conclusions and recommendations contained in section II of the report of the Advisory Committee on Administrative and Budgetary Questions;<sup>2</sup>

3. *Resolves* that, for the biennium 2016–2017, the amount of 98,064,000 United States dollars gross (86,917,900 dollars net) approved in its resolution [71/268](#) for the financing of the Tribunal shall be adjusted by the amount of 7,715,400 dollars gross (6,360,000 dollars net), for a total amount of 105,779,400 dollars gross (93,277,900 dollars net);

4. *Decides*, for the year 2017, to apportion among Member States, in accordance with the scale of assessments applicable to the regular budget of the United Nations for the year, the amount of 28,952,925 dollars gross (25,382,800 dollars net), including 3,902,700 dollars gross (3,225,000 dollars net), being the increase in assessments;

5. *Also decides*, for the year 2017, to apportion among Member States, in accordance with the rates of assessment applicable to peacekeeping operations of the United Nations for the year, the amount of 28,952,925 dollars gross (25,382,800 dollars net), including 3,902,700 dollars gross (3,225,000 dollars net), being the increase in assessments;

6. *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 4 and 5 above, their respective share in

<sup>1</sup> [A/72/603](#).

<sup>2</sup> [A/72/654](#).

<sup>3</sup> [A/72/5/Add.14](#).

the Tax Equalization Fund in the amount of 7,140,250 dollars, including 1,355,400 dollars, being the increase of the estimated staff assessment income approved for the Tribunal for the biennium 2016–2017.

## Annex

**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 for the biennium 2016–2017**

	<i>Gross</i>	<i>Net of staff assessment</i>
	<i>(United States dollars)</i>	
Revised appropriation for the biennium 2016–2017	98 064 000	86 917 900
Second performance report for 2016–2017	7 715 400	6 360 000
Recommendations of the Advisory Committee on Administrative and Budgetary Questions	–	–
Recommendations of the Fifth Committee	–	–
<b>Estimated final appropriation for the biennium 2016–2017</b>	<b>105 779 400</b>	<b>93 277 900</b>
<i>Less: estimated income for the biennium 2016–2017</i>	<i>(90 000)</i>	<i>(90 000)</i>
<b>Amount to be assessed for the biennium 2016–2017, net of estimated income</b>	<b>105 689 400</b>	<b>93 187 900</b>
Assessment for 2016	47 783 550	42 422 300
Assessment for 2017	50 100 450	44 315 600
<b>Balance to be assessed for 2016–2017</b>	<b>7 805 400</b>	<b>6 450 000</b>
<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	3 902 700	3 225 000
Contributions assessed on Member States in accordance with the scale of assessments applicable to peacekeeping operations of the United Nations	3 902 700	3 225 000