



# General Assembly

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### Financing of the International Residual Mechanism for Criminal Tribunals

## Financial performance report on the budget of the International Residual Mechanism for Criminal Tribunals for 2021

### Report of the Secretary-General

#### *Summary*

The present report provides information on the budget performance of the International Residual Mechanism for Criminal Tribunals for 2021 and is presented in accordance with General Assembly resolution [72/266](#), in which the Assembly endorsed the recommendation of the Advisory Committee on Administrative and Budgetary Questions to request the Secretary-General to issue a separate budget performance report following the completion of a budget period.<sup>1</sup>

The implementation of the budget for 2021 was affected by the coronavirus disease (COVID-19) pandemic and the extension of the pretrial proceedings in the *Kabuga* case. Owing to the pandemic, the Mechanism continued its new ways of working, including working remotely, to ensure business continuity and the safety of staff and those involved in judicial proceedings. In-court proceedings had to be suspended temporarily, which resulted in lower-than-anticipated expenditure in 2021.

The final expenditure for 2021 amounted to \$90.3 million (gross), which is \$7.2 million less than the appropriation approved by the General Assembly in its resolution [75/249](#).

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<sup>1</sup> [A/72/7/Add.24](#), para. 58.



## I. Introduction

1. The General Assembly, by its resolution [75/249](#), approved total appropriations of \$97.5 million (gross), or \$88.4 million (net), for 2021. The expenditure recorded in 2021 amounted to \$90.3 million (gross), or \$81.7 million (net), resulting in a surplus of \$7.2 million (gross), or \$6.8 million (net).

2. The lingering effects of the coronavirus disease (COVID-19) pandemic affected the implementation of the budget for 2021. Nevertheless, the International Residual Mechanism for Criminal Tribunals was able to complete proceedings on the *Mladić* appeal case and the *Stanišić and Simatović* retrial in The Hague and on the *Nzabonimpa et al.* contempt case (formerly *Turinabo et al.*) in Arusha. Furthermore, pretrial proceedings in the *Kabuga* case continued during the period. The modifications made to the courtrooms at both branches during the previous reporting period were maintained to ensure the health and safety of those present in court, and further technological enhancements enabled the continued remote participation of judges, parties and witnesses.

3. The budget performance of the Mechanism is driven in part by the above-mentioned judicial activities. An active trial proceeding before the Mechanism consumes more resources and involves more personnel than a case at the pretrial stage. Accordingly, the delay in the *Kabuga* case led to lower-than-anticipated expenditure in 2021. The continued impact of the COVID-19 pandemic also affected the operations of the Mechanism and led to lower-than-anticipated expenditure under some budget classes, particularly with respect to travel, while also resulting in increased expenditure under the furniture and equipment budget class owing to investments made in the information technology infrastructure to improve remote working capabilities. The impact of the factors described above on the financial performance is further explained under each component.

## II. Budget performance

4. The final budget performance by location and component is summarized in table 1.

Table 1

### Overview of appropriation and expenditure by location and component

(Thousands of United States dollars)

Component	(1) <i>Appropriation approved in resolution 75/249</i>	(2) <i>Total expenditure</i>	<i>Surplus/(deficit)</i>	
			(3)=(1)-(2)	(4)=(3)/(1)
			<i>Amount</i>	<i>Percentage</i>
<b>Expenditure</b>				
<b>Arusha</b>				
Chambers	643.2	368.8	274.4	42.7
Office of the Prosecutor	10 309.5	7 463.0	2 846.5	27.6
Registry	30 451.1	27 284.9	3 166.2	10.4
Records management and archives	3 186.1	3 115.1	71.0	2.2
<b>Subtotal</b>	<b>44 589.9</b>	<b>38 231.8</b>	<b>6 358.1</b>	<b>14.3</b>

Component	Surplus/(deficit)			
	(1)	(2)	(3)=(1)-(2)	(4)=(3)/(1)
	Appropriation approved in resolution 75/249	Total expenditure	Amount	Percentage
<b>The Hague</b>				
Chambers	1 126.0	990.4	135.6	12.0
Office of the Prosecutor	8 716.2	8 698.6	17.6	0.2
Registry	36 371.4	35 801.1	570.3	1.6
Records management and archives	2 226.5	2 007.8	218.7	9.8
<b>Subtotal</b>	<b>48 440.1</b>	<b>47 497.9</b>	<b>942.2</b>	<b>1.9</b>
<b>New York</b>				
Registry	197.1	98.2	98.9	50.2
<b>Subtotal</b>	<b>197.1</b>	<b>98.2</b>	<b>98.9</b>	<b>50.2</b>
<b>Liabilities for payment of pensions of retired judges and after-service health insurance for former staff members</b>	<b>4 292.8</b>	<b>4 518.4</b>	<b>(225.6)</b>	<b>(5.3)</b>
<b>Total expenditure (gross)</b>	<b>97 519.9</b>	<b>90 346.3</b>	<b>7 173.6</b>	<b>7.4</b>
<b>Income</b>				
Staff assessment	9 088.1	8 678.7	409.4	4.5
<b>Subtotal</b>	<b>9 088.1</b>	<b>8 678.7</b>	<b>409.4</b>	<b>4.5</b>
<b>Total expenditure (net)</b>	<b>88 431.8</b>	<b>81 667.6</b>	<b>6 764.2</b>	<b>7.6</b>

## Explanation of variances by component

5. An explanation of material variances between the appropriation and actual expenditure by component at the object of expenditure level is provided below.

### Chambers

(Surplus: \$410,000, or 23.2 per cent of appropriation)

Table 2

### Appropriation and expenditure by location and object of expenditure

(Thousands of United States dollars)

Location and object of expenditure	Surplus/(deficit)			
	(1)	(2)	(3)=(1)-(2)	(4)=(3)/(1)
	Appropriation approved in resolution 75/249	Total expenditure	Amount	Percentage
<b>Arusha</b>				
Non-staff compensation	612.9	357.4	255.5	41.7
Travel of representatives	30.3	11.4	18.9	62.4
<b>Subtotal</b>	<b>643.2</b>	<b>368.8</b>	<b>274.4</b>	<b>42.7</b>

Location and object of expenditure	(1) <i>Appropriation approved in resolution 75/249</i>	(2) <i>Total expenditure</i>	<i>Surplus/(deficit)</i>	
			(3)=(1)-(2)	(4)=(3)/(1)
			<i>Amount</i>	<i>Percentage</i>
<b>The Hague</b>				
Non-staff compensation	924.8	941.7	(16.9)	(1.8)
Travel of representatives	201.2	48.7	152.5	75.8
<b>Subtotal</b>	<b>1 126.0</b>	<b>990.4</b>	<b>135.6</b>	<b>12.0</b>
<b>Total</b>	<b>1 769.2</b>	<b>1 359.2</b>	<b>410.0</b>	<b>23.2</b>

6. The underexpenditure (surplus) of \$410,000 under Chambers, comprising \$274,400 under the Arusha branch and \$135,600 under The Hague branch, results primarily from:

(a) Arusha: a surplus of \$274,400, mainly under non-staff compensation (\$255,500), is attributable to delays in the commencement of the *Kabuga* trial owing to various procedural developments related to the health of the accused, resulting in lower-than-anticipated trial activity undertaken by the judges;

(b) The Hague: a surplus of \$152,500 under travel of representatives is attributable to the President's having taken fewer trips than planned in 2021, owing to travel restrictions in connection with the COVID-19 pandemic, and the decision to conduct the plenary meeting of judges virtually, instead of in person.

### Office of the Prosecutor

(Surplus: \$2,864,100, or 15.1 per cent of appropriation)

Table 3

### Appropriation and expenditure by location and object of expenditure

(Thousands of United States dollars)

Location and object of expenditure	(1) <i>Appropriation approved in resolution 75/249</i>	(2) <i>Total expenditure</i>	<i>Surplus/(deficit)</i>	
			(3)=(1)-(2)	(4)=(3)/(1)
			<i>Amount</i>	<i>Percentage</i>
<b>Arusha</b>				
Post	3 302.3	2 667.6	634.7	19.2
Other staff costs	5 530.1	3 686.1	1 844.0	33.3
Experts	46.5	—	46.5	100.0
Consultants	—	51.8	(51.8)	—
Travel of staff	303.7	232.1	71.6	23.6
Contractual services	181.5	75.5	106.0	58.4
General operating expenses	67.8	63.9	3.9	5.8
Supplies and materials	—	7.6	(7.6)	—
Furniture and equipment	—	2.4	(2.4)	—
Staff assessment	877.6	676.0	201.6	23.0
<b>Subtotal</b>	<b>10 309.5</b>	<b>7 463.0</b>	<b>2 846.5</b>	<b>27.6</b>

Location and object of expenditure	Surplus/(deficit)			
	(1)	(2)	(3)=(1)-(2)	(4)=(3)/(1)
	Appropriation approved in resolution 75/249	Total expenditure	Amount	Percentage
<b>The Hague</b>				
Post	1 545.8	1 344.8	201.0	13.0
Other staff costs	5 746.8	5 915.2	(168.4)	(2.9)
Experts	24.5	–	24.5	100.0
Consultants	–	17.2	(17.2)	–
Travel of staff	67.7	87.4	(19.7)	(29.1)
Contractual services	16.0	77.9	(61.9)	(386.9)
General operating expenses	–	1.8	(1.8)	–
Staff assessment	1 315.4	1 254.3	61.1	4.6
<b>Subtotal</b>	<b>8 716.2</b>	<b>8 698.6</b>	<b>17.6</b>	<b>0.2</b>
<b>Total</b>	<b>19 025.7</b>	<b>16 161.6</b>	<b>2 864.1</b>	<b>15.1</b>

7. The surplus of \$2,864,100 under the Office of the Prosecutor, comprising a surplus of \$2,846,500 under the Arusha branch and \$17,600 under The Hague branch, results from:

(a) Arusha: the surplus of \$2,846,500 mainly reflects: (i) lower-than-budgeted post costs (\$634,700), attributable mainly to lower-than-projected common staff costs, primarily for relocation-related entitlements and education grant; (ii) lower requirements under other staff costs (\$1,844,000) and staff assessment (\$201,600), attributable mainly to deferred recruitment of temporary staff in support of the *Kabuga* case owing to delays in the commencement of the trial; and (iii) lower requirements under travel of staff (\$71,600), contractual services (\$106,000) and general operating expenses (\$3,900), owing primarily to restrictions in connection with the COVID-19 pandemic, resulting in fewer-than-anticipated trips undertaken, delays in the implementation of the redaction project and reduced activities related to the tracking of fugitives;

(b) The Hague: the surplus of \$17,600 reflects: lower-than-budgeted post costs (\$201,000), attributable mainly to lower-than-projected common staff costs, primarily for relocation-related entitlements and education grant. The surplus is offset in part by higher-than-budgeted requirements under other staff costs (\$168,400) and contractual services (\$61,900), owing primarily to higher-than-anticipated requirements associated with the *Stanišić and Simatović* retrial and the *Mladić* appeal.

**Registry***(Surplus: \$3,835,400, or 5.7 per cent of appropriation)*

Table 4

**Appropriation and expenditure by location and object of expenditure**

(Thousands of United States dollars)

Location and object of expenditure	(1) <i>Appropriation approved in resolution 75/249</i>	(2) <i>Total expenditure</i>	<i>Surplus/(deficit)</i>	
			(3)=(1)-(2)	(4)=(3)/(1)
			<i>Amount</i>	<i>Percentage</i>
<b>Arusha</b>				
Post	10 553.5	9 922.4	631.1	6.0
Other staff costs	8 038.4	7 159.5	878.9	10.9
Hospitality	5.6	—	5.6	100.0
Experts	142.7	—	142.7	100.0
Consultants	—	—	—	—
Travel of staff	369.5	393.1	(23.6)	(6.4)
Contractual services	4 512.1	2 684.5	1 827.6	40.5
General operating expenses	2 944.3	2 334.5	609.8	20.7
Supplies and materials	449.3	291.4	157.9	35.1
Furniture and equipment	719.9	2 260.3	(1 540.4)	(214.0)
Improvement of premises	88.4	104.2	(15.8)	(17.9)
Grants and contributions	679.2	181.1	498.1	73.3
Staff assessment	1 948.2	1 953.9	(5.7)	(0.3)
<b>Subtotal</b>	<b>30 451.1</b>	<b>27 284.9</b>	<b>3 166.2</b>	<b>10.4</b>
<b>The Hague</b>				
Post	5 369.8	4 627.0	742.8	13.8
Other staff costs	17 024.3	17 767.4	(743.1)	(4.4)
Hospitality	5.0	0.5	4.5	90.0
Experts	0.8	—	0.8	100.0
Consultants	10.1	3.6	6.5	64.4
Travel of staff	372.0	145.0	227.0	61.0
Contractual services	3 147.1	3 482.4	(335.3)	(10.7)
General operating expenses	5 168.2	4 502.1	666.1	12.9
Supplies and materials	179.5	90.0	89.5	49.9
Furniture and equipment	463.0	812.1	(349.1)	(75.4)
Improvement of premises	33.9	5.5	28.4	83.8
Grants and contributions	238.8	117.9	120.9	50.6
Staff assessment	4 358.9	4 247.6	111.3	2.6
<b>Subtotal</b>	<b>36 371.4</b>	<b>35 801.1</b>	<b>570.3</b>	<b>1.6</b>
<b>New York</b>				
Post	178.3	88.8	89.5	50.2
Staff assessment	18.8	9.4	9.4	50.0
<b>Subtotal</b>	<b>197.1</b>	<b>98.2</b>	<b>98.9</b>	<b>50.2</b>
<b>Total</b>	<b>67 019.6</b>	<b>63 184.2</b>	<b>3 835.4</b>	<b>5.7</b>

8. The surplus of \$3,835,400 under the Registry, comprising \$3,166,200 under the Arusha branch, \$570,300 under The Hague branch and \$98,900 in New York, results from:

(a) Arusha: the surplus of \$3,166,200 mainly reflects: (i) lower-than-budgeted post costs (\$631,100), attributable mainly to lower-than-projected common staff costs, primarily for relocation-related entitlements and education grant; and (ii) lower requirements under other staff costs (\$878,900), experts (\$142,700), contractual services (\$1,827,600), general operating expenses (\$609,800), supplies and materials (\$157,900) and grants and contributions (\$498,100), attributable mainly to delays in the commencement of the *Kabuga* trial owing to various procedural developments related to the health of the accused, including the pending determination on the commencement date and venue of the trial. The surplus is offset in part by higher-than-budgeted requirements under furniture and equipment (\$1,540,400), attributable mainly to investments made in the information technology infrastructure to improve remote working capabilities and to improvements made in the facilities infrastructure of the branch;

(b) The Hague: the surplus of \$570,300 mainly reflects: (i) lower-than-budgeted post costs (\$742,800), attributable mainly to lower-than-projected common staff costs, primarily for relocation-related entitlements and education grant; and (ii) lower expenditure under travel of staff (\$227,000), general operating expenses (\$666,100), supplies and materials (\$89,500) and grants and contributions (\$120,900), attributable mainly to the impact of the COVID-19 pandemic. The surplus is offset in part by: higher-than-budgeted requirements under other staff costs (\$743,100), owing mainly to higher-than-anticipated staff separation costs; and higher-than-budgeted requirements under contractual services (\$335,300) and furniture and equipment (\$349,100), attributable mainly to the procurement of additional online collaboration tools and related licences and the enhancement of server capacity to facilitate the remote work of staff;

(c) New York: the surplus of \$98,900 relates mainly to posts (\$89,500) and staff assessment (\$9,400) owing to the higher actual vacancy rate of 50.4 per cent, compared with the budgeted vacancy rate of 0.2 per cent.

## Records management and archives

(Surplus: \$289,700, or 5.4 per cent of appropriation)

Table 5

### Appropriation and expenditure by location and object of expenditure

(Thousands of United States dollars)

Location and object of expenditure	Surplus/(deficit)			
	(1)	(2)	(3)=(1)-(2)	(4)=(3)/(1)
	Appropriation approved in resolution 75/249	Total expenditure	Amount	Percentage
<b>Arusha</b>				
Post	1 758.5	1 658.7	99.8	5.7
Other staff costs	982.9	975.7	7.2	0.7
Travel of staff	9.6	11.2	(1.6)	(16.7)
Contractual services	103.6	165.3	(61.7)	(59.6)
General operating expenses	53.8	22.0	31.8	59.1
Supplies and materials	22.0	9.1	12.9	58.6
Furniture and equipment	—	29.3	(29.3)	—
Staff assessment	255.7	243.8	11.9	4.7
<b>Subtotal</b>	<b>3 186.1</b>	<b>3 115.1</b>	<b>71.0</b>	<b>2.2</b>

Location and object of expenditure	Surplus/(deficit)			
	(1)	(2)	(3)=(1)-(2)	(4)=(3)/(1)
	Appropriation approved in resolution 75/249	Total expenditure	Amount	Percentage
<b>The Hague</b>				
Post	1 506.6	1 380.6	126.0	8.4
Other staff costs	294.8	250.9	43.9	14.9
Travel of staff	5.5	4.0	1.5	27.3
Contractual services	36.6	91.4	(54.8)	(149.7)
General operating expenses	26.7	–	26.7	100.0
Supplies and materials	40.7	–	40.7	100.0
Furniture and equipment	2.1	–	2.1	100.0
Staff assessment	313.5	280.9	32.6	10.4
<b>Subtotal</b>	<b>2 226.5</b>	<b>2 007.8</b>	<b>218.7</b>	<b>9.8</b>
<b>Total</b>	<b>5 412.6</b>	<b>5 122.9</b>	<b>289.7</b>	<b>5.4</b>

9. The surplus of \$289,700 under records management and archives, comprising \$71,000 in the Arusha branch and \$218,700 in The Hague branch, relates to:

(a) Arusha: the surplus of \$71,000 mainly reflects lower-than-budgeted post costs (\$99,800), attributable mainly to lower-than-projected common staff costs, primarily for relocation-related entitlements and education grant. The surplus is offset in part by higher-than-budgeted requirements under contractual services (\$61,700) owing mainly to increased requirements for support, maintenance and licensing charges for archiving software packages; and requirements under furniture and equipment (\$29,300) attributable to investments made in the information technology infrastructure of the records management and archiving system;

(b) The Hague: the surplus of \$218,700 mainly reflects: (i) lower-than-budgeted post costs (\$126,000), attributable mainly to lower-than-projected common staff costs, primarily for relocation-related entitlements and education grant; and (ii) lower requirements under other staff costs (\$43,900) and staff assessment (\$32,600), attributable mainly to the lower number of temporary staff required to support the digital preservation of the archives. The surplus is offset in part by higher-than-budgeted expenditure under contractual services (\$54,800), attributable mainly to increased requirements for support, maintenance and licensing charges for archiving software packages.



**Liabilities appropriated and expended during the budget period for pensions of retired judges and after-service health insurance benefits for former staff members**

(Deficit: \$225,600, or 5.3 per cent of appropriation)

Table 6

**Appropriation and expenditure by object of expenditure**

(Thousands of United States dollars)

Object of expenditure	(1) <i>Appropriation approved in resolution 75/249</i>	(2) <i>Total expenditure</i>	<i>Surplus/(deficit)</i>	
			(3)=(1)-(2)	(4)=(3)/(1)
			<i>Amount</i>	<i>Percentage</i>
Other staff costs	1 278.6	1 368.2	(89.6)	(7.0)
Non-staff compensation	3 014.2	3 111.3	(97.1)	(3.2)
Contractual services	—	26.1	(26.1)	—
Staff assessment	—	12.8	(12.8)	—
<b>Total</b>	<b>4 292.8</b>	<b>4 518.4</b>	<b>(225.6)</b>	<b>(5.3)</b>

10. The shortfall of \$225,600 is attributable mainly to higher requirements under other staff costs (\$89,600) for after-service health insurance benefits for former staff members and non-staff compensation (\$97,100) relating to liabilities for payment of pensions of retired judges. The shortfall is the result of a higher-than-anticipated number of eligible retired staff joining the after-service health insurance scheme and a higher-than-projected number of retired judges receiving a pension through the Mechanism.

### III. Action to be taken by the General Assembly

11. The General Assembly is requested to take note of the present report, including the final expenditure for 2021 in the amount of \$90,346,300 (gross) and \$81,667,600 (net of staff assessment).

12. The General Assembly is requested to approve the return of a surplus of \$10,203,200 (gross) and \$9,793,800 (net of staff assessment) in 2021 as a credit against assessments to Member States for 2023, resulting from:

(a) Underexpenditure in the amount of \$7,173,600 (gross) and \$6,764,200 (net of staff assessment);

(b) The cancellation of commitments pertaining to 2020 and other revenue in the amount of \$3,029,600 as reported in the audited financial statements for the year ended 31 December 2021.

## Annex

## Overview of appropriation and expenditure by location and object of expenditure

(Thousands of United States dollars)

Location and object of expenditure	(1) <i>Appropriation approved in resolution 75/249</i>	(2) <i>Total expenditure</i>	<i>Surplus/(deficit)</i>	
			(3)=(1)-(2)	(4)=(3)/(1)
			<i>Amount</i>	<i>Percentage</i>
<b>Expenditure</b>				
<b>Arusha</b>				
Post	15 614.3	14 248.7	1 365.6	8.7
Other staff costs	14 551.4	11 821.3	2 730.1	18.8
Non-staff compensation	612.9	357.4	255.5	41.7
Hospitality	5.6	–	5.6	100.0
Experts	189.2	–	189.2	100.0
Consultants	–	51.8	(51.8)	–
Travel of representatives	30.3	11.4	18.9	62.4
Travel of staff	682.8	636.4	46.4	6.8
Contractual services	4 797.2	2 925.3	1 871.9	39.0
General operating expenses	3 065.9	2 420.4	645.5	21.1
Supplies and materials	471.3	308.1	163.2	34.6
Furniture and equipment	719.9	2 292.0	(1 572.1)	(218.4)
Improvement of premises	88.4	104.2	(15.8)	(17.9)
Grants and contributions	679.2	181.1	498.1	73.3
Staff assessment	3 081.5	2 873.7	207.8	6.7
<b>Subtotal</b>	<b>44 589.9</b>	<b>38 231.8</b>	<b>6 358.1</b>	<b>14.3</b>
<b>The Hague</b>				
Post	8 422.2	7 352.4	1 069.8	12.7
Other staff costs	23 065.9	23 933.5	(867.6)	(3.8)
Non-staff compensation	924.8	941.7	(16.9)	(1.8)
Hospitality	5.0	0.5	4.5	90.0
Experts	25.3	–	25.3	100.0
Consultants	10.1	20.8	(10.7)	(105.9)
Travel of representatives	201.2	48.7	152.5	75.8
Travel of staff	445.2	236.4	208.8	46.9
Contractual services	3 199.7	3 651.7	(452.0)	(14.1)
General operating expenses	5 194.9	4 503.9	691.0	13.3
Supplies and materials	220.2	90.0	130.2	59.1
Furniture and equipment	465.1	812.1	(347.0)	(74.6)
Improvement of premises	33.9	5.5	28.4	83.8
Grants and contributions	238.8	117.9	120.9	50.6
Staff assessment	5 987.8	5 782.8	205.0	3.4
<b>Subtotal</b>	<b>48 440.1</b>	<b>47 497.9</b>	<b>942.2</b>	<b>1.9</b>

Location and object of expenditure	(1) <i>Appropriation approved in resolution 75/249</i>	(2) <i>Total expenditure</i>	<i>Surplus/(deficit)</i>	
			(3)=(1)-(2)	(4)=(3)/(1)
			<i>Amount</i>	<i>Percentage</i>
<b>New York</b>				
Post	178.3	88.8	89.5	50.2
Staff assessment	18.8	9.4	9.4	50.0
<b>Subtotal</b>	<b>197.1</b>	<b>98.2</b>	<b>98.9</b>	<b>50.2</b>
<b>Liabilities for payment of pensions of retired judges and after-service health insurance for former staff members</b>				
Other staff costs	1 278.6	1 368.2	(89.6)	(7.0)
Non-staff compensation	3 014.2	3 111.3	(97.1)	(3.2)
Contractual services	–	26.1	(26.1)	–
Staff assessment	–	12.8	(12.8)	–
<b>Subtotal</b>	<b>4 292.8</b>	<b>4 518.4</b>	<b>(225.6)</b>	<b>(5.3)</b>
<b>Total expenditure (gross)</b>	<b>97 519.9</b>	<b>90 346.3</b>	<b>7 173.6</b>	<b>7.4</b>
<b>Income</b>				
Staff assessment	9 088.1	8 678.7	409.4	4.5
<b>Subtotal</b>	<b>9 088.1</b>	<b>8 678.7</b>	<b>409.4</b>	<b>4.5</b>
<b>Total expenditure (net)</b>	<b>88 431.8</b>	<b>81 667.6</b>	<b>6 764.2</b>	<b>7.6</b>