



# General Assembly

Distr.: General  
23 December 2015

Original: English

**Seventieth session**  
Agenda item 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**

### **Report of the Fifth Committee**

*Rapporteur:* Mr. Gert Auväärt (Estonia)

### **I. Introduction**

1. At its 2nd plenary meeting, on 18 September 2015, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventieth 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 20th, 21st and 23rd meetings, on 15, 16 and 23 December 2015. 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) 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 2016-2017 ([A/70/397](#));

(b) Second performance report of the Secretary-General on the budget of the International Tribunal for the Former Yugoslavia for the biennium 2014-2015 ([A/70/554](#));

<sup>1</sup> [A/C.5/70/SR.20](#), [A/C.5/70/SR.21](#) and [A/C.5/70/SR.23](#).



(c) Related report of the Advisory Committee on Administrative and Budgetary Questions ([A/70/600](#));

(d) Report of the Secretary-General on the 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/70/606](#));

(e) Related report of the Advisory Committee on Administrative and Budgetary Questions ([A/70/7/Add.35](#)).

## **II. Consideration of draft resolution [A/C.5/70/L.12](#)**

4. At its 23rd 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.5/70/L.12](#)), submitted by the Chair on the basis of informal consultations coordinated by the representative of Mexico.

5. At the same meeting, the Committee adopted draft resolution [A/C.5/70/L.12](#) 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,*

##### **I**

#### **Second performance report on the budget of the International Tribunal for the Former Yugoslavia for the biennium 2014-2015**

*Having considered* the second performance report of the Secretary-General on the budget, 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<sup>1</sup> and the related report of the Advisory Committee on Administrative and Budgetary Questions,<sup>2</sup>

*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 68/256 of 27 December 2013 and 69/255 of 29 December 2014,

1. *Takes note* of the second performance report of the Secretary-General on the budget, for the biennium 2014-2015, of the International Tribunal for the Former Yugoslavia;<sup>1</sup>

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

3. *Resolves* that, for the biennium 2014-2015, the amount of 201,054,800 United States dollars gross (179,074,200 dollars net) approved in its resolution 69/255 for the financing of the Tribunal shall be adjusted by the amount of 9,947,400 dollars gross (11,876,900 dollars net), for a total amount of 191,107,400 dollars gross (167,197,300 dollars net);

<sup>1</sup> [A/70/554](#).

<sup>2</sup> [A/70/600](#).

## II

### Budget of the International Tribunal for the Former Yugoslavia for the biennium 2016-2017

*Having considered* the reports of the Secretary-General on the budget for the International Tribunal for the Former Yugoslavia for the biennium 2016-2017<sup>3</sup> and on the revised estimates arising from changes in rates of exchange and inflation,<sup>4</sup>

*Having also considered* the related reports of the Advisory Committee on Administrative and Budgetary Questions,<sup>5</sup>

1. *Takes note* of the report of the Secretary-General on the budget for the International Tribunal for the Former Yugoslavia for the biennium 2016-2017<sup>3</sup> and on the revised estimates arising from the effects of changes in rates of exchange and inflation;<sup>4</sup>

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

3. *Recalls* paragraph 21 of the report of the Advisory Committee,<sup>2</sup> notes with concern the delay in the implementation of the completion strategy, and 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;

4. *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 95,747,100 dollars gross (85,024,600 dollars net) for the biennium 2016-2017, as detailed in the annex to the present resolution;

5. *Also decides* that the total assessment for 2016 under the Special Account, amounting to 37,550,650 dollars, shall consist of:

(a) 47,783,550 dollars, being half of the estimated appropriation approved for the biennium 2016-2017;

(b) Less 10,232,900 dollars, being the decrease in the final appropriation for the biennium 2014-2015 approved by the General Assembly in paragraph 3 of section I;

6. *Further decides* to apportion the amount of 18,775,325 dollars gross (15,272,700 dollars net) among Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2016;

7. *Decides* to apportion the amount of 18,775,325 dollars gross (15,272,700 dollars net) among Member States in accordance with the scale of assessments applicable to peacekeeping operations for 2016;

<sup>3</sup> A/70/397.

<sup>4</sup> A/70/606.

<sup>5</sup> A/70/600 and A/70/7/Add.35.

8. *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 6 and 7 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 7,005,250 dollars approved for the Tribunal for 2016.

## Annex

# **Financing for the biennium 2016-2017 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**

(United States dollars)

	<i>Gross</i>	<i>Net of staff assessment</i>
Estimated appropriation for the biennium 2016-2017	113 098 700	100 856 400
Revised estimates: effects of changes in rates of exchange and inflation	(17 325 000)	(15 805 200)
Recommendations of the Advisory Committee on Administrative and Budgetary Questions	(26 600)	(26 600)
Recommendations of the Fifth Committee		
<b>(a) Estimated initial appropriation for the biennium 2016-2017</b>	<b>95 747 100</b>	<b>85 024 600</b>
(b) Less: estimated income for the biennium 2016-2017	(180 000)	(180 000)
<b>(c) = (a-b) Amount to be assessed for the biennium 2016-2017, net of estimated income</b>	<b>95 567 100</b>	<b>84 844 600</b>
Total assessment for 2016		
Requirements representing half of the estimated appropriation for the biennium 2016-2017	47 783 550	42 422 300
Requirements arising from the final appropriation for the biennium 2014-2015	(10 232 900)	(11 876 900)
<b>Net contributions assessed on Member States for 2016</b>	<b>37 550 650</b>	<b>30 545 400</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 for 2016	18 775 325	15 272 700
Contributions assessed on Member States in accordance with the scale of assessments applicable to peacekeeping operations of the United Nations for 2016	18 775 325	15 272 700