



# General Assembly

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## Seventy-sixth session

Agenda items 138 and 139

## Proposed programme budget for 2022

### Programme planning

#### **Letter dated 19 November 2021 from the Permanent Representative of Sri Lanka to the United Nations addressed to the Secretary-General**

I have the honour to transmit herewith a letter relating to the supplementary information issued by the Secretariat under the proposed programme budget for 2022 (see annex).

I would appreciate it if you could kindly circulate the present letter and its annex as a document of the General Assembly, under agenda items 138 and 139.

(Signed) Mohan Pieris  
Ambassador  
Permanent Representative



**Annex to the letter dated 19 November 2021 from the Permanent Representative of Sri Lanka to the United Nations addressed to the Secretary-General**

18 November 2021

I have the honour to write with reference to the supplementary information dated 14 November 2021 made available under agenda item 138, proposed programme budget for 2022, and agenda item 139, programme planning, for part VI, Human rights and humanitarian affairs, Human rights ([A/76/6 \(Sect. 24\)](#)) (see enclosure).

I wish to draw your attention to the information provided by the Secretariat for question 1 and more specifically to paragraph 1.13, which reads as follows:

The table below presents the large mandates since 2011 and the respective years of resolutions that established (Est), extended (x) and discontinued (D) them. For example, in 2021 the Council adopted resolutions that established commissions of inquiry (COI) on Belarus and Sri Lanka, and discontinued the group of eminent experts (GEE) on Yemen and a COI on Burundi. Mandates related to Syria, South Sudan, Venezuela, Congo (Kasai), Libya and the DPRK were extended.

I wish to bring to your kind attention that, as regards Sri Lanka, the Human Rights Council has not established a “commission of inquiry” on Sri Lanka and the above is factually erroneous in consideration of the mandate relating to the Human Rights Council resolution on Sri Lanka.

The Government of Sri Lanka will be pleased if the said misappreciation by the Secretariat will be corrected in the supplementary information without delay.

It is also noted that the three commissions of inquiry established by the Human Rights Council by its resolutions have explicitly indicated the establishment of a commission of inquiry, in such resolutions, which is not the case regarding Sri Lanka.

The Government of Sri Lanka will also consider it an honour if this request is communicated to the Member States as an official document of the United Nations.

*(Signed)* Mohan **Pieris**  
Ambassador  
Permanent Representative

**Enclosure**

**AGENDA ITEM 138  
PROPOSED PROGRAMME BUDGET FOR 2022**

**AGENDA ITEM 139  
PROGRAMME PLANNING**

**GENERAL ASSEMBLY  
MAIN PART OF THE  
SEVENTY-SIXTH SESSION**

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**SUPPLEMENTARY INFORMATION**

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**Proposed programme budget for 2022**

**Part VI – Human rights and humanitarian affairs**

**Human Rights**

**(A/76/6 (Sect.24))**

14 November 2021

**1. Referring to the ACABQ VI.19, what would be the possible implication to the initial budget proposal for 2023 by this recommendation? (Japan)**

1.1 The appropriation for 2021 for the Office of the High Commissioner for Human Rights was \$129 million. This was the combined appropriation approved after review of mainly two reports of the Secretary-General:

- the proposed programme budget for 2021 (\$100 million requested) and
- the revised estimates resulting from resolutions of the Human Rights Council in 2020 (\$23 million).

(It should be noted that the requested amounts are at original rates and the appropriation is at revised rates, after recosting in an amount of approximately \$8 million.)

1.2 The reason for the considerable addition to the budget are the significant requirements resulting from resolutions adopted in the three yearly regular sessions, plus any special sessions, of the Human Rights Council. The regular sessions end in March, July and October, which is after the proposed budget is submitted by the Secretariat, with the exception of the March session. Resource requirements resulting from these resolutions are presented in a single revised estimate of the budget at the end of the year as approved in General Assembly resolution 63/263.

1.3 Table 1 below provides information on the comparative size of the proposed programme budget for section 24, the revised estimates and amounts granted as commitment authorities by the ACABQ. As can be seen from the table below, in the recent years the proposed programme budget reflects around 75% - 80% of the requirements for a given year, the revised estimates reflect around 13-18% and commitment authorities around 6-8%.

Table 1  
Proposed amounts in the proposed programme budget for section 24 and commitment authorities granted by the ACABQ.

	<i>Amount (United States dollars)</i>	<i>Percentage</i>
<b>2014</b>		
Proposed regular budget	83 362 250	87
Revised estimates	3 977 100	4
Commitment authorities	8 646 700	9
<b>2015</b>		
Proposed regular budget	83 362 250	86
Revised estimates	8 826 100	9
Commitment authorities	4 827 600	5
<b>2016</b>		
Proposed regular budget	98 981 600	88
Revised estimates	7 991 800	7
Commitment authorities	5 361 900	5

	<i>Amount (United States dollars)</i>	<i>Percentage</i>
<b>2017</b>		
Proposed regular budget	98 981 600	82
Revised estimates	12 359 900	10
Commitment authorities	8 673 700	7
<b>2018</b>		
Proposed regular budget	99 249 550	78
Revised estimates	18 824 900	15
Commitment authorities	9 604 100	8
<b>2019</b>		
Proposed regular budget	99 249 550	79
Revised estimates	16 080 900	13
Commitment authorities	10 536 600	8
<b>2020</b>		
Proposed regular budget	94 718 600	80
Revised estimates	20 583 000	17
Commitment authorities	2 600 000	2
<b>2021</b>		
Proposed regular budget	100 351 700	76
Revised estimates	23 261 600	18
Commitment authorities	8 561 900	6
<b>2022</b>		
Proposed regular budget	109 907 200	75
Revised estimates	26,499,200	18
Commitment authorities (proj.)	10,000,000	7

*Evolution of the process of budgeting for Human Rights*

1.4 After the Human Rights Council was established in 2006, and through 2008, individual revised estimates reports were submitted by the Secretary-General at multiple times during the year following the sessions of the Council.

1.5 In the context of reviewing the revised estimates resulting from the 6th session and 5th special session the ACABQ, in 2008, noted that the procedure contributed to a piecemeal approach to budgeting and that it should be improved. Pursuant to a recommendation by the ACABQ (A/62/7/Add.34, para 8), the General Assembly in its resolution 62/245 (2008), requested the Secretary-General, "to submit proposals to improve the procedure for presenting the financial requirements arising from resolutions and decisions of the Human Rights Council".

1.6 Pursuant to the request in resolution 62/245, the Secretary-General, following a review of various mechanisms in place for the administrative and financial functioning of the United Nations, in his report A/63/541 requested the General Assembly to, inter

alia, “approve the procedure whereby in future the revised estimates arising from the adoption of resolutions and decisions by the Human Rights Council would be presented annually to the General Assembly at its main session”.

1.7 The ACABQ, in its report A/63/629 recommended that “the current modalities for consideration of the financial requirements arising from resolutions and decisions of the Council be maintained, albeit on an annual basis, and that they be comprehensively reviewed in the context of the proposed programme budget for the biennium 2010-2011”. The General Assembly in its resolution 63/263 endorsed the report of the ACABQ.

1.8 Notwithstanding the improvements made through the steps outlined above, the ACABQ, in its report, A/76/7 (para VI.19) stressed that there was a need for further clarity and asked that the Secretary-General present further clarifications on the potential consolidation and presentation of resources for section 24 to the General Assembly during the consideration of the present report and an update in the next programme budget submission.

*Approaches for an improved and accurate estimate in the proposed programme budget*

1.9 In order for the proposed programme budget to reflect the final requirements for the subject year of the proposed programme budget more comprehensively, there are on a high level two main approaches possible:

1.10 As noted above the current practice, which was recommended by the Secretary-General in his report A/63/54, is to present all Human Rights Council related requirements in the revised estimates report, including those from the March session, which concludes a few weeks before the proposed programme budget is submitted. One approach (“A”) would be to include, in the proposed programme budget, full year budgetary requirements for mandates from the Council’s March session as these have already been issued for part of the budget period (typically and at a minimum 3 months). This approach would entail assuming one extension the following year to cover the remaining part of the budget period (typically and at a maximum 9 months) and the justification would be that, similar to the situation for peacekeeping operations, it would be less practical to present resources requirements on a piecemeal basis for the budget period. Mandates that have not been extended into the budget period at the time of issuing the proposed programme budget would be excluded; this typically applies to mandates renewed during the second or third regular session of the year preceding the budget period.

1.11 Another approach (“B”) would be to also include in the proposed programme budget, estimated requirements of mandates likely to be renewed in the July or September session preceding the budget period. This approach would require assuming two extensions of the related mandate; one the same year the proposed budget is prepared for the first part of the budget year, and the second, the year after, for the second part of the budget year. While this approach would generate a larger amount

being budgeted up front, and therefore a larger reduction of the amount presented in from the revised estimates report, by virtue of having to assume two extensions, it is less conservative than approach A described above. A way to reduce the risk in this option would be to apply a criterion of only including mandates that have already been extended at least two times. The justification for applying this criterion would be that if a mandate has been renewed multiple times, it is more likely than not to be renewed again.

1.12 The type of mandates the above approaches to anticipate mandate renewal refer to are those of Commissions of Inquiry (COI), Fact-finding missions (FFM) and technical assistance (TA), which historically tend to be renewed multiple times. The practice of assuming mandate renewal and including the related requirements in the proposed programme budget is in fact already established for section 24, Human rights, as well as for other budget sections with requirements related to mandates of the Human Rights Council. The proposed programme budget includes requirements related to mandates of “perennial nature”. The term “perennial nature” refers to mandates that are subject to renewal by the Human Rights Council, but in reality, more closely resemble open ended mandates. When preparing the proposed budget, these mandates are included even though they have not yet been formally renewed. Currently, mandates of Special Rapporteurs and Independent Experts are considered to be of a “perennial nature”. The approaches A and B above are therefore in line with this established practice.

1.13 The table below presents the large mandates since 2011 and the respective years of resolutions that established (Est), extended (x) and discontinued (D) them. For example, in 2021 the Council adopted resolutions that established commissions of inquiry (COI) on Belarus and Sri Lanka, and discontinued the group of eminent experts (GEE) on Yemen and a COI on Burundi. Mandates related to Syria, South Sudan, Venezuela, Congo (Kasai), Libya and the DPRK were extended.

Table 2  
Mandates of the HRC of renewable nature

Mandates	HRC session	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Yearly requirements (approx.)
Commission of inquiry on Syria	Mar	Est	x	x	x	x	x	x	x	x	x	x	6.3 million
Commission of inquiry on South Sudan and technical assistance	Mar						Est	x	x	x	x	x	3.9 million
Technical Assistance in the DRC/Kasai	Sep						Est	x	x	x	x	x	4.0 million
OHCHR capacity on DPRK	Mar						Est	x	x	x	x	x	1.1 million
Fact-finding mission on and monitoring in Venezuela	Sep									Est	x	x	3.2 million
Fact-finding mission on and technical assistance to Libya	Sep									Est	x		3.2 million
Commission of inquiry on Belarus	Mar											Est	2.6 million
OHCHR monitoring in Sri Lanka	Mar											Est	2.9 million
OHCHR monitoring in Nicaragua	Mar											Est	0.4 million

Mandates	HRC session	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Yearly requirements (approx.)
Group of eminent experts on Yemen	Sep						Est	x	x	x	x	D	3.5 million
Commission of inquiry on Burundi	Sep						Est	x	x	x	x	D	2.1 million

1.14 As can be seen from the table, during recent years most mandates related to such operations have been extended on multiple occasions. The two discontinuations this year (2021) occurred after five years (four extensions). It is the view of the Office of the High Commissioner for Human Rights (OHCHR) that the human rights situation in today's landscape is increasingly complex and that it is not likely that mandates of this nature will be fully implemented in one year, as seen by the multiple mandate renewals above. These mandates can be seen as being of a "renewable nature".

*Implications on the proposed programme budget for 2023 using approach A*

1.15 The example in Table 3 below presents how the proposed programme budget for 2023 would be impacted should it be decided to implement a front loading of requirements in the proposed programme budget using approach A, i.e., including full year resource requirements of those mandates that have already been issued for part of the budget period. The amounts in Table 3 are illustrative, based on the resource estimates for 2022, and assume renewal of mandates, but no additional mandates. They do not include requirements for perennial mandates, which, as per current practice, would already be included in the proposed programme budget.

Table 3  
Illustrative yearly requirements for March session mandates

(million United States dollars)

Mandates	Would be included in the PPB 2023
<b>Full year estimate of renewable mandates</b>	
Commission of inquiry on Syria	6.3
Commission of inquiry on South Sudan and technical assistance	3.9
OHCHR capacity on DPRK	1.1
Commission of inquiry on Belarus	2.6
OHCHR monitoring in Sri Lanka	2.9
OHCHR monitoring in Nicaragua	0.4
<b>Subtotal, renewable mandates</b>	<b>17.2</b>
Requirements for other mandates in the March session	1.7
<b>Total full year estimate of March mandates</b>	<b>18.9</b>

1.16 Applying approach A would include additional illustrative requirements of approximately \$18.9 million in the proposed programme budget for 2023 (illustrative, based on HRC mandates issued in March 2021 and related estimates for 2022).

*Implications on the proposed programme budget for 2023 using approach B*



1.17 The example in Table 4 below presents how the proposed budget for 2023 would be impacted should it be decided to implement a front loading of the budget using approach B, i.e., including full year resource requirements of those mandates from the July and September sessions that have already been extended at least two times. As above, the amounts are illustrative and reflect approach B as additional to approach A. Since the example applies a criterion of a minimum of 2 extensions, the fact-finding mission in Libya is excluded.

Table 4  
**Illustrative yearly requirements for July and September mandates**

(million United States dollars)

Mandates	Would be included in the PPB 2023
<b>March session mandates</b>	
Commission of inquiry on Syria	6.3
Commission of inquiry on South Sudan and technical assistance	3.9
OHCHR capacity on DPRK	1.1
Commission of inquiry on Belarus	2.6
OHCHR monitoring in Sri Lanka	2.9
OHCHR monitoring in Nicaragua	0.4
Requirements for other mandates in the March session	1.7
<b>Subtotal full year estimate of March mandates</b>	<b>18.9</b>
Technical Assistance in the DRC/Kasai	4.0
Fact-finding mission on and monitoring in Venezuela	3.2
<b>Subtotal full year estimate of July and September mandates</b>	<b>7.2</b>
<b>Total</b>	<b>26.1</b>

1.18 Applying approach B, in addition to approach A, would include additional illustrative requirements of approximately \$7.2 million, for a total of \$26.1 million in the proposed programme budget for 2023.

*Justification of the proposed requirements in the PPB*

1.19 Currently the requirements related to all these mandates are fully justified in the revised estimates report. If included in the proposed programme budget, To the extent that resources requirements are included in the proposed programme budget, the full justification of such resources would be included in the budget report instead of the revised estimates report, and would include operative paragraphs of the mandates, detailed activities as well as resources needed for implementation. Separate tables, akin to those in the revised estimates report, would also be included.

*Summary and conclusion*

1.20 In summary, revised estimates reports for resource requirements to implement mandates originating from the yearly sessions of the Human Rights Council represent

a significant share of the total appropriation for Section 24, Human Rights. Some of these mandates, those from the March session, are adopted prior to issuance of the proposed programme budget and some, including those in later sessions, are of a renewable nature, i.e., it could be reasonably expected that they will be renewed.

1.21 Two approaches have been presented, which are comparable to existing practices: that of the perennial mandates and that of including full year estimates of peacekeeping missions.

1.22 In conclusion, and in the context of the recommendation by the ACABQ in A/76/7 para VI.19, the Secretary-General believes that there is potential for concrete steps to include more requirements up front in the proposed programme budget for a more comprehensive and consolidated presentation of resources, starting with the budget proposals for 2023. Of the two outlined approaches, approach A, which would be the more conservative approach would lead to an amount of \$18.9 million included up front in the proposed programme budget, while approach B would lead to a higher amount of \$26.1 million included up front in the proposed programme budget.

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