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THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA

PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1984-1985

Revised estimates under Section 2A.C, Office of the Special
Representative of the Secretary-General for the Law of the
Sea, Section 31 Staff assessment and Income section 1,
Income from staff assessment

Report of the Secretary-General

INTRODUCTION

1. It will be recalled that under section 2A.C, "Office of the Special Representative of the Secretary-General for the Law of the Sea" of the proposed programme budget for the biennium 1984-1985 1/ it was stated, inter alia:

"By paragraph 7 of its resolution 37/66 of 3 December 1982, the General Assembly approved the assumption by the Secretary-General of the responsibilities entrusted to him as a consequence of the adoption of the United Nations Convention on the Law of the Sea and the related resolutions and also approved the stationing of an adequate number of secretariat staff in Jamaica for the purpose of servicing the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea, as required by its functions and programme of work. In this regard, the Assembly also approved the continuation of the personnel recruited for the secretariat of the Third United Nations Conference on the Law of the Sea and additional temporary personnel, together with the related resources for the Office of the Special Representative of the Secretary-General.

"In its report (A/37/7/Add.10) on the administrative and financial implications of draft resolution A/37/L.13/Rev.1 (subsequently adopted by the Assembly as resolution 37/66), the Advisory Committee on Administrative and

Budgetary Questions expressed the view that the question of setting up an Office of the Special Representative of the Secretary-General on an established basis may be premature and should be considered by the General Assembly at its thirty-eighth session on the basis of a report of the Secretary-General. A report will be submitted to the Assembly which will take into consideration the outcome of the meeting of the Preparatory Commission as well as the consideration of the proposed medium-term plan on marine affairs and the related observations of the Committee for Programme and Co-ordination. Pending the outcome of the aforementioned aspects, a provisional amount is included under this subsection of the proposed programme budget representing the maintenance of the resources approved for 1983 on a full biennial basis for 1984-1985.

"By paragraph 8 of its resolution 37/66, the General Assembly authorized the Secretary-General to convene the Preparatory Commission and to provide the Commission with the services required to enable it to perform its functions adequately and expeditiously and, by paragraph 9 of the same resolution, approved the financing of the expenses of the Preparatory Commission from the regular budget of the United Nations.

"Pending the outcome of the first session of the Preparatory Commission and any subsequent decision of the General Assembly at its thirty-eighth session, on the basis of a report by the Secretary-General, no provision is included under this heading at this time (see also tables 2A.24 and 2A.25 above)."

2. In this regard, as stated in paragraph 33 of document A/38/570, as a consequence of an interdepartmental review, a major programme in marine affairs, which constitutes chapter 25 of the medium-term plan for the period 1984-1989 which included the responsibilities requested by the Committee for Programme and Co-ordination (CPC), was prepared and submitted to CPC at the first part of its twenty-third session, held from 9 May to 4 June 1983. CPC recommended to the Economic and Social Council and the General Assembly the adoption of chapter 25 comprising the major programme - Marine Affairs - with a few revisions. The Council endorsed that major programme at its second regular session, 1983, and the Fifth Committee endorsed the CPC recommendation at its 20th meeting, on 27 October 1983.

3. The new major programme, Marine Affairs, comprises four programmes, one of which (Programme 1) deals with the Law of the Sea Affairs. The objectives and strategies of Programme 1 are described in chapter 25 of the medium-term plan for the period 1984-1989. 2/ Programme 1 includes four subprogrammes, three of which represent permanent functions; the fourth represents transitional functions. Where possible, the text under subsection 2 - Programme of activity below provides more specific information on the aforementioned subprogrammes.

4. The Preparatory Commission, at the closing meeting of its resumed first session on 9 September 1983, decided that it would hold its second session in Kingston from 19 March to 13 April, and a session for its working groups in New York or Geneva during the summer, the dates and venue of which will be

determined at the second session of the Commission. For 1985, it has been assumed that one regular four-week session of the Commission will be held at Kingston, but the venue of the four-week session of its working group is as yet also undecided. The estimates of conference-servicing requirements in this regard can be found in annex I to the present report.

5. The present document sets forth the revised estimates of resources required for the Office of the Special Representative of the Secretary-General for the Law of the Sea, for the biennium 1984-1985 which have been formulated on the basis of Programme 1 of the major programme - Marine Affairs - and the conclusions and recommendations contained in the report of the Secretary-General (A/38/570). In certain cases, the details of the work programme cannot be foreseen with precision since they are subject to future decisions by the Preparatory Commission and the General Assembly. The estimates included herein may have to be reviewed in the light of the experience during the first year of the biennium.

6. It will be recalled that an amount of \$5,427,300 was included initially in section 2A.C of the proposed programme budget for the biennium 1984-1985 in respect of the Office of the Special Representative of the Secretary-General for the Law of the Sea. 3/ The revised estimates submitted in the present report amount to \$6,314,300. The difference of \$887,000 reflects: (a) special adjustments to the base for a net amount of \$681,200 with respect to the redeployment of posts taking into account the proposed structure of the office in accordance with the medium-term plan and the operating costs of the office premises in Jamaica, as well as the cost of utilization of the conference complex during the sessions of the Preparatory Commission held in Kingston on the basis of a draft agreement reached between the Government of Jamaica and the United Nations, which is reproduced in annex II to the present report; (b) a decrease of \$10,300 in the anticipated impact of inflation in the biennium 1984-1985, in comparison with the provisional estimate; and (c) resource growth of \$216,100 representing a rate of real growth of 3.9 per cent. This growth represents the net effect of proposals for the reclassification of two P-4 temporary posts to the P-5 and the P-3 level and for increased travel of staff and temporary assistance to service the sessions of the Preparatory Commission in Kingston; local transportation costs, freight charges and miscellaneous expenses to be incurred for the sessions of the Commission when held in Kingston; as well as an increase in other travel of staff, temporary assistance and consultancy requirements. The increases resulting from this growth are partly offset by proposed reductions under external printing, contractual translations and data-processing services. A total appropriation of \$6,314,300 is thus requested under section 2A.C. In addition, an amount of \$34,400 would be required under section 31 (Staff assessment), to be offset by income in the same amount under Income section 1 (Income from staff assessment) for reasons given in paragraphs 9 and 19 below.

SECTION 2A.C. OFFICE OF THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL
FOR THE LAW OF THE SEA

TABLE 1. ANALYSIS OF OVERALL COSTS

(Thousands of United States dollars)

DIRECT COSTS

(1) Regular budget

1982-1983 appropri- ation	Estimated additional requirements								1984-1985 estimates
	Revaluation of 1982-1983 re- source base (at revised 1983 rates)		Resource growth (at revised 1983 rates)		Inflation in 1984 and 1985		Total increase		
	\$	%	\$	%	\$	%	\$	%	
4 629.0	853.0	18.4	216.1	4.6	616.2	13.3	1 685.3	36.4	6 314.3

Analysis of real growth (at revised 1983 rates)

(1) Total revalued 1982-1983 resource base	Resource growth				Rate of real growth (5) over (1)
	(2) Actual	(3) Less non-recurrent items	(4) Plus delayed growth (new posts)	(5) Adjusted	
5 482.0	216.1	-	-	216.1	3.9%

TABLE 2. ANALYSIS OF REVALUED 1982-1983 RESOURCE BASE
(AT REVISED 1983 RATE)

(Thousands of United States dollars)

Programme	1982-1983 appropriation (1)	Non- recurrent 1982-1983 items (2)	Additional requirements					Total (8)	Net addi- tional require- ments (9) (8)-(2)	Total revalued 1982-1983 resource base (10) (1) + (9)
			Delayed impact of 1982-1983 growth		Recosting at revised 1983 rates					
			Estab- lished posts (3)	Other objects of expend- iture (4)	Estab- lished posts (5)	Other objects of expend- iture (6)	Special adjust- ments (7)			
C. Office of the Special Representative of the Secretary-General for the Law of the Sea										
1. Executive direction and management	1 115.2	-	833.2	271.0	(11.0)	0.2	(1 037.8)	55.6	55.6	1 170.8
2. Programme of activity: Law of the Sea Affairs	1 613.3 a/	538.2	1 237.3	280.0	-	(0.2)	1 719.0	3 236.1	2 697.9	4 311.2
3. Third United Nations Conference on the Law of the Sea										
(a) Secretariat of the Third United Nations Conference on the Law of the Sea	1 567.2 c/	1 567.2	-	-	-	-	-	-	(1 567.2)	-
(b) Sessions of the Third United Nations Conference on the Law of the Sea	333.3 d/	333.3	-	-	-	-	-	-	(333.3)	-
Total	4 629.0	2 438.7	2 070.5	551.0	(11.0)	-	681.0 b/	3 291.7	853.0	5 482.0

a/ Includes non-recurrent resources of \$328,200 approved for the meetings of the Preparatory Commission in 1983.

b/ See paras. 9 and 19 below.

c/ See A/38/6, para. 2A.47.

d/ See A/38/6, para. 2A.48.

TABLE 3. REGULAR BUDGET, DIRECT COSTS: SUMMARY OF 1984-1985 REQUIREMENTS AND RATES OF REAL GROWTH, BY PROGRAMME

(Thousands of United States dollars)

Programme	1982-1983 appro- priation	Estimated additional requirements						1984-1985 estimates	Rates of real growth %
		Revaluation of 1982-1983 resource base (at revised 1983 rates)	Resource growth (at revised 1983 rates)	Infla- tion in 1984 and 1985	Total increase				
					\$	%			
C. Office of the Special Representative of the Secretary-General for the Law of the Sea									
1. Executive direction and management	1 115.2	55.6	(270.8)	54.6	(160.6)	(14.4)	954.6	(23.1)	
2. Programme of activity: Law of the Sea Affairs	1 613.3	2 697.9	486.9	561.6	3 746.4	232.2	5 359.7	11.2	
3. Third United Nations Conference on the Law of the Sea									
(a) Secretariat of the Third United Nations Conference on the Law of the Sea	1 567.2	(1 567.2)	-	-	(1 567.2)	(100.0)	-	-	
(b) Sessions of the Third United Nations Conference on the Law of the Sea	333.3	(333.3)	-	-	(333.3)	(100.0)		-	
Total	4 629.0	853.0	216.1	616.2	1 685.3	36.4	6 314.3	3.9	

TABLE 4. REGULAR BUDGET, DIRECT COSTS: SUMMARY OF 1984-1985 REQUIREMENTS AND RATES OF REAL GROWTH, BY OBJECT OF EXPENDITURE

(Thousands of United States dollars)

Objects of expenditure	1982-1983 appro- priation	Estimated additional requirements				1984-1985 estimates	Rates of real growth %
		Revaluation of 1982-1983 resource base (at revised 1983 rates)	Resource growth (at revised 1983 rates)	Inflation in 1984 and 1985	Total increase		
Established posts	-	-	2 043.2	122.2	2 165.4	2 165.4	-
Temporary assistance for meetings	50.0	(50.0)	123.2	19.1	92.3	142.3	-
General temporary assistance	168.3	(156.3)	5.6	1.5	(149.2)	19.1	46.6
Consultants	118.6	(38.4)	25.0	8.8	(4.6)	114.0	31.1
Overtime	18.4	(8.4)	-	0.9	(7.5)	10.9	-
Temporary posts	2 192.3	648.7	(2 041.0)	156.7	(1 235.6)	956.7	(71.8)
Common staff costs	722.5	241.5	1.0	96.6	339.1	1 061.6	0.1
Representation allowances	9.2	-	-	-	-	9.2	-
Appointment, transfer and separation	85.0	(85.0)	-	-	(85.0)	-	-
Travel of representatives	28.5	(28.5)	-	-	(28.5)	-	-
Travel of staff to meetings	372.3	(372.3)	331.4	27.8	(13.1)	359.2	-
Other official travel of staff	115.0	(15.0)	42.0	12.0	39.0	154.0	-
Contractual services	10.0	10.0	(20.0)	-	(10.0)	-	(100.0)
External printing and binding	298.0	2.0	(256.4)	3.7	(250.7)	47.3	(85.4)
General operating expenses ^{a/}	125.0	690.8	-	125.1	815.9	940.9	-
Rental and maintenance of equipment	25.6	4.4	40.0	9.9	54.3	79.9	133.3
Communications	25.2	15.9	-	5.2	21.1	46.3	-
Data processing services	54.5	54.4	(108.9)	-	(54.5)	-	-
Hospitality	15.9	4.1	-	1.7	5.8	21.7	-
Miscellaneous services	4.3	(4.3)	31.0	4.9	31.6	35.9	-
Supplies and materials	65.4	64.4	-	20.1	84.5	149.9	-
Furniture and equipment	125.0	(125.0)	-	-	(125.0)	-	-
Total	4 629.0	853.0	216.1	616.2	1 685.3	6 314.3	3.9

^{a/} See para. 20 below.

TABLE 5. POST REQUIREMENTS

Organizational unit: Office of the Special Representative of the Secretary-General
for the Law of the Sea

	Established posts		Temporary posts				Total	
	Regular budget		Regular budget		Extrabudgetary resources			
	1982-1983	1984-1985	1982-1983	1984-1985	1982-1983	1984-1985	1982-1983	1984-1985
Professional category and above								
USG	-	1	1	-	-	-	1	1
D-2	-	1	1	-	-	-	1	1
D-1	-	3	3	-	-	-	3	3
P-5	-	4	4	1	-	-	4	5
P-4	-	3	7	2	-	-	7	5
P-3	-	2	2	1	-	-	2	3
P-2/1	-	4	6	2	-	-	6	6
Total	-	18	24	6	-	-	24	24
General Service category								
Principal level	-	3	3	-	-	-	3	3
Other levels	-	9	6	-	-	-	6	9
Total	-	12	9	-	-	-	9	12
Other categories								
Local level	-	-	22	19	-	-	22	19
Total	-	-	22	19	-	-	22	19
Grand total	-	30	55	25	-	-	55	55

1. EXECUTIVE DIRECTION AND MANAGEMENT

TABLE 6. ANALYSIS OF OVERALL COSTS

(Thousands of United States dollars)

DIRECT COSTS

(1) Regular budget

Main objects of expenditure	1982-1983 appropriation	Estimated additional requirements				1984-1985 estimates
		Revaluation of 1982-1983 resource base (at revised 1983 rates)	Re-source growth (at revised 1983 rates)	Inflation in 1984 and 1985	Total increase	
Established posts	-	-	564.2	32.5	596.7	596.7
General temporary assistance	6.0	6.0	5.6	1.5	13.1	19.1
Consultants	40.0	(40.0)	-	-	(40.0)	-
Overtime	5.0	5.0	-	.9	5.9	10.9
Temporary posts	639.4	(75.2)	(564.2)	-	(639.4)	-
Common staff costs	200.2	(8.0)	-	10.8	2.8	203.0
Representation allowances	4.6	4.6	-	-	4.6	9.2
Other official travel of staff	50.0	7.0	-	4.8	11.8	61.8
Contractual services	10.0	10.0	(20.0)	-	(10.0)	-
External printing and binding	150.0	106.4	(256.4)	-	(150.0)	-
Rental and maintenance of equipment	-	13.8	-	1.1	14.9	14.9
Communications	-	16.0	-	1.3	17.3	17.3
Hospitality	10.0	10.0	-	1.7	11.7	21.7
Total	1 115.2	55.6	(270.8)	54.6	(160.6)	954.6

Analysis of real growth (at revised 1983 rates)

(1) Total revalued 1982-1983 resource base	Resource growth				Rate of real growth (5) over (1)
	(2) Actual	(3) Less non-recurrent items	(4) Plus delayed growth (new posts)	(5) Adjusted	
1 170.8	(270.8)	-	-	(270.8)	(23.1%)

TABLE 7. POST REQUIREMENTS

Programme: Executive direction and management

	Established posts		Temporary posts				Total	
	Regular budget		Regular budget		Extrabudgetary resources			
	1982-1983	1984-1985	1982-1983	1984-1985	1982-1983	1984-1985	1982-1983	1984-1985

Professional
category and
above

USG	-	1	1	-	-	-	1	1
D-2	-	1	1	-	-	-	1	1
P-5	-	1	1	-	-	-	1	1
P-4	-	1	1	-	-	-	1	1
Total	-	4	4	-	-	-	4	4

General Service
category

Principal level	-	1	1	-	-	-	1	1
Other levels	-	2	2	-	-	-	2	2
Total	-	3	3	-	-	-	3	3

Grand total	-	7	7 <u>a/</u>	-	-	-	7 <u>a/</u>	7
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a/ See paras. 9 and 19.

1. Executive direction and management

8. The immediate Office of the Special Representative of the Secretary-General for the Law of the Sea provides executive direction and management for its New York and Kingston offices. The requirements under this heading account for 15.1 per cent of the total resource requirements of this subsection.

Resource requirements (at revised 1983 rates)

Revalued base

9. At its thirty-seventh session the General Assembly approved staff and other resources on a temporary basis in the amount of \$2,400,300 for the Office of the Special Representative of the Secretary-General for the Law of the Sea for 1983. In this regard a total of 55 temporary posts were approved, the breakdown of which can be found in table 5 above. However, certain adjustments were warranted to the revalued 1982-1983 base, to take into account the proposed structure of the Office in accordance with Programme 1 of the major programme in marine affairs which constitutes chapter 25 of the medium-term plan. Nine of the Professional posts and nine of the General Service posts approved for 1983 have been considered as constituting the staff element of the 1982-1983 appropriation for this programme. Of these posts five Professional and six General Service have been redeployed to the subsection 2 (Programme of activity: Law of the Sea Affairs). Accordingly, a negative special adjustment of \$1,037,800 has been made as part of the calculation of the 1982-1983 revalued base under this heading consisting of \$672,600 for salaries, \$228,200 for related common staff costs, \$80,200 for consultants, \$43,600 for external printing, and \$43,000 for travel of staff partly offset by positive special adjustments of \$13,800 for rental and maintenance of equipment and \$16,000 for communications. The aforementioned special adjustments are offset by corresponding amounts in the 1982-1983 revalued base under subsection Programme of activity - within this section.

Conversion

10. In line with the proposals contained in the report of the Secretary-General (A/38/570), it is requested that the Under-Secretary-General post, one D-2 post, one P-5 post, one P-4 post, one General Service principal level and two General Service other level approved for 1983 as temporary posts be converted to established posts.

Temporary assistance

11. The estimated requirements under this heading (\$17,600), involving an increase of \$5,600, are to provide for temporary replacement of staff on extended sick or maternity leave and for temporary staff during peak work-load periods. This provision would cover the temporary assistance requirements of the entire Office of the Special Representative of the Secretary-General for the Law of the Sea Affairs and would be administered centrally within that Office.

Overtime

12. The estimated requirements (\$10,000) relate to overtime during peak work-load periods. Like the temporary assistance provision, this provision would cover the overtime requirements of the entire Office of the Special Representative of the Secretary-General for the Law of the Sea and would be administered centrally within that Office.

Travel of staff

13. The estimated requirements (\$57,000) under this heading relate to the travel of the Under-Secretary-General and staff in his immediate office to consult with Governments in the promotion of the Convention; to attend intergovernmental conferences or regional bodies; and participate in various meetings, including inter-agency meetings.

Telephone, long distance

14. The estimated requirements proposed under this heading (\$16,000) are to provide for the requirements of the entire New York Office.

Rental and maintenance of equipment

15. The requirements under this heading (\$13,800) are requested to provide for the rental of word processing equipment (\$13,000) and for the one-time installation cost of \$800. This provision will also be administered centrally.

Hospitality

16. The provision under this heading (\$20,000) which involves no growth is requested for official functions and other hospitality.

2. PROGRAMME OF ACTIVITY: LAW OF THE SEA AFFAIRS

TABLE 8. ANALYSIS OF OVERALL COSTS

(Thousands of United States dollars)

DIRECT COSTS

(1) Regular budget

Main objects of expenditure	Estimated additional requirements					
	Revaluation of 1982-1983 resource base (at 1983 rates)	Re-source growth (at 1983 rates)	Inflation in 1984 and 1985	Total increase	1984-1985 estimates	
Established posts	-	-	1 479.0	89.7	1 568.7	1 568.7
Temporary assistance for meetings	50.0	(50.0)	123.2	19.1	92.3	142.3
Consultants	-	80.2	25.0	8.8	114.0	114.0
Temporary posts	593.9	1 682.9	(1 476.8)	156.7	362.8	956.7
Common staff costs	201.2	570.6	1.0	85.8	657.4	858.6
Appointment, transfer and sep.	85.0	(85.0)	-	-	(85.0)	-
Travel of staff to meetings	263.2	(263.2)	331.4	27.8	96.0	359.2
Other official travel of staff	15.0	28.0	42.0	7.2	77.2	92.2
External printing and binding	-	43.6	-	3.7	47.3	47.3
General operating expenses	125.0	690.8	-	125.1	815.9	940.9
Rental and maintenance of equipment	15.0	1.2	40.0	8.8	50.0	65.0
Communications	75.0	59.0	(108.9)	3.9	(46.0)	29.0
Miscellaneous services	-	-	31.0	4.9	35.9	35.9
Supplies and materials	65.0	64.8	-	20.1	84.9	149.9
Furniture and equipment	125.0	(125.0)	-	-	(125.0)	-
Total	1 613.3	2 697.9	486.9	561.6	3 746.4	5 359.7

Analysis of real growth (at revised 1983 rates)

(1) Total revalued 1982-1983 resource base	(2) Actual	(3) Less non-recurrent items	(4) Plus delayed growth (new posts)	(5) Adjusted	Rate of real growth over (1)
4 311.2	486.9	-	-	486.9	11.2%

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TABLE 9. POST REQUIREMENTS

Programme: Law of the Sea Affairs

	Established posts		Temporary posts				Total	
	Regular budget		Regular budget		Extrabudgetary resources			
	1982-1983	1984-1985	1982-1983	1984-1985	1982-1983	1984-1985	1982-1983	1984-1985
Professional category and above								
D-1	-	3	3	-	-	-	3	3
P-5	-	3	4	1	-	-	4	4
P-4	-	2	4	2	-	-	4	4
P-3	-	2	3	1	-	-	3	3
P-2/1	-	4	6	2	-	-	6	6
Total	-	14	20	6	-	-	20	20
General Service category								
Principal level	-	2	2	-	-	-	2	2
Other levels	-	7	4	-	-	-	4	7
Total	-	9	6	-	-	-	6	9
Other categories								
Local level	-	-	22	19	-	-	22	19
Total	-	-	22	19	-	-	22	19
Grand total	-	23 <u>a/</u>	48 <u>b/</u>	25 <u>c/</u>	-	-	37	48

a/ Posts costed at New York rates.

b/ See para. 19 below.

c/ Posts costed at Kingston rates.

2. Programme of activity: Law of the Sea Affairs

17. As stated in paragraph 3 above, the new major programme - Marine Affairs - included in the medium-term plan for the period 1984-1989 comprises four programmes: Programme 1 deals with the Law of the Sea Affairs. In accordance with a CPC recommendation the question of the secretariat arrangements for Programme 1 - Law of the Sea Affairs - pending a decision on the matter by the General Assembly at its thirty-eighth session, includes work that is currently the responsibility of the Office of the Special Representative of the Secretary-General for the Law of the Sea.

18. The programme elements and their related outputs of the four subprogrammes of Programme 1. Law of the Sea Affairs are described below:

Subprogramme 1. Uniform and consistent application of the Convention

(a) Resource requirements: regular budget: \$918,700 (14.5 per cent of programme total);

(b) Reference: medium-term plan for 1984-1989 (A/37/6/Add.1, paras. 25.8-25.16);

(c) Programme elements:

1.1 Recording of charts and geographical co-ordinates establishing baselines and limits of maritime zones.**

Output:

(i) Sales publications: publications of lists of charts and co-ordinates received, for use by government (three issues per year);

(ii) Provision of copies of charts and lists of co-ordinates to Governments on request.

1.2 Analysis of records of the Third United Nations Conference on the Law of the Sea and related material.

Output: Sales publications: six analytical studies and notes for intergovernmental bodies, Governments and legal scholars, covering selected topics from among the following: territorial seas; contiguous zone; straits used for international navigation; exclusive economic zone; continental shelf; high seas; enclosed or semi-enclosed seas; régime of islands; régime of archipelagos; right of access of land-locked States and freedom of transit; protection and preservation of the marine environment; marine scientific research; development and transfer of

** Lowest priority

marine technology; and Settlement of Disputes (second quarter, 1984; third quarter, 1984; fourth quarter, 1984; second quarter, 1985; third quarter, 1985; fourth quarter, 1985).

- 1.3 Maintaining information on State practice, including national laws, regulations and policies.

Output: Sales publications: publication of materials describing State practice for Governments (two issues per year).

- 1.4 Maintenance and development of Law of the Sea Reference Collection.

Output: Technical publications: bibliographies of recent materials (second quarter, 1984; second quarter, 1985).

Subprogramme 2. Provision of information, advice and assistance to States on the implementation of the Convention and on developments relevant to the new legal régime

(a) Resource requirements: regular budget: \$1,104,800 (17.5 per cent of programme total);

(b) Reference: medium-term plan for 1984-1989 (A/37/6/Add.1, paras. 25.17-25.23);

(c) Programme elements:

- 2.1 Provision of information and assistance to States based on national and international developments.*

Output:

(i) Sales publications: periodic progress reports on the current status of the Convention and relevant developments, for States and intergovernmental bodies (eight issues, quarterly in 1984 and 1985);

(ii) Provision of specialized data and materials, on request of Governments, intergovernmental organizations, Secretariat departments obtained from the information retrieval system in the form of computer printouts containing information on: (a) national legislation and regulation pertaining to the exercise by coastal States of their sovereignty, sovereign rights or jurisdiction in their territorial sea, their exclusive economic zone and their continental shelf; (b) existing global, regional and subregional agreements and arrangements; (c) programmes of technical co-operation on matters such as exploitation of living and non-living resources, marine scientific research, surveillance of extended maritime areas, protection and preservation of the marine environment, transit to and from the sea for land-locked States and navigation through straits or archipelagic waters; (d) programmes of academic and research institutions.

* Highest priority.

- 2.2 Special studies requested by individual States and intergovernmental bodies; and (in addition) provision of special advice and preparation of special studies on issues affected by the Convention, as requested by other departments and offices, for use by organs of the United Nations.

Output:

(i) Reports to the General Assembly at its thirty-ninth and fortieth sessions on issues of general nature that have arisen with respect to the Convention (fourth quarter, 1984; fourth quarter, 1985);

(ii) Special studies, including advice requested by States or intergovernmental bodies (approximately six studies in 1984 and 10 in 1985, depending on the number of requests received).

- 2.3 Promotional and educational activities to enhance acceptance and implementation of the Convention. The activities under this programme element include:

(i) Preparation of materials for publication by the Department of Public Information (DPI) and academic institutions;

(ii) Preparation of briefing materials for use by DPI, the United Nations Institute for Training and Research (UNITAR), other organizations and technical assistance experts;

(iii) Assistance to seminars and workshops conducted by UNITAR, DPI, the Department of International Economic and Social Affairs (DIESA) and regional commissions;

(iv) Provision of information and advice to educational institutions;

(v) Development and administration of the Hamilton Shirley Amerasinghe Fellowship.

Output: Award of one or more fellowships on the Law of the Sea in 1984 and 1985, anticipated on the basis of receipt of voluntary contributions.

Subprogramme 3. Co-operation within the United Nations system

(a) Resource requirements: regular budget: \$332,100 (5.3 per cent of programme total);

(b) Reference: medium-term plan for 1984-1989 (A/37/6/Add.1, paras. 25.24-25.28);

(c) Programme elements:

- 3.1 Maintenance and further development of existing mechanisms and procedures for co-operation within the United Nations system through the exchange of information on activities in marine affairs in order to achieve a cohesive approach to the Convention.

- 3.2 Preparation of annotations to the Convention, illustrating the relationships between its provisions and other treaty instruments, especially legal instruments within the purview of the United Nations system and major regional instruments, as well as international rules, regulations and procedures and decisions of intergovernmental bodies.

Output: Sales publications: annotated versions of the United Nations Convention on the Law of the Sea:

(i) Containing legislative annotations to the Convention to cover all global treaty instruments, legal instruments within the United Nations purview and major regional instruments; also decisions of intergovernmental bodies with relevant competences (fourth quarter, 1984);

(ii) Containing annotations of programmes of United Nations bodies and agencies relevant to the Convention, including references to applicable standards and international rules established by competent intergovernmental bodies (fourth quarter, 1985).

Subprogramme 4. Servicing the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea

(a) Resource requirements: regular budget: \$3,004,100 (47.6 per cent of programme total);

(b) Reference: medium-term plan for 1984-1989 (A/37/6/Add.1, paras. 25.48-25.51);

(c) Programme elements:

4.1 Servicing of the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea.

Output: Preparation, inter alia, of background materials and working papers, reports and studies, preliminary drafts of rules, regulations and procedures for the International Sea-Bed Authority and the International Tribunal for the Law of the Sea.

Resource requirements (at revised 1983 rates)

Revalued base

19. Of the 24 Professional posts and 31 posts in the General Service and other categories approved for 1983, 15 Professional and 22 Local level posts have been considered as constituting the staff element of the 1982-1983 appropriation for this programme. For the purpose of these estimates, the distribution as shown in the footnotes to table 9 above has been assumed for the forthcoming biennium. A special adjustment has, therefore, been made in the calculation of the 1982-1983 revalued base to reflect the transfer of five Professional and six General Service posts from Executive direction and management to this programme as well as

difference in standard costs between the two duty stations. A special adjustment has also been made in the 1982-1983 revalued base to reflect a transfer of other resources from Executive direction and management as explained in paragraph 9 above.

20. As mentioned in paragraph 29 of document A/38/570, the Secretary-General reported in July 1983 to the Advisory Committee on Administrative and Budgetary Questions at its spring session on the results of the negotiations that covered the precise nature of the cost of occupancy of the Kingston office and the cost of utilization of the conference complex. The Advisory Committee concluded that the draft agreement should be renegotiated with a view to achieving a significant reduction in cost. As requested by the Committee, an agreement has been renegotiated with the Government of Jamaica which forms the basis of these estimates. Subject to final approval of this agreement an amount of \$815,800 has been included in the base under this heading which includes a special adjustment of \$565,800 in respect of the operating costs to be borne by the United Nations, which include the following services: (a) utility costs; (b) maintenance costs; and (c) building operation and maintenance services costs. The estimated costs would provide for office space for staff to be stationed in Jamaica (\$447,100) and the cost of utilization of the conference complex during sessions of the Preparatory Commission held in Kingston (\$368,700). In accordance with the methodology applied throughout the budget the above estimates have been calculated at the 1983 exchange rate of Jamaican \$1.78 to 1 United States dollar. It should be noted, however, that on the basis of the prevailing exchange rate, the above provision of \$940,900 would be reduced, which would correspond to a final provision of \$574,000 at 1984-1985 rates. The necessary adjustment will be made towards the end of the session in the framework of the recalculation of the proposed programme budget.

Conversion

21. As shown in table 9 above, it is proposed that 14 Professional posts and 9 General Service posts be converted to established posts. As stated in paragraph 41 of document A/38/570, the proposal is made in view of the fact that the Secretary-General considers that his overall responsibilities for the law of the sea have been and are of a continuous nature. This continuity is clearly envisaged by the Convention, as indicated by the number of responsibilities it has entrusted to the Secretary-General. The endorsement by the Fifth Committee of the recommendation of the Committee for Programme and Co-ordination concerning the inclusion of a major programme on the Law of the Sea Affairs in the medium-term plan for the period 1984-1989 is further evidence of the continuous nature of the responsibilities of the Secretary-General for the law of the sea.

22. The long-term planning process has taken into account that there would be no significant change in the totality of the responsibilities of the Secretary-General in the Law of the Sea Affairs when the Convention enters into force. It is expected that the majority of his functions will continue thereafter. While at that point the servicing of the Preparatory Commission will cease, major new functions will commence, inter alia, the servicing of the various meetings of States parties as provided for in the Convention, the establishment of the secretariat for the Commission on the Outer Limits of the Continental Shelf and new reporting functions.

23. It has thus become evident that the temporary posts proposed for conversion in paragraph 21 above can no longer be categorized as temporary. Accordingly, in order to recognize the present and newly approved functional responsibilities of the Office, in accordance with Programme 1 of the medium-term plan for Marine Affairs the assumption of the responsibilities entrusted to the Secretary-General by the Convention and in view of the fact that the posts have been continuously full-time in nature for 10 years, it is proposed to recognize the posts as regular established posts.

Reclassification

24. The reclassification of one P-4 temporary post to the P-5 level and one to the P-3 level is proposed. In order to ensure that a senior officer is assigned to the Kingston duty station the reclassification of one of the posts to the P-5 level is proposed. On the other hand, the downgrading of the other P-4 post to the P-3 level is proposed in order to achieve a satisfactory structure within that Office.

Temporary assistance for meetings

25. The provision of \$123,200 requested under this heading relates to the conference-servicing needs in respect of the meetings of the Preparatory Commission in Kingston.

Consultants

26. The estimated requirements under this heading (\$105,200) are detailed below.

<u>Programme element</u>	<u>Description of task</u>	<u>\$</u>
2.1	The development of a computerized information system for the indexing and the retrieval of available material on marine affairs and the storage of national legislation and other materials to be collected and analysed	35 700
4.1	To assist in the preparation of technical information reports on sea-bed mining development	38 900
4.1	To assist in the preparation of a report on the financial and administrative aspects of the Enterprise, for use in the drafting of relevant rules, regulations and procedures of the Enterprise	15 300
4.1	To assist in the preparation of a report on the practical aspects of sea-bed mining and the technical aspects of relevant national legislation regulations and international agreements, to be used for the drafting of a sea-bed mining code	<u>15 300</u>
TOTAL		<u>105 200</u>

/...

Travel of staff to service meetings

27. A provision of \$331,400 is requested under this heading to provide for the travel and daily subsistence of staff from the Department of Conference Services, Office of General Services, Office of Personnel Services, the Department of Public Information, as well as the Office of the Special Representative of the Secretary-General for the Law of the Sea Affairs, Office of Legal Affairs, the Department of International Economic and Social Affairs, and the Department of Technical Co-operation for Development to be sent to Kingston to service the two sessions of the Preparatory Commission to be held during the biennium 1984-1985.

Travel of staff

28. The requirements under this heading (\$85,000) are required to provide for the travel of staff to attend meetings of other United Nations organizations, specialized agencies and other intergovernmental bodies that have direct relevance to Programme 1 on the Law of the Sea. Details of the estimates by subprogrammes are as follows:

<u>Subprogramme</u>	<u>\$</u>
2	31 400
3	27 200
4	<u>26 400</u>
Total	<u>85 000</u>

Rental and maintenance of equipment

29. The requirements under this heading (\$16,200) are requested to provide for the rental and maintenance of office equipment and machines, facsimile equipment and photocopying machines.

Communications

30. The requirements under this heading (\$25,100) which relate to telex, cable and telephone charges, have been estimated on the basis of experience during 1983.

Supplies and materials

31. The requirements under this heading (\$129,800) relate to supplies and materials for photocopy, stationery and office supplies.

Local transportation

32. Experience during 1983 has shown that, during sessions of the Preparatory Commission held at Kingston, it was necessary to hire local transportation to ensure the adequate servicing of the meetings. Accordingly, a provision of \$40,000 has been made for that purpose with respect to the two sessions of the Preparatory Commission to be held at Kingston during the biennium 1984-1985.

Freight charges

33. During sessions of the Preparatory Commission held at Kingston during 1983, experience has shown that there is a need to transport supplies and materials from Headquarters with resulting freight charges. In this regard, requirements of \$30,000 are estimated under this heading in respect of the meetings of the Preparatory Commission to be held at Kingston.

Notes

1/ Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 6 (A/38/6), paras. 2A.43-2A.46.

2/ Ibid., Thirty-seventh Session, Supplement No. 6 (A/37/6/Add.1), paras. 25.8-25.28 and 25.48-25.51.

3/ See Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 6 (A/38/6), table 2A.27.

ANNEX I

Conference-servicing requirements

1. The conference-servicing requirements for meetings of the Preparatory Commission to be held at Kingston are estimated at \$1,371,500 for 1984 and at \$1,434,900 for 1985. In respect of the session of the working group proposed to be held during the summer of 1984, the conference-servicing requirements are estimated at \$936,600 in the case of New York and \$642,900 in the case of Geneva.
2. The estimates of standard conference-servicing costs shown below are provided on the basis of full costing, i.e. on the assumption that no part of the conference-servicing requirements would be made available from within existing resources. These standard requirements for conference services will be included in the consolidated statement to be submitted towards the end of the current session of the General Assembly.
3. In addition to the standard requirements for conference services, provision for related travel and daily subsistence allowance for staff to be sent to Kingston, salary for locally recruited staff has been made in paragraphs 25 and 27 above. It is also envisaged that travel and subsistence cost in the amount of \$105,500 would arise should the Preparatory Commission decide to hold its working group meetings at Geneva in 1984. If the Commission should so decide, it is the intention of the Secretary-General to report expenditures incurred in this respect in the context of the first performance report.

A. Second session of the Preparatory Commission,
Kingston, 19 March to 13 April 1984

Assumptions

1. Interpretation and documentation services would be provided in six languages (Arabic, Chinese, English, French, Russian and Spanish).
2. Six meetings would be held each day with interpretation.
3. In-session documentation of 400 pages would be provided.
4. Pre-session documentation of 100 pages and post-session documentation of 50 pages would be provided.

	<u>Total work-load</u>	<u>Unit rate</u>	<u>Total cost</u>	
		\$	\$	\$
I. <u>Pre-session</u>				
	(40,000 words)			
	(Languages: A,C,E,F,R,S)			
Translation	169 days	256/day	43 300	
Revision	56 days	235/day	13 200	
Typing	185 days	181/day	33 500	
Reproduction	670,000 page	.013/page		
	impressions	impression	8 700	
Distribution	13,400 documents	.065/document	<u>900</u>	99 600
II. <u>Meeting servicing</u>				
Interpretation	1,680 days	348/day	584 600	
	(Languages: A,C,E,F,R,S)			
Supporting staff:				
Conference officer	168 days	40/day	6 700	
Documents				
distribution clerk	84 days	40/day	<u>3 400</u>	594 700
III. <u>In-session</u>				
	(160,000 words)			
	(Languages: A,C,E,F,R,S)			
Translation	679 days	256/day	173 800	
Revision	226 days	235/day	53 100	
Typing	747 days	181/day	135 200	
Reproduction	2,240,000 page	.013/page		
	impressions	impression	29 100	
Distribution	112,000 documents	.065/document	<u>7 300</u>	398 500
IV. <u>Post session</u>				
	(20,000 words)			
	(Languages: A,C,E,F,R,S)			
Translation	85 days	256/day	21 800	
Revision	28 days	235/day	6 600	
Typing	94 days	181/day	17 000	
Reproduction	335,000 page	.013/page		
	impressions	impression	4 300	
Distribution	26,800 documents	.065/document	<u>1 700</u>	<u>51 400</u>
TOTAL				<u>1 144 200</u>

In addition to the cost estimates shown above, the following expenses are envisaged which are requested under subsection 2 above:

	\$	\$
<u>Conference services</u>		
Travel and subsistence:		
International recruited staff	(60 100)	
Supervisory staff	79 100	
Local staff	<u>35 700</u>	54 700
<u>Other services (OGS and DPI)</u>		
Travel and subsistence	40 700	
Local staff	<u>25 900</u>	66 600
<u>Substantive services (Office for the Law of the Sea Affairs, DIESA, etc.)</u>		
Travel and subsistence		<u>106 000</u>
<u>Total</u>		<u>227 300</u>

B. Four-week session of the Preparatory Commission, Kingston, 1985

	<u>Total-workload</u>	<u>Unit rate</u>	<u>Total cost</u>	
		\$	\$	\$
I. <u>Pre-session</u>				
(40 000 words)				
(Languages: A,C,E,F,R,S)				
Translation	169 days	270/day	45 600	
Revision	56 days	248/day	13 900	
Typing	185 days	191/day	35 300	
Reproduction	670,000 page impressions	.014/page impression	9 400	
Distribution	13,400 documents	.069/document	<u>900</u>	105 100
II. <u>Meeting servicing</u>				
Interpretation	1,680 days	367/day	616 600	
(Languages: A,C,E,F,R,S)				
Supporting staff:				
Conference officer	168 days	42/day	7 100	
Documents distribution clerk	84 days	42/day	<u>3 500</u>	627 200

	<u>Total-workload</u>	<u>Unit rate</u>	<u>Total cost</u>	
		\$	\$	\$
III. <u>In-session</u>				
	(160 000 words)			
	(Languages: A,C,E,F,R,S)			
Translation	679 days	270/day	183 300	
Revision	226 days	248/day	56 000	
Typing	747 days	191/day	142 700	
Reproduction	2,240,000 page impressions	.014/page impression	31 400	
Distribution	112,000 documents	.069/document	<u>7 700</u>	421 100
IV. <u>Post session</u>				
	(20 000 words)			
	(Languages: A,C,E,F,R,S)			
Translation	85 days	270/day	22 900	
Revision	28 days	248/day	6 900	
Typing	94 days	191/day	17 900	
Reproduction	335,000 page impressions	.014/page impression	4 700	
Distribution	26,800 documents	.069/document	<u>1 800</u>	<u>54 200</u>
TOTAL				<u>1 207 600</u>

In addition to the cost estimates shown above, the following expenses are envisaged which are requested under subsection 2 above:

	\$	\$
<u>Conference Services</u>		
Travel and subsistence:		
International recruited staff	(60 100)	
Supervisory staff	79 100	
Local staff	<u>35 700</u>	54 700
<u>Other services (OGS and DPI)</u>		
Travel and subsistence	40 700	
Local staff	<u>25 900</u>	66 600
<u>Substantive services (Office for the Law of the Sea Affairs, DIESA, etc.)</u>		
Travel and subsistence		<u>106 000</u>
<u>Total</u>		<u><u>227 300</u></u>

C. One four-week session of four Working Groups,
New York

Assumptions

1. Interpretation and documentation services would be provided in six languages (Arabic, Chinese, English, French, Russian and Spanish).
2. Four meetings, two in the morning and two in the afternoon simultaneously, would be held each day with interpretation.
3. Pre-session and post-session documentation of 50 pages each would be prepared in New York.
4. In-session documentation of 400 pages in total would be provided.

	<u>Total work-load</u>	<u>Unit rate</u>	<u>Total cost</u>	
		\$	\$	\$
I. <u>Pre-session</u>				
	(20,000 words)			
	(Languages: A,C,E,F,R,S)			
Translation	85 days	256/day	21 800	
Revision	28 days	235/day	6 600	
Typing	94 days	181/day	17 000	
Reproduction	335,000 page	.013/page		
	impressions	impression	4 300	
Distribution	13,400 documents	.065/document	900	50 600
II. <u>Meeting servicing</u>				
	(80 meetings)			
Interpretation	1,120 days	348/day	389 800	
	(Languages: A,C,E,F,R,S)			
Supporting staff:				
Conference officer	112 days	40/day	4 500	
Documents				
distribution clerk	56 days	40/day	2 200	396 500
III. <u>In-session</u>				
	(160,000 words)			
	(Languages: A,C,E,F,R,S)			
Translation	679 days	256/day	173 800	
Revision	226 days	235/day	53 100	
Typing	747 days	181/day	135 200	
Reproduction	2,240,000 page	.013/page		
	impressions	impression	29 100	
Distribution	112,000 documents	.065/document	7 300	398 500

	<u>Total work-load</u>	<u>Unit rate</u>	<u>Total cost</u>	
		\$	\$	\$
IV. <u>Post session</u>				
	(20,000 words)			
	(Languages: A,C,E,F,R,S)			
Translation	85 days	256/day	21 800	
Revision	28 days	235/day	6 600	
Typing	94 days	181/day	17 000	
Reproduction	335,000 page	.013/page		
	impressions	impression	4 300	
Distribution	26,800 documents	.065/document	<u>1 700</u>	51 400
<u>OGS requirements</u>				
Sound engineering			12 400	
Security, messenger				
and information services			21 200	
General operating expenses			<u>6 000</u>	<u>39 600</u>
GRAND TOTAL				<u>936 600</u>

Resumed second session of the Working Group,
Geneva

	<u>Total work-load</u>	<u>Unit rate</u>	<u>Total cost</u>	
		\$	\$	\$
I. <u>Pre-session</u>				
	(20,000 words)			
	(Languages: A,C,E,F,R,S)			
Translation	85 days	256/day	21 800	
Revision	28 days	235/day	6 600	
Typing	94 days	181/day	17 000	
Reproduction	335,000 page	.013/page		
	impressions	impression	4 300	
Distribution	13,400 documents	.065/document	<u>900</u>	50 600
II. <u>Meeting servicing</u>				
Interpretation	1,120 days	225/day	252 000	
	(Languages: A,C,E,F,R,S)			
Supporting staff:				
Conference officer	200 days	56/day	11 200	
Documents				
distribution clerk	50 days	51/day	2 600	
Messengers	125 days	51/day	6 400	
Bilingual secretaries	100 days	88/day	<u>8 800</u>	281 000

	<u>Total work-load</u>	<u>Unit rate</u>	<u>Total cost</u>	
		\$	\$	\$
III. <u>In-session</u>				
	(132,000 words)			
	(Languages: A,C,E,F,R,S)			
Translation	560 days	193/day	108 100	
Revision	186 days	239/day	44 500	
Typing	616 days	91/day	56 100	
Reproduction	2,240,000 page	.017/page		
	impressions	impression	38 100	
Distribution	112,000 documents	.117/document	<u>13 100</u>	259 900
IV. <u>Post session</u>				
	(20,000 words)			
	(Languages: A,C,E,F,R,S)			
Translation	85 days	256/day	21 800	
Revision	28 days	235/day	6 600	
Typing	94 days	181/day	17 000	
Reproduction	335,000 page	.013/page		
	impressions	impression	4 300	
Distribution	26,800 documents	.065/document	<u>1 700</u>	<u>51 400</u>
	TOTAL			<u>642 900</u>

In addition to the above conference-servicing costs, provision would have to be made for the travel and subsistence of secretariat staff. The substantive office would send 25 staff members (1 USG, 1 D-2, 3 D-1, 4 P-5, 7 P-4, 2 P-3, 3 P-2, 4 GS). On this basis, travel and subsistence required for the secretariat staff if the venue is Geneva would amount to \$105,500.

ANNEX II
SUPPLEMENTARY AGREEMENT
BETWEEN
THE UNITED NATIONS
AND
THE GOVERNMENT OF JAMAICA

Relating to use of the Conference
Centre Complex and the Premises to be occupied by
a UNITED NATIONS Office of the Special Representative
of the Secretary-General
for the Law of the Sea, in Kingston, Jamaica

IN PURSUANCE of the Agreement between the United Nations and the Government of Jamaica (hereinafter called "the Government") relating to the establishment in Jamaica of a United Nations Office of the Special Representative of the Secretary-General for the Law of the Sea, for the servicing of the Preparatory Commission of the International Sea-Bed Authority and the International Tribunal for the Law of the Sea, concluded at UNITED NATIONS Headquarters, New York, on 7 March 1983 (hereinafter called "the Headquarters Agreement") and the Exchange of Letters of 5 March 1983 between the United Nations and the Government (hereinafter called "the Exchange of Letters");

CONSIDERING that the Government agreed under the Headquarters Agreement to ensure the availability of all of the necessary facilities to enable the Kingston Office of the United Nations Special Representative of the Secretary-General for the Law of the Sea to perform its functions in relation to the Preparatory Commission in accordance with the relevant decisions of the General Assembly;

AND WHEREAS by the Exchange of Letters of 5 March 1983, it was agreed that the Government and the Secretary-General will enter into negotiations in order to arrive at an agreement regarding the nature and level of services and resulting rates for operating costs of the Conference Centre and the costs of occupancy of the office space to be utilized by the Kingston Office of the Special Representative;

NOW THEREFORE, the parties hereto agree as follows:

Article I

Purpose

This Agreement establishes the basic conditions and mutual undertakings governing the use and occupancy, by the UNITED NATIONS, of the Government Conference Centre and office building situated in Kingston, Jamaica, and more particularly described in Annex I hereto, which the Government agrees to place at

the disposal of the United Nations, for the purpose of servicing the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea and providing office space for the United Nations Special Representative of the Secretary-General for the Law of the Sea (hereinafter called "the Office").

A. CONFERENCE CENTRE

Article II

Use of the Centre

1. The Government hereby agrees to make available to the United Nations whenever necessary and upon request in writing at least 30 days in advance, the use of the Conference Centre, comprising the conference building and the inter-connecting first floor of the office building (hereinafter called the "Centre"), for the purpose of holding meetings, conferences, consultations, scheduled programmes, and any other activities related to the functions of the Preparatory Commission.

2. (a) For the period when the Centre shall be under use and occupancy by the United Nations as provided in paragraph 1, hereinabove (hereinafter called "the user period"), the United Nations shall contribute towards the operating costs of the Centre at the rate of Jamaican \$75,691.75 per week, as more particularly provided in Annex II hereto.

(b) The United Nations contribution towards the operating costs of the Centre herein provided shall be in respect of part of the services to be provided by the Government during the period of actual use, as follows:

- (i) utility costs, including water, electricity, cooking gas, basic telephone rental and air conditioning;
- (ii) building management and operation maintenance service (including general cleaning - labour, materials and supplies);
- (iii) maintenance of the fire equipment and fire detection system;
- (iv) maintenance and repair of elevators;
- (v) maintenance and repair of electronic interpretation system;
- (vi) maintenance and repair of air-conditioning equipment;
- (vii) insurance.

3. The Parties agree that the payments to be made by the United Nations towards the operating costs of the Centre during the user period as herein provided shall constitute the sole contribution by the United Nations and that the United Nations shall not be responsible for any costs, charges, liabilities or any other expenses which might arise from use and occupancy of the Centre by the United Nations except as otherwise provided under this Agreement.

Article III

Facilities, services and maintenance in the Centre

1. For purposes of giving effect to the provisions of paragraph 1 of Article II herein above, the Government shall during the user period provide the following facilities:
 - (a) full and exclusive use of the Conference rooms, dining facilities and other amenities in the conference building;
 - (b) a fully furnished office floor in the first floor of the office building within the curtilage of the Centre;
2. During the user period, the facilities provided by the Government in accordance with paragraph 1 hereinabove shall at all times be fully maintained and in particular, the Government shall provide:
 - (a) maintenance services, including ventilating and air-conditioning, in respect of the building;
 - (b) maintenance of the fire equipment and fire detection system;
 - (c) maintenance and repair services for elevators;
 - (d) maintenance and repair of the electronic equipment;
 - (e) maintenance and repair of kitchen equipment;
 - (f) janitorial services;
 - (g) security services;
 - (h) all utilities and other services, including electricity, water, air-conditioning and cooking gas;
 - (i) parking facilities;
 - (j) insurance coverage as provided in article IX below.
3. Without prejudice to the provisions of the preceding paragraphs of this article, or any other provisions of this Agreement, the United Nations may, whenever need arises, outside the user period, and with agreement of the Government, make partial use of any of the above-mentioned Centre facilities upon such terms and conditions as the Parties shall agree.

B. OFFICE BUILDING

Article IV

Use and occupancy of the Premises

FURTHERMORE, the Government agrees to place at the disposal of the United Nations that part of the 2nd Floor of the Centre's office building measuring approximately 10,000 square feet, and more particularly described in Annex III and shown on the floor plan in Annex IV hereto (hereinafter called the "Premises"),

together with a right of access to and from the Premises, the right in common with other tenants of said building to the use of common facilities, elevators, fire systems, air-conditioning, parking lot and other common areas of said office building;

TO BE OCCUPIED and used by the Office for the exercise of its official functions in connection with servicing the Preparatory Commission and for any other functions related thereto;

FOR A TERM of 2 years beginning 1 January 1984, (hereinafter called the "TERM"), unless sooner terminated as hereinafter provided, with the option of the United Nations to renew this Agreement on expiration of the Term, upon notice in writing, for an additional term of TWO years upon the same terms and conditions set out herein, subject, however, to such adjustments of the operating costs, by agreement of the Parties, as may become necessary due to increase in the cost of services.

Article V

Operating Costs of the Premises

1. During the TERM herein granted in respect of the Premises, the United Nations shall contribute a sum of Jamaican \$38,244.82 per month, as shown in Annex V hereto, towards the operating costs incurred by the Government while the Premises are placed at the disposal of the United Nations, which sum shall be paid monthly beginning 1 January 1984.

2. The payments herein provided shall constitute the sole contribution by the United Nations towards the costs of its using and occupying the Premises, including costs of maintenance of elevators, fire protection system and air-conditioning equipment, staff costs - including building management and operation - costs of supplying air-conditioning, electricity, routine carpet cleaning and pest control, as well as monthly rental of the telephone console and access charge exclusive of trunk lines and extensions.

Article VI

Inspection of the Premises

On conclusion of this Agreement, the Parties shall arrange for the preparation of an inventory list of the fixtures, furnishings and equipment on the Premises owned by the Government as of a date ten days after the signature of this Agreement and this list shall be annexed hereto as Annex VI to form an integral part of this Agreement.

Article VII

Building operation, Maintenance and Management of the Premises

1. The Government shall, at its expense, maintain the Premises, the lands and buildings of which they are a part, in good condition of repair and maintenance, and shall keep and maintain the exterior of said lands and buildings and the common areas, including elevators, fire protection system and air-conditioning in good, attractive and operating condition. The elevator, air-conditioning and cleaning services shall be provided in such a manner and at such times as shall facilitate the carrying out by the Office of its functions and as more particularly provided in Annex VII hereto.
2. The Government shall at its expense continue to provide the telephone console service presently provided on the Premises and any other services, including water and electricity, initial building standard lamping, as well as tubes, lamps, bulbs and ballasts which are reasonably necessary for efficient discharge of the Office's functions; PROVIDED, however, that the United Nations shall be responsible for the payment of all costs of international calls and local calls in excess of the usage included in the monthly access charge on a user billed basis at the prevailing rates for the same services as publicly available.

Article VIII

Alterations, fixtures and installations

1. The United Nations may make such minor non-structural alterations and may erect minor constructions, fixtures or installations as may become necessary after obtaining written consent from the Government, and may instal additional furnishings and equipment required for performance of its functions; PROVIDED that where structural modifications, alterations, extensions, replacements or repairs to the Premises, furnishings and equipment therein become necessary, these shall be carried out by the Government under conditions which shall not unreasonably disturb the carrying out of the functions of the Office.
2. Upon expiration or earlier termination of this Agreement or any extension thereof, the United Nations will surrender to the Government of the Premises in good condition and repair, ordinary wear and tear, the elements, force majeure and loss through fire and other insurable risks excepted.
3. The equipment, fixtures or installations erected or installed by the United Nations, except for immovable fixtures or installations, shall not become part of the realty and may be removed by the United Nations at any time or upon expiration of this Agreement or any renewal thereof, except for those improvements which the United Nations shall, upon request by the Government giving thirty days' notice to the United Nations, agree to sell to the Government; in which case the Government shall reimburse the United Nations the cost thereof at the prevailing book value. PROVIDED that upon removal of the equipment, fixtures or installations erected by the United Nations, the United Nations shall, if requested by the Government,

restore the Premises to the same condition as that existing at the time of taking possession of the same, reasonable and ordinary wear and tear and damage by the elements or by circumstances over which the United Nations has no control excepted.

C. GENERAL PROVISIONS

Article IX

Insurance

1. During the term of this Agreement or any extension thereof, the Government shall in respect of the Premises and, during the user period, the Centre, procure and maintain at its expense fire insurance with extended coverage endorsement; PROVIDED, however, that the Government shall not be obligated to insure the fixtures, furnishings and other equipment owned and installed in the Premises by the United Nations.
2. The Government shall carry adequate public liability insurance covering its ownership of the Centre and the Premises, and shall carry adequate public liability insurance covering the lands and buildings, parking lot, sidewalks and other common areas.
3. The Government shall provide the United Nations with proof that the insurance coverage provided for in this article has been obtained.
4. In case of loss or damage or destruction of the Premises or the Centre by fire or any other cause whatsoever, the Government or its insurer, agents or assignees, shall not look to the United Nations or its agents or employees for reimbursement who shall not have any liability or financial responsibility in this regard, except where attributable to gross negligence or wilful default of the United Nations.

Article X

Damage to Buildings

1. In the event that the Centre or the Premises or the building of which the Premises form a part shall be completely destroyed due to fire, force majeure or any other cause or should the Office be closed down, this Agreement including the payment obligations assumed by the United Nations herein shall immediately terminate. PROVIDED that in case of partial destruction or damage of either the Premises or the Centre or the building of which the Premises are a part, the United Nations shall have the option to continue with the Agreement if the Government shall within 60 days of such occurrence satisfy the United Nations that adequate measures have been taken or are proposed to restore the Premises within a reasonable time. Should the United Nations elect to remain on premises rendered partially untenable, it shall have the right to a proportionate rebate or reduction of the payments made or due towards the costs incurred by the Government in placing the Centre or the Premises at the disposal of the United Nations.

/...

2. In the event of interruption or curtailment, whether due to strikes, mechanical difficulties or other causes, of any service maintained or required to be maintained in the Premises or the Centre, the Government undertakes to take such measures as may be necessary to restore the services without undue delay. The United Nations shall have the right to a proportionate abatement or reduction of the use and occupancy costs herein provided during the period of such interruptions or curtailment.

Article XI

Quiet enjoyment

The Government covenants and agrees with the United Nations that upon the United Nations observing and performing all the terms, covenants and conditions on the United Nations part to be observed and performed the United Nations may peaceably and quietly enjoy the Premises hereby described for the term hereby granted.

Article XII

Privileges and Immunities

Nothing contained in this Agreement shall be construed as a derogation from or a waiver, express or implied of any of the Privileges and Immunities of the United Nations. FURTHERMORE, this Agreement shall be subject to and shall be construed and applied consistently with the Headquarters Agreement done at UNITED NATIONS Headquarters, New York, on 7 March 1983.

Article XIII

Settlement of Disputes

Any dispute, controversy or claim arising out of or relating to this Agreement, or the breach or termination thereof, which is not resolved amicably through consultations or negotiations shall be settled by arbitration in accordance with Article 11(2) of the Headquarters Agreement and the Parties agree to be bound by any arbitration award rendered as the final adjudication of any such dispute, controversy or claim.

Article XIV

Termination

This Agreement may be terminated for cause by either party upon giving 90 days' advance notice of intention to terminate.

Article XV

Annexes

Attached hereto are Annexes I, II, III, IV and V which shall form an integral part of this Agreement.

Done at _____ this _____ day of _____ 1983.

for the UNITED NATIONS

for the GOVERNMENT
