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New York

SUMMARY RECORD OF THE 51st MEETING

Chairman:

Mr. MUNTASSER

(Libyan Arab Jamahiriya)

<u>Chairman of the Advisory Committee on Administrative and Budgetary Questions:</u> Mr. MSELLE

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The meeting was called to order at 10.40 a.m.

AGENDA ITEM 107: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1992-1993 (continued)

Revised estimates under section 33F (Administration, Vienna) (A/46/7/Add.14; A/C.5/46/36)

- 1. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the Advisory Committee had been unable to review the Secretary-General's proposals in detail owing to late submission of the revised estimates. Accordingly, its recommendations were merely procedural. The Advisory Committee was recommending that the estimate of \$35,124,500 which it had recommended for section 33F in its first report on the proposed programme budget for the biennium 1992-1993 should be maintained.
- 2. The CHAIRMAN said that he would take it that the Fifth Committee wished to take note of the report of the Secretary-General (A/C.5/46/36) and to endorse the comments of the Advisory Committee in its report (A/46/7/Add.14).
- 3. It was so decided.
- 4. The recommendation of the Advisory Committee for an appropriation in the amount of \$35,124,500 under section 33F of the proposed programme budget for the biennium 1992-1993 was approved in first reading.

Programme budget implications of draft resolution A/46/L.30 concerning agenda item 31 (A/C.5/46/62)

- 5. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that draft resolution A/46/L.30 related to subprogramme 1, Good offices and peace-making, of the medium-term plan for 1992-1997.
- 6. The Advisory Committee noted the comment in the statement of programme budget implications (A/C.5/46/62, para. 3) that while resources were provided in the programme budget for activities in support of the Secretary-General's functions in the area of international peace and security, related activities were often not programmed since their very nature precluded such an approach, as was true in the case of activities to promote peace in Central America.
- 7. During the course of a biennium the Secretary-General entered into commitments pursuant to the General Assembly resolution on unforeseen and extraordinary expenses for a given biennium, and the commitments were then reported to the General Assembly in the context of the performance report for each biennium. In that connection the Secretary-General stated that an estimated commitment of \$964,400 would be reflected in the second performance report on the programme budget for the biennium 1990 1991.

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- 8. The Secretary-General had estimated that implementation of draft resolution A/46/L.30 would give rise to additional requirements amounting to \$761,500. Those requirements related only to part A of the resolution, since part B requested the provision, as appropriate and within available resources, of technical and financial support to the Central American Governments for the purpose of consolidating peace, freedom, democratization and development.
- 9. In order to implement part A, the Secretary-General would be required to undertake certain activities specified in the statement of programme budget implications. To that end the Secretary-General was requesting the establishment of one P-5, one P-4 and one General Service post on a non-recurrent temporary basis for one year, together with the provision of additional travel funds, office automation equipment, and consultancy services relating to the establishment of the new civilian police in El Salvador.
- 10. The Secretary-General maintained that the increased workload in the Secretariat, which motivated the request for the posts, related to other regions in addition to Central America.
- 11. The provision of \$278,400 for consultants related to the services of three consultants for a period of 60 working days per year, with associated travel costs. The provision of \$219,900 for travel of staff related to the Personal Representative, the director concerned and an observer, as well as to other staff members.
- 12. The Advisory Committee had concluded, however, that the resources requested were not justified. Of the temporary posts requested, only the P-5 post and the General Service post should be approved, as temporary posts for 1992 only. The Advisory Committee did not object to the provision of \$5,000 for office automation equipment. Given that it was difficult to predict exact requirements, the Secretary-General should continue to deal with travel of staff and consultants under the resolution on unforeseen and extraordinary expenses, with the actual requirements and expenses being indicated in the performance report.
- 13. The Advisory Committee was therefore recommending that, should draft resolution A/46/L.30 be adopted, an additional appropriation of \$163,300 would be required under section 2 of the proposed programme budget for 1992-1993. In addition, an amount of \$35,000 would be required under section 36 (Staff assessment), to be offset by the same amount under income section 1 (Income from staff assessment). In that connection the Advisory Committee concurred in the Secretary-General's view that the additional requirements related to the maintenance of peace and security and should thus be treated outside the procedures governing the use and operation of the contingency fund.
- 14. The CHAIRMAN said that he would take it that the Fifth Committee, on the basis of the statement of programme budget implications submitted by the Secretary-General and the recommendation of the Advisory Committee, wished to

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inform the General Assembly that, should it adopt draft resolution A/46/L.30, it was estimated that an additional appropriation of \$163,300 would be required for 1992 under section 2 of the proposed programme budget for the biennium 1992-1993. In addition, an amount of \$35,000 would be required under section 36, to be offset by the same amount under income section 1.

15. It was so decided.

Programme budget implications of draft resolutions A/C.3/46/L.26, A/C.3/46/L.41, A/C.3/46/L.42 and A/C.3/46/L.56 and draft decision A/C.3/46/L.47 concerning agenda item 98 (A/C.5/46/58)

- 16. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that under draft resolution A/C.3/46/L.26, the General Assembly would decide that the World Conference on Human Rights should be convened at Berlin for a period of two weeks in 1993; that the Preparatory Committee should meet for three further sessions at Geneva, twice in 1992 and once in 1993; and that the Secretary-General should give the Conference and the preparatory process thereto the widest possible publicity and ensure full coordination of public information activities in the area of human rights within the United Nations system.
- 17. The Secretary-General had estimated total requirements for the preparatory activities and the Conference at \$6,040,400. Of that amount, \$4,049,400 related to conference-servicing costs under sections 23, 24, 26 and 32 of the proposed programme budget, \$525,000 related to public information costs under section 31, and \$1,466,000 related to other costs under section 28,
- 18. With regard to the amount of \$4,049,400 for conference services, the Advisory Committee recalled that provisions totalling \$452,400 had been made for regional meetings under sections 23 (ECA), 24 (ESCAP) and 26 (ECLAC). The estimate of \$3,597,000 for conference-servicing costs under section 32 would not give rise to any requirement for additional resources under that section.
- 19. With regard to non-conference-servicing costs, under section 28 (Human rights) of the proposed programme budget for 1992-1993 the Advisory Committee had recommended provisional approval for the inclusion of a non-recurrent amount of \$1.5 million under the object of expenditure "Conference preparations". The estimate of \$1,466,000 for non-conference-servicing costs was therefore covered in that overall amount, thus achieving a saving of \$34,000 under section 28.
- 20. The Advisory Committee, while it had not recommended any further reductions under section 28, was of the opinion that there were a number of areas where savings could be achieved. For example, given that the Conference was likely to take place for 10 days, the Advisory Committee questioned the need for a provision for general temporary assistance for a period of eight months, as proposed by the Secretary-General. Similarly, the request of

(Mr. Mselle)

\$100,000 for external printing was high, given that the introduction of in-house printing facilities should make for savings in that are. Adjustments were also possible in resource requirements for other items of expenditures such as EDP equipment, while the need for a monetary human rights prize of \$10,000 was questionable - a more symbolic and less expensive substitute should be found.

- 21. Under the provision for public information activities, an amount of \$75,000 was being requested for fellowships for journalists in addition to a provision of \$25,000 already included under section 31. Yet an amount of \$259,800 at revised 1990-1991 rates had been included for such fellowships in the proposed programme budget for 1992-1993, given which the entire requirement for that item could be accommodated from within existing resources. The Advisory Committee also believed that a more cost-effective approach could be taken with regard to the production and distribution of information materials. Accordingly, the estimate under section 31 could be reduced to \$400,000.
- Draft resolution A/C.3/46/L.41 and draft decision A/C.3/46/L.47 related to financing from the regular budget of activities of two treaty bodies, under the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, respectively. Should the draft resolution and decision be adopted, a number of steps would need to be taken by States parties to amend the Conventions before the General Assembly could take a decision to transfer the costs relating to the functioning of the two bodies to the regular budget. Although no additional appropriations would be required for the time being, once the amendment process had been completed the related estimated costs, as indicated in paragraphs 36 to 39 of the statement of programme budget implications, would be submitted to the General Assembly. In that connection, the Advisory Committee had not yet had time to consider the information submitted by the Secretary-General on the methods of financing treaty bodies under the seven international human rights instruments in force that provided for monitoring of treaty implementation by expert bodies.
- 23. With respect to the requirements of \$900,000 under draft resolution A/C.3/46/L.42 on the implementation of the Convention on the Rights of the Child, no additional appropriation would be required at the current stage. Once States parties had determined the duration of future meetings of the Committee on the Rights of the Child, the Secretary-General would submit appropriate proposals for additional costs to the General Assembly.
- 24. The activities proposed by draft resolution A/C.3/46/L.56, on the International Year for the World's Indigenous People, related to programmes 35 and 38 of the medium-term plan and to sections 38 and 31 of the 1992-1993 proposed programme budget. Should the General Assembly adopt draft resolution A/C.3/46/L.56, no additional appropriation would be required.

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- 25. Mr. SPAANS (Netherlands) said it seemed that the Advisory Committee was not recommending any reductions in respect of draft resolution A/C.3/46/L.26 other than those indicated in paragraph 57 of the statement of programme budget implications and beyond those negotiated in the Third Committee. Yet the Chairman of ACABQ also seemed to be proposing further reductions in respect of the World Conference on Human Rights of \$125,000. His delegation would welcome clarification, in which connection it might be helpful to have the Advisory Committee's recommendations provided in writing.
- 26. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the Advisory Committee was recommending an additional appropriation of \$400,000 in respect of the Conference under section 31, rather than the \$525,000 requested by the Secretary-General. The statement of programme budget implications indicated a net reduction of \$34,000 under section 28. Accordingly, the total amount for the budget as a whole was the net of the additional appropriation of \$400,000 under section 31 and the reduction of \$34,000 under section 28.
- 27. Mr. KARBUCZKY (Hungary), Mr. CONMY (Ireland) and Mr. GROSSMAN (United States of America) asked for the Advisory Committee's recommendations to be provided in writing, as suggested by the representative of the Netherlands.
- 28. The CHAIRMAN said that the report of the Advisory Committee would be circulated informally at the next meeting.
- AGENDA ITEM 146: FINANCING OF THE UNITED NATIONS ADVANCE MISSION IN CAMBODIA (A/46/723 and A/46/763)
- 29. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that, in paragraph 9 of its report on the financing of the United Nations Advance Mission in Cambodia (UNAMIC) (A/46/763), the Advisory Committee was recommending a total appropriation of \$13,967,300 net for the six-month period of UNAMIC, beginning 1 November 1991.
- 30. Mr. SASTRAWAN (Indonesia) said that Indonesia had taken part in the negotiation of a political settlement that had resulted in the historic Paris agreements. However, no matter how great the political breakthrough, the commitment that had been achieved and its viability depended on the expeditious implementation of the settlement. His delegation therefore supported the recommendations of the Advisory Committee as well as the Secretary-General's recommendations on the level of financing required for UNAMIC.
- 31. Mr. MORDACQ (France) said that his delegation was pleased that the voluntary contributions in kind that had been received by UNAMIC had been taken into account in estimating the requirements of the Mission. In the past, the Secretary-General had refused to deduct the initial estimates of voluntary contributions from the total budget of a peace-keeping force. In the case of UNAMIC, more than \$8 million in voluntary contributions in bind

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had been received sufficiently early to be taken into account. That procedure should always be followed by the Secretariat in preparing budgets for peace-keeping forces.

- 32. The CHAIRMAN said he would take it that the Fifth Committee wished to recommend that the General Assembly should appropriate and assess a total of \$13,967,300 net for the six-month period of UNAMIC, beginning 1 November 1991.
- 33. It was so decided.

AGENDA ITEM 136: FINANCING OF THE ACTIVITIES ARISING FROM SECURITY COUNCIL RESOLUTION 687 (1991)

- (a) UNITED NATIONS IRAQ-KUWAIT OBSERVATION MISSION (A/46/746 and A/46/769)
- 34. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that, in paragraph 10 of its report (A/46/769), the Advisory Committee was recommending that, at the current stage, requirements for the United Nations Iraq-Kuwait Observation Mission (UNIKOM) for the period 9 April to 8 October 1992 should not exceed \$33.6 million gross. The Advisory Committee was also recommending that the General Assembly should approve commitment authority up to the level of \$5.6 million per month for the six-month period beginning 9 April 1992. In approving the actual level of commitments, the Advisory Committee would take into consideration the latest information to be submitted by the Secretary-General concerning the operations and mandate of UNIKOM. The Advisory Committee was making a provision for half of the amount requested by the Secretary-General, since that would enable the Advisory Committee to review the additional requirements for 1992 in the light of the Secretary-General's request and also in the light of the Secretary-General's performance report.
- 35. Mr. MONAYAIR (Kuwait) said that his delegation agreed with all the observations contained in the Advisory Committee's report. Kuwait highly appreciated the role of UNIKOM and had placed many facilities at its disposal in order to ensure its success.
- 36. The CHAIRMAN said he would take it that the Fifth Committee wished to recommend that the General Assembly should approve an estimate of \$33.6 million gross for the financing of UNIKOM for the period 9 October 1991 to 8 April 1992 and, subject to the decision to be taken by the Security Council on the renewal of the mandate of UNIKOM after 8 April 1992, approve commitment authority up to the level of \$5.6 million per month for the six-month period beginning 9 April 1992, subject to the prior concurrence of the Advisory Committee.
- 37. It was so decided.

38. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that it was his understanding that, before the Rapporteur submitted the Fifth Committee's report to the General Assembly, the Fifth Committee would have to take a decision on the apportionment of the amount approved.

AGENDA ITEM 109: CURRENT FINANCIAL CRISIS OF THE UNITED NATIONS (A/46/600 and Add.1 and A/46/765; A/C.5/46/CRP.5)

AGENDA ITEM 110: FINANCIAL EMERGENCY OF THE UNITED NATIONS (A/46/600 and Add.1 and A/46/765; A/C.5/46/CRP.5)

- 39. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the Secretary-General's report on the financial situation of the United Nations (A/46/600 and Add.1) contained a number of proposals that the Advisory Committee had considered and reported on in the past. Paragraphs 1 to 6 of the Advisory Committee's report (A/46/765) contained background information on the issue, and paragraphs 9 to 15 dealt with the Secretary-General's proposals on ways to address the financial situation of the Organization.
- 40. While the Advisory Committee believed that the time had come to consider seriously the proposal to charge interest on unpaid assessments, it believed that, at the current stage, the Secretary-General's proposal was not sufficiently explained. The Advisory Committee was therefore of the opinion that, before such charges could be considered, a detailed proposal that would address the various causes of the problem as well as the modalities of the system envisaged would have to be outlined.
- 41. The Advisory Committee concurred with the Secretary-General's proposal on the continued suspension of financial regulations 4.3, 4.4 and 5.2, but emphasized the need to maintain the suspension as a temporary measure and on a case-by-case basis.
- 42. The Advisory Committee's views regarding a further increase in the Working Capital Fund had already been expressed in its report on the subject to the forty-fifth session of the General Assembly (A/45/860).
- 43. While the Advisory Committee agreed with the proposal on the establishment of a peace-keeping reserve fund, it believed that a policy decision by the General Assembly was required on the principle of financing for the fund. Should the General Assembly agree to the proposed transfer of residual fund balances from the United Nations Transitional Assistance Group (UNTAG) and the United Nations Iran-Iraq Military Observer Group (UNIIMOG) to the new fund, that should be done in a manner that would take into account the interests of those Member States that had fulfilled their financial obligations to the Organization.

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- 44. The Advisory Committee was not in a position to make recommendations to the General Assembly on the establishment of an endowment fund, and believed that the establishment of the Peace Endowment Fund required a policy decision by the General Assembly before such questions as its level and operational procedures could be reported on by the Advisory Committee.
- 45. Finally, the Advisory Committee continued to affirm its belief that borrowing in the open market was not prudent.
- 46. Mr. ANNAN (Controller) said that the Secretary-General's report on the financial situation of the United Nations (A/46/600 and Add.1) set out the problem of ensuring adequate and timely funding for the Organization's activities and proposed measures to induce Member States to pay their contributions on time and also proposed some long-term and viable solutions.
- 47. The United Nations could not be expected to achieve excellence on a shoestring budget. An effective and efficient Organization began with fulfilment by Member States of all their financial obligations.
- Mr. WU Gang (China) noted that the introduction of agenda items 109 and 110 by the Secretary-General in the plenary meeting of the General Assembly testified to their urgency. It was well known that the Organization's financial difficulties were caused by the failure of Member States to pay their assessed contributions, to both the regular budget and peace-keeping operations. His delegation had been shocked to learn from the report of the Secretary-General (A/46/600/Add.1) that, as at 31 October 1991, unpaid assessed contributions to the regular budget and peace-keeping operations stood at \$988.1 million. As a result of the reforms carried out in pursuance of General Assembly resolution 41/213, the United Nations was operating effectively and adapting to changes as they arose. As its role was strengthened, and it faced new demands and challenges, the Organization must be quaranteed the financial resources it needed. All Member States should comply with Article 17 of the United Nations Charter and fulfil their financial obligations. In particular, his delegation urged major contributors with considerable arrears to pay in full immediately.
- 49. Despite its numerous economic difficulties, China had paid its assessed contribution in full every year. During the three-year reform period, it had paid as early as January in spite of the great difficulties it was experiencing. As indicated in document A/46/600/Add.1, China was one of the 15 countries that had paid its 1991 assessment in full to both the regular budget and peace-keeping operations.
- 50. While his delegation appreciated the proposals by the Secretary-General to increase the Working Capital Fund, and to establish a Humanitarian Revolving Fund and a United Nations Peace Endowment Fund, such measures would not remove what was widely understood to be the root cause of the Organization's financial difficulties namely, failure by Member States to pay their assessed contributions on time. It was also well known that the

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Working Capital Fund of the regular budget was depleted. Thus, even the proposed increase in the Working Capital Fund would have no real significance unless assessments were paid, for, otherwise, the Fund would only become depleted again. Addressing the financial crisis merely by increasing the Working Capital Fund or establishing new funds would, in effect, shift the burden of arrears onto those Member States which had paid their assessments in full. That was obviously unfair and the confidence of Member States in the financial situation of the United Nations would be shattered as a result.

- 51. His delegation was not opposed to penalty schemes providing for interest to be charged on arrears. However, the time-limit of 60 days might not be realistic, taking into account the different financial systems in various countries. The proposal should be studied further in order to determine an appropriate time-limit. As the United Nations played an increasingly important role in maintaining world peace and security, especially through its peace-keeping operations, a peace er lowment fund might be considered in order to finance the start-up costs of future peace-keeping operations. The level of such a fund and its financing should be studied further. Commercial loans should be considered only as a last resort in the event of a cash shortage and there should be some assurance that interest charges and other costs would not be borne by those Member States which had already paid their assessments in full.
- 52. In view of the Organization's grave financial difficulties, the suspension of relevant financial regulations to permit the retention of possible budgetary surpluses (paras. 27 to 36, could be considered. As humanitarian activities by the Organization had indeed increased, it might well be appropriate to establish a special Humanitarian Revolving Fund. However the resources for such activities should continue to be provided by voluntary contributions.
- 53. Mr. MERIFIELD (Canada), supported by Mr. CONMY (Ireland), expressed appreciation for the report and hoped that its urgency would be recognized. Paragraph 12 concerning a policy decision on the peace-keeping reserve fund could be dealt with immediately. Measures to protect the interests of those States which had already met their financial obligations could be considered in informal consultations.

AGENDA ITEM 18: APPOINTMENTS TO FILL VACANCIES IN SUBSIDIARY ORGANS AND OTHER APPOINTMENTS (continued)

- (a) APPOINTMENT OF MEMBERS OF THE ADVISORY COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS (continued) (A/46/101; A/C.5/46/51 and Add.1)
- 54. The CHAIRMAN said that, since there were three candidates for one remaining vacancy for the Eastern European Group, the Committee would need to hold a secret ballot. He drew attention to the additional candidate from the Eastern European Group whose curriculum vitae was contained in document A/C.5/46/51/Add.1.

55. At the invitation of the Chairman, Mr. Tierlinck (Belgium), Miss Shitakha (Kenya) and Mr. Duhalt (Mexico) acted as tellers.

56. A vote was taken by secret ballot.

Number of ballot papers: 113

Invalid ballots:

Number of valid ballots: 112

Abstentions: 51

Number of members voting: 112

Required majority: 57

Number of votes obtained:

Mr. Lazarevic 56

Mr. Tardos 44

Mr. Zlatanov 12

- 57. The CHAIRMAN said that, as no candidate had obtained the required majority, the Committee would need to hold another secret ballot.
- 58. At the invitation of the Chairman, Mr. Tierlinck (Belgium), Miss Shitakha (Kenya) and Mr. Duhalt (Mexico) acted as tellers.
- 59. A second vote was taken by secret ballot.

Number of ballot papers: 106

Invalid ballots: 0

Number of valid ballots: 106

Abstentions: 59

Number of members voting: 106

Required majority: 54

Number of votes obtained:

Mr. Lazarevic 60

Mr. Tardos 45

- 60. Mr. Lazarevic (Yugoslavia) having obtained the required majority, the Committee recommended his appointment as a member of the Advisory Committee on Administrative and Budgetary Questions for a three-year term of office beginning on 1 January 1992.
- (f) APPOINTMENT OF MEMBERS AND ALTERNATE MEMBERS OF THE UNITED NATIONS STAFF PENSION COMMITTEE (A/46/106; A/C.5/46/55 and Add.1)
- 61. The CHAIRMAN referred to the note by the Secretary-General contained in document A/46/106, drawing attention to the provisions of article 6 of the Regulations of the United Nations Joint Staff Pension Fund and indicating that the terms of office of Mr. Leonid E. Bidny (Union of Soviet Socialist Republics), Mr. Yogesh Kumar Gupta (India), Mr. Sol Kuttner (United States of America) and Mr. Michael G. Okeyo (Kenya), members of the Pension Committee and Mr. Jorge Duhalt (Mexico), Mr. Tadanori Inomata (Japan), Mr. Ulrich Kalbitzer (Germany) and Mr. M'hand Ladjouzi (Algeria), alternate members of the Pension Committee, would expire on 31 December 1991. It was therefore necessary for the General Assembly to elect four members and four alternate members to the Committee to serve for a period of three years, beginning on 1 January 1992.
- 62. He drew attention to document A/C.5/46/55 and Add.1, in which the Secretary-General had communicated to the Fifth Committee the names of the persons nominated by their respective Governments. It was his understanding that, based on consultations among the concerned delegations in the Group of African States, agreement had been reached on the candidacies of Mr. Okeyo (Kenya) and Mr. Belhaj (Tunisia). Accordingly, the candidacies of Mr. Irumba (Uganda) and Mr. Ladjouzi (Algeria) were withdrawn.
- 63. It was also his understanding that it was the wish of the candidates themselves that Ms. Shearouse, Mr. Duhalt, Mr. Inomata and Mr. Okeyo should be considered for the vacancies as members and Mr. Belhaj, Mr. Bidny, Mr. Kinchen and Mr. Bae should be considered for the vacancies as alternate members. Since the number of candidates corresponded to the number of vacancies, he would take it that the Committee wished to dispense with the secret ballot.
- 64. It was so decided.
- 65. The CHAIRMAN said he would take it that the Committee wished to recommend by acclamation the appointment of Ms. Susan Shearouse (United States of America), Mr. Jorge Duhalt (Mexico), Mr. Tadanori Inomata (Japan) and Mr. Michael G. Okeyo (Kenya) as members of the United Nations Staff Pension Committee for three-year terms of office, beginning on 1 January 1992, and Mr. Mohamed Férid Belhaj (Tunisia), Mr. Leonid E. Bidny (Union of Soviet Socialist Republics), Mr. Richard Kinchen (United Kingdom) and Mr. Ranjit Rae (India), as alternate members.
- 66. It was so decided.