



# General Assembly

Seventy-second session

Official Records

Distr.: General  
29 January 2018

Original: English

## Fifth Committee

### Summary record of the 26th meeting

Held at Headquarters, New York, on Monday, 18 December 2017, at 10 a.m.

*Chair:* Mr. Tommo Monthe ..... (Cameroon)  
*Chair of the Advisory Committee on Administrative  
and Budgetary Questions:* Mr. Ruiz Massieu

## Contents

Agenda item 165: Financing of the United Nations Mission for Justice Support in Haiti

Agenda item 136: Proposed programme budget for the biennium 2018–2019 (*continued*)*Programme budget implications of draft resolution A/C.3/72/L.48: Situation of  
human rights in Myanmar**Programme budget implications of draft resolution A/72/L.19: Investigation into  
the conditions and circumstances resulting in the tragic death of Dag  
Hammarskjöld and of the members of the party accompanying him**Estimates in respect of special political missions, good offices and other political  
initiatives authorized by the General Assembly and/or the Security Council  
(continued)**Thematic cluster III: regional offices, offices in support of political  
processes and other missions (continued)**United Nations Support Mission in Libya**Limited budgetary discretion*

This record is subject to correction.

Corrections should be sent as soon as possible, under the signature of a member of the delegation concerned, to the Chief of the Documents Management Section (dms@un.org), and incorporated in a copy of the record.

Corrected records will be reissued electronically on the Official Document System of the United Nations (<http://documents.un.org/>).

*The meeting was called to order at 10.05 a.m.*

**Agenda item 165: Financing of the United Nations Mission for Justice Support in Haiti (A/72/560 and A/72/642)**

1. **Ms. Costa** (Director, Peacekeeping Financing Division), introducing the proposed budget for the United Nations Mission for Justice Support in Haiti (MINUJUSTH) for the period from 16 October 2017 to 30 June 2018 (A/72/560), said that the mandate of the Mission had been established by the Security Council in its resolution 2350 (2017) for an initial period of six months, from 16 October 2017 to 15 April 2018, as a follow-on to the United Nations Stabilization Mission in Haiti (MINUSTAH).

2. Estimated resource requirements for MINUJUSTH amounted to \$93.2 million. The resource requirements of \$34.3 million for military and police personnel provided for full deployment, given the transfer of formed police units from MINUSTAH and the ability to recruit from among the United Nations police officers who had been engaged with MINUSTAH. The resource requirements of \$26.8 million for civilian personnel provided for the deployment of 160 international staff, 185 national staff, 6 United Nations Volunteers and 38 Government-provided personnel. The estimates assumed that recruitment efforts during the 2.5-month period from 16 October 2017 would result in full incumbency on 1 January 2018. The resource requirements of \$32.1 million for operational costs took into consideration the facilities and infrastructure that had been transferred to MINUJUSTH. Existing commercial contracts for goods and services had been scaled down and transferred to MINUJUSTH.

3. On 6 September 2017, the Controller had sought the concurrence of the Advisory Committee to enter into commitments to meet the estimated preliminary resource requirements for start-up activities for the period from 16 October to 31 December 2017. The Advisory Committee had authorized the Secretary-General to enter into commitments of up to \$25 million until 31 December 2017. The present budget proposal took into consideration the amount authorized by the Advisory Committee and set out the resource requirements for the full 8.5-month period from 16 October 2017 to 30 June 2018. Advances made from the Peacekeeping Reserve Fund would be reimbursed, in accordance with regulation 4.7 of the Financial Regulations and Rules of the United Nations. The General Assembly was requested to appropriate the proposed resources and approve the use for MINUJUSTH of the special account established for MINUSTAH.

4. **Mr. Ruiz Massieu** (Chair of the Advisory Committee on Administrative and Budgetary Questions), introducing the related report of the Advisory Committee (A/72/642), said that the Advisory Committee recommended an appropriation of \$91,811,200 for the period from 16 October 2017 to 30 June 2018, a reduction of \$1,370,900 to the proposed budget. The Advisory Committee had taken note of the proposal to use mobile teams to undertake mandated activities in nine regions outside Port-au-Prince. An assessment of their effectiveness should be provided in the first performance report for MINUJUSTH.

5. The Advisory Committee recommended against an adjustment to the staffing requirements for payroll servicing, given the reduced workload arising from the payroll of a smaller mission. It also recommended a reduction to the staffing requirements for the Capacity-Building Section. In addition, the Advisory Committee recommended an adjustment to the vacancy rates for certain staff categories for the period from 1 January to 30 June 2018 in view of actual recruitment patterns. Regarding operational requirements, the Advisory Committee recommended reductions to the requirements for training consultants and to the proposed expenditure for outside-mission travel.

6. The Secretary-General had proposed that the special account for MINUSTAH should be used for MINUJUSTH. The Advisory Committee had been informed that the resources and expenditures of MINUJUSTH would be managed as though it were a transition of MINUSTAH. The Advisory Committee trusted that formal financial reports through the Umoja enterprise resource planning system would enable separate and distinct reporting on expenditures and resource usage for both missions, including for the use of the special account during the overlapping period.

7. **Mr. Funes Henríquez** (El Salvador), speaking on behalf of the Community of Latin American and Caribbean States (CELAC), said that the Community reaffirmed its solidarity with Haiti and recognized the importance of international efforts to support the country's national priorities. Noting the Security Council's decision to establish MINUJUSTH as a follow-on mission to MINUSTAH for an initial period of six months, he stressed that MINUJUSTH would receive the same support from CELAC that MINUSTAH had historically received.

8. In order for MINUJUSTH to carry out its mandate, it must be properly resourced. The General Assembly, in its resolution 71/302, had not approved resources for MINUJUSTH for the 2017/18 period, in the expectation that the Secretary-General would submit a budget for

the Mission for the period from 16 October 2017 to 30 June 2018 at the main part of its seventy-second session. The Controller had sought the concurrence of the Advisory Committee to enter into commitments in the amount of \$29,280,700 to meet the preliminary resource requirements for start-up activities of MINUJUSTH. The Advisory Committee had authorized the Secretary-General to enter into commitments for up to \$25 million, and the current budget proposal took that amount into consideration.

9. An adequate level of resources should be provided for programmatic activities in order to strengthen the peacebuilding agenda. CELAC was committed to promoting sustainable peace and development in Haiti through MINUJUSTH, which was mandated to assist the Government in strengthening the rule of law, supporting the Haitian national police and advancing human rights through monitoring, reporting and analysis. In addition to support from the United Nations, Haiti received technical, humanitarian and medical assistance through bilateral channels and from regional organizations. The gains achieved by MINUSTAH, particularly in the area of security, must be protected by ensuring that MINUJUSTH had the resources it required.

10. Given that Haiti remained vulnerable to humanitarian disasters, health crises and other social problems, it was important for the United Nations to maintain its presence in the country and continue its support. The Mission's budget should be based on technical criteria, including the situation on the ground and the mandate approved by the Security Council, rather than on artificial budget ceilings.

11. **Ms. Mills** (Jamaica), speaking on behalf of the Caribbean Community (CARICOM), said that CARICOM was fully committed to helping Haiti to achieve sustainable peace, stability and development. The United Nations provided critical support through the country team and MINUSTAH, which had helped to reduce community violence, improve the implementation of human rights mechanisms, strengthen the rule of law, expand access to justice and restore democratic order. MINUJUSTH must be adequately resourced so that it could fulfil its mandate and consolidate the gains achieved by MINUSTAH.

12. The resource requirements for MINUJUSTH for the financial period from 16 October 2017 to 30 June 2018 had been linked to the Mission's objective through results-based-budgeting frameworks, organized according to components: security and stability; political and rule of law; human rights; and support. CARICOM welcomed the emphasis placed on

strengthening national capacities and national ownership of electoral processes, providing support to victims of sexual exploitation and abuse, and building the capacity of the Haitian national police. CARICOM also welcomed the proposal to implement 30 quick-impact projects to meet minor infrastructure and equipment needs of the justice and security institutions, such as local police and court facilities. It would be important to respect international codes and standards in the implementation of those projects and ensure the long-term use and maintenance of the facilities and equipment.

13. The commitment authority for MINUSTAH for the six-month period until 31 December 2017 had not included any provisions for the community violence reduction programme, which played a vital role in promoting peace and supporting the work of the Haitian national police. The Secretary-General should take steps to ensure the effective completion of the programme in 2018. The budget of MINUJUSTH should be based on the situation on the ground and the mandate approved by the Security Council, not artificial budgetary ceilings.

14. **Mr. Sandoval Mendiola** (Mexico) said that the establishment of MINUJUSTH reaffirmed the continued commitment of the United Nations and the international community to strengthening the rule of law and national institutions and fostering sustainable peace and development in Haiti. MINUJUSTH would advance the protection of human rights and strengthen public institutions and the operational capacities of the Haitian national police, thereby improving public safety. With MINUJUSTH, the United Nations had an opportunity to demonstrate its capacity to build sustainable peace, with a view to achieving the Sustainable Development Goals, in particular Goal 16 on building peaceful societies and providing access to justice for all.

15. The United Nations country team, MINUJUSTH and the Government of Haiti should work together in an efficient and transparent manner. The Mexican armed forces had supported the work of MINUSTAH for two years and Mexico would continue to assist MINUJUSTH through the provision of police personnel. Mexico would also continue to participate in the Ad Hoc Advisory Group on Haiti and regional, subregional and bilateral cooperation initiatives.

16. **Ms. Domínguez** (Chile) said that the support of the United Nations and Member States was critical for Haiti. Her delegation agreed with the Secretary-General on the need to ensure a responsible transition to MINUJUSTH, anchored in the achievements of the previous 13 years and the commitment of the

international community. The link between security and development as a means of achieving sustainable peace remained fundamental. The programmatic activities must continue in order to support the mandate of MINUJUSTH, which was intended to strengthen the rule of law and consolidate peace. In order to preserve the gains of MINUSTAH through an effective transition to MINUJUSTH, the Committee must ensure the predictable, flexible and efficient provision of resources, taking into account the situation on the ground and the need to avoid security gaps.

17. **Ms. Babio** (Argentina) said that her delegation acknowledged the advances made in the transition from MINUSTAH to MINUJUSTH, particularly regarding the implementation of the mandate of MINUJUSTH to strengthen rule of law institutions, support the Haitian national police and promote and protect human rights. While Security Council resolution [2350 \(2017\)](#) set out a projected two-year timeframe for MINUJUSTH, the duration of the Mission would ultimately depend on the situation on the ground. Withdrawing prematurely from the country could jeopardize the gains of the previous 13 years.

18. Quick-impact projects should be implemented as part of MINUJUSTH. Such projects had benefited millions of people during the fiscal year 2016/17, financing activities related to the rule of law, governance, infrastructure and drinking water. Quick-impact projects and community violence reduction programmes played an important role in consolidating peace and fostering trust between the people of Haiti and the United Nations.

19. **Mr. Fermín** (Dominican Republic) said that MINUJUSTH had been established to consolidate the advances achieved in Haiti in terms of strengthening institutions, democracy and the rule of law, developing the police and promoting human rights, in order to ensure that the Government was in a position to assume its full responsibilities. MINUSTAH had improved political stability and reduced insecurity in the country, which would facilitate coordinated efforts to address the challenges that lay ahead. Haiti had demonstrated its commitment to further improving political stability, as evidenced by the reforms spearheaded by President Jovenel Moïse under the “Caravan of change” platform.

20. The Dominican Republic would continue to support Haiti in its efforts, with a view to promoting bilateral dialogue and cooperation. The authorities of the Dominican Republic would continue to meet with their Haitian counterparts to share details of the programmes implemented in the Dominican Republic to stimulate economic growth and tourism through the

adoption of new technologies, and to improve disaster preparedness through national capacity-building. His delegation supported the Secretary General’s resource proposals. It was particularly important to provide funding for quick-impact projects and the community violence reduction programme. The Dominican Republic supported the vision of the Haitian authorities for a peaceful, just, stable and prosperous Haiti.

### **Agenda item 136: Proposed programme budget for the biennium 2018–2019 (continued)**

*Programme budget implications of draft resolution [A/C.3/72/L.48](#): Situation of human rights in Myanmar ([A/72/7/Add.33](#); [A/C.5/72/13](#))*

*Programme budget implications of draft resolution [A/72/L.19](#): Investigation into the conditions and circumstances resulting in the tragic death of Dag Hammarskjöld and of the members of the party accompanying him ([A/72/7/Add.32](#); [A/C.5/72/19](#))*

*Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council (continued)*

*Thematic cluster III: regional offices, offices in support of political processes and other missions (continued)*

*United Nations Support Mission in Libya ([A/72/7/Add.18](#) and [A/72/371/Add.8](#))*

*Limited budgetary discretion ([A/72/7/Add.30](#) and [A/72/497](#))*

21. **Mr. Huisman** (Director, Programme Planning and Budget Division), introducing the statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly of the programme budget implications of draft resolution [A/C.3/72/L.48](#): Situation of human rights in Myanmar ([A/C.5/72/13](#)), said that the General Assembly, in its draft resolution [A/C.3/72/L.48](#), had requested the Secretary-General to continue to provide his good offices and to pursue his discussions relating to Myanmar, and in that regard to appoint a special envoy on Myanmar and to offer assistance to the Government of Myanmar. Pursuant to that request, it was estimated that additional requirements in the amount of \$1.5 million would arise for 2018 under section 3, Political affairs, of the proposed programme budget for 2018–2019.

22. Introducing the statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly of the programme budget implications of draft resolution [A/72/L.19](#): Investigation into the conditions and circumstances resulting in the tragic death of Dag Hammarskjöld and of the members of the party accompanying him ([A/C.5/72/19](#)), he said that the General Assembly, in its draft resolution [A/72/L.19](#), had requested the Secretary-General to continue to review the potential new information, including that which might be available from Member States, to assess its probative value, to determine the scope that any further inquiry or investigation should take, and, if possible, to draw conclusions from the investigations already conducted. In addition, it had requested the Secretary-General to provide an oral briefing on any progress made. To implement those requests, additional requirements in the amount of \$357,300 would arise under section 1, Overall policymaking, direction and coordination, and section 2, General Assembly and Economic and Social Council affairs and conference management, of the proposed programme budget for the biennium 2018–2019, and would represent a charge against the contingency fund.

23. Introducing the report of the Secretary-General on estimates under cluster III for the United Nations Support Mission in Libya (UNSMIL) ([A/72/371/Add.8](#)), he said that the resource requirements for UNSMIL for 2018 amounted to \$72.2 million, an increase of \$11 million compared to the approved resources for 2017. The proposed budget reflected increases under facilities and infrastructure, attributable mainly to the higher contractual rent of the UNSMIL compound in Tripoli and the planned establishment of an office in eastern Libya, and under military contingent personnel, as a result of the expected full deployment of the United Nations Guard Unit by the end of 2017. The Secretary-General proposed that the amount of \$72.2 million should be charged against the provision for special political missions included under section 3, Political affairs, of the proposed programme budget for 2018–2019.

24. Introducing the report of the Secretary-General on limited budgetary discretion ([A/72/497](#)), he said that the proposal regarding the continuation of the discretionary mechanism, as set out in General Assembly resolution [60/283](#), for the biennium 2018–2019 would be subject to the Assembly's decision on the management reform proposals, as the Secretary-General had made further recommendations regarding budgetary discretion mechanisms in that context. If approved by the

Assembly, those further proposals would become effective for the biennium 2018–2019.

25. **Mr. Ruiz Massieu** (Chair of the Advisory Committee on Administrative and Budgetary Questions), introducing the Advisory Committee's report on the programme budget implications of draft resolution [A/C.3/72/L.48](#): Situation of human rights in Myanmar ([A/72/7/Add.33](#)), said that the estimated resource requirements for the Office of the Special Envoy on Myanmar for 2018 amounted to \$1,541,100. The Advisory Committee recommended an appropriation of \$853,800, a reduction of \$687,300. The resource requirements for field-based staff and field-based operational costs in 2018 should be recalculated using standard rates for Bangkok rather than those for New York, and standard budgetary policy on vacancy rates should be followed. The Advisory Committee was of the view that the report of the Secretary-General should have provided detailed information on major budgetary assumptions used in the preparation of cost estimates and trusted that such information would be included in the budget submission for 2019. The Advisory Committee recommended reductions in staffing both in the field and in New York, as well as a reduction in the resources for consultants.

26. Introducing the Advisory Committee's report on the programme budget implications of draft resolution [A/72/L.19](#): Investigation into the conditions and circumstances resulting in the tragic death of Dag Hammarskjöld and of the members of the party accompanying him ([A/72/7/Add.32](#)), he said that based on the pattern of expenditure for 2016–2017, and taking into account the activities to be implemented in 2018–2019, the Advisory Committee recommended that the proposed requirements should be reduced by 10 per cent (\$35,730).

27. Introducing the Advisory Committee's report on estimates under cluster III for the United Nations Support Mission in Libya ([A/72/7/Add.18](#)), he said that the Advisory Committee recommended that the staffing proposals for UNSMIL should be approved, with the exception of the position of Senior Political Affairs Officer (P-5) in the Department of Political Affairs. As a matter of overall policy, the continuing requirement for posts that had been vacant for two years or longer should be reviewed and their retention justified; accordingly, the Advisory Committee recommended the abolishment of three positions. The Secretary-General should undertake further efforts to strengthen the Mission's national staffing complement by nationalizing positions once the Mission had begun the process of establishing its rotational presence in and final relocation to Libya.



28. With regard to operational costs, the proposal for additional resources for consultants did not appear justified, given the security situation in Libya and the proposed change of duty station from Tripoli to Tunis of 119 positions. The Advisory Committee therefore recommended maintaining the resources for consultants at the level of the approved budget for 2017. The Advisory Committee was concerned that the costs of maintenance services might not be fully justified and recommended that, prior to the expiration of the existing rental contract, a review of the contractual provisions, based on the needs of UNSMIL, should be conducted. The Advisory Committee also noted the need for the Mission to keep the ground transportation requirements under review, given the gradual phased rotational return of the Mission to Libya. With regard to information technology, the Advisory Committee recommended a reduction in the amount of \$25,700. The Advisory Committee had made comments and recommendations on official travel in its main report on special political missions ([A/72/7/Add.10](#)).

29. Introducing the Advisory Committee's report on limited budgetary discretion ([A/72/7/Add.30](#)), he said that the discretionary mechanism had been utilized on nine occasions during four bienniums (2006–2007, 2008–2009, 2010–2011 and 2016–2017), and had not been used during the bienniums 2012–2013 and 2014–2015. Only \$455,300 had been utilized under the mechanism over the past three bienniums, while the sole discretionary authority granted to the Secretary-General amounted to \$6 million per biennium. The ceiling for the mechanism of \$20 million within a given biennium, to be used by the Secretary-General with the concurrence of the Advisory Committee, had never been reached since the experimental mechanism had first been approved.

30. The General Assembly, in its resolution [70/248](#), had requested a comprehensive justification for the retention of the discretionary mechanism beyond 2016–2017. It was regrettable that no such justification had been provided in the Secretary-General's report ([A/72/497](#)). According to the report, the Secretary-General's proposal regarding the continuation of the discretionary mechanism for the biennium 2018–2019 would be subject to the Assembly's decision on his management reform proposals. The related recommendations of the Advisory Committee were contained in paragraphs 67 and 68 of its report on the proposed management reforms of the Secretary-General ([A/72/7/Add.24](#)).

31. **Ms. Khyne** (Myanmar) said that pursuant to paragraph 10 of draft resolution [A/C.3/72/L.48](#), in which the General Assembly called for the appointment

of a special envoy on Myanmar, it was estimated that additional requirements in the amount of \$1.5 million would arise for 2018. Myanmar consistently opposed all country-specific resolutions of the Third Committee, as they created overlapping mandates and resulted in additional budget implications. Her delegation had voted against the draft resolution because it was selective, discriminatory and politically motivated, and was intended to exert unwarranted political pressure on Myanmar.

32. She recalled that there was already a Special Rapporteur on the situation of human rights in Myanmar, whose mandate had been established pursuant to Commission on Human Rights resolution 1992/58 and extended annually. Human Rights Council resolution 31/24 had broadened the mandate of the Special Rapporteur to include identifying benchmarks for progress and priority areas for technical assistance and capacity-building. In addition, an Independent International Fact-Finding Mission on Myanmar had been established in May 2017, pursuant to Human Rights Council resolution 34/22.

33. Her delegation had always cooperated fully and constructively with the United Nations in a spirit of mutual respect. A political mission established without the consent or cooperation of the country concerned would not yield positive results. The United Nations should focus its limited resources on alleviating poverty and promoting development in developing countries around the world, with a view to achieving the Sustainable Development Goals and leaving no one behind.

34. **Mr. Nfati** (Libya) said that his delegation welcomed the work of UNSMIL in implementing the Libyan Political Agreement that had been signed in Skhirat, Morocco, and was intended to reduce divisions among political parties. His delegation hoped that UNSMIL would be allocated sufficient financial resources to enable it to carry out its mandate. His delegation supported the nationalization of positions in the Mission and hoped that the security situation in Libya would improve so that all UNSMIL staff could return to Tripoli, with a view to ensuring that UNSMIL achieved its mandate and that the Government of National Accord could successfully manage the transition.

*The meeting rose at 11.15 a.m.*