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Fifth Committee**Summary record of the 17th meeting**

Held at Headquarters, New York, on Monday, 16 December 2019, at 10 a.m.

Chair: Mr. Mavroyiannis. (Cyprus)
*Chair of the Advisory Committee on Administrative
and Budgetary Questions:* Mr. Terzi

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The meeting was called to order at 10 a.m.

Agenda item 135: Proposed programme budget for 2020 (continued)

Special political missions (continued)

Thematic cluster III: regional offices, offices in support of political processes and other missions

United Nations Mission to Support the Hudaydah Agreement (A/74/6 (Sect. 3)/Add.7 and A/74/7/Add.23)

United Nations Integrated Office in Haiti (A/74/6 (Sect. 3)/Add.8 and A/74/7/Add.24)

Revised estimates for the Office of the United Nations Emergency Ebola Response Coordinator (A/74/7/Add.27 and A/74/544)

Programme budget implications of draft resolution A/C.3/74/L.11/Rev.1: Countering the use of information and communications technologies for criminal purposes (A/74/7/Add.28; A/C.5/74/12)

1. **Mr. Ramanathan** (Controller), introducing the report of the Secretary-General on the proposed resource requirements for 2020 for the United Nations Mission to Support the Hudaydah Agreement (UNMHA) under thematic cluster III (A/74/6 (Sect. 3)/Add.7), said that the proposed resources for 2020 for UNMHA amounted to \$53.6 million, a decrease of \$2.5 million compared to the approved budget for 2019. The decrease was attributable mainly to the discontinuation of the marine vessel rental contract by 31 March 2020 and lower provisions for the acquisition of ground vehicles and communications and information technology equipment. The proposed resources would provide for the deployment of up to 75 United Nations monitors, 159 civilian personnel and 5 government-provided personnel. It was expected that all UNMHA personnel would be transferred to land-based facilities by 31 March 2020, after completion of renovation and security enhancements.

2. Introducing the report of the Secretary General on the proposed resource requirements for 2020 for the United Nations Integrated Office in Haiti (BINUH) under thematic cluster III (A/74/6 (Sect. 3)/Add.8), he said that the establishment of BINUH in October 2019, pursuant to Security Council resolution 2476 (2019), had marked the end of over two decades of peacekeeping operations in Haiti, which had been implemented through seven field missions since 1993. The Office would be responsible for advising the

Government of Haiti on promoting and strengthening political stability and good governance, including the rule of law; advancing a peaceful and stable environment, including through supporting an inclusive inter-Haitian national dialogue; and protecting and promoting human rights. The resources proposed for 2020 amounted to \$20.4 million and provided for operational costs and the deployment of up to 13 United Nations police, 2 government-provided personnel and 114 civilian personnel.

3. Introducing the report of the Secretary-General on the revised estimates relating to the Office of the United Nations Emergency Ebola Response Coordinator under section 27, Humanitarian assistance, and section 36, Staff assessment, of the programme budget for 2020 (A/74/544), and recalling that that the Office had been established in June 2019 to strengthen the Organization's response to the Ebola outbreak, he said that the Office's requirements for 2019 had been funded pursuant to paragraph 1 (a) of General Assembly resolution 72/264 relating to unforeseen and extraordinary expenses and under a commitment authority approved by the Advisory Committee on Administrative and Budgetary Questions.

4. The legislative authority and mandate for the Office were derived from General Assembly resolution 46/182, in which the Assembly had set out the United Nations guiding principles of humanitarian emergency response. Those principles reinforced earlier decisions and resolutions adopted by the Assembly and by the Economic and Social Council concerning humanitarian assistance and the leadership role of the Secretary-General in responding to natural disasters and other humanitarian emergencies. The role of the Office was to coordinate international support for the Ebola response, ensure coherence within the United Nations system and lead the implementation of the United Nations scale-up strategy for the Ebola response, with a focus on security and safety and community ownership and acceptance. The report contained the proposed resource requirements for the Office for the period from 1 January to 30 June 2020, which provided for 51 general temporary assistance positions, and set out a phased downsizing plan for the same period.

5. Introducing the Secretary-General's statement of programme budget implications of draft resolution A/C.3/74/L.11/Rev.1: Countering the use of information and communications technologies for criminal purposes (A/C.5/74/12), he said that, in order to implement the requests contained in the draft resolution, the Secretary-General proposed additional resources of \$193,300, net of staff assessment. Those additional resources would be reflected under section 2, General Assembly and

Economic and Social Council affairs and conference management (\$138,300), and section 16, International drug control, crime and terrorism prevention and criminal justice (\$55,000). Subsequent to the issuance of the Secretary-General's statement, the Department for General Assembly and Conference Management had reassessed its planning for 2020 and concluded that it would be able to absorb the additional workload without the need for additional resources of \$138,300.

6. **Mr. Terzi** (Chair of the Advisory Committee on Administrative and Budgetary Questions), introducing the reports of the Advisory Committee on the proposed resource requirements for 2020 for UNMHA (A/74/7/Add.23) and BINUH (A/74/7/Add.24), recalled that the Secretary-General, in addendum 1 to section 3, Political affairs, of his report on the proposed programme budget for 2020 (A/74/6 (Sect. 3)/Add.1), had proposed resource requirements of \$643,875,000 for the 37 special political missions. The additional resources being proposed for UNMHA (\$53,613,400) and BINUH (\$20,395,200) would increase the overall resource requirements for special political missions and the overall resource level of the proposed programme budget for 2020 by \$74,008,600. The overall resources proposed for special political missions for 2020 represented an increase of \$6,176,400 (0.9 per cent) compared to the appropriation for 2019.

7. With respect to backstopping of special political missions, he noted that, as a result of management reform, functions and resources relating to budget preparation and financial management, including for special political missions, had been redistributed among the relevant departments and offices, involving redeployments of resources in the context of the proposed programme budget for 2020. However, there was a need for greater clarity with respect to ongoing functions, workload, related resources and capacity, including posts and positions in the respective offices concerned. The Advisory Committee recommended that the General Assembly request the Secretary-General to provide comprehensive information, with detailed rationale, in the context of his proposed budget for the peacekeeping support account for the period 2020/21 and the proposed programme budget for 2021.

8. With regard to UNMHA, the staffing changes proposed by the Secretary-General included 21 new positions, 1 redeployment and 1 reclassification. The Advisory Committee recommended against the proposed reclassification of the position of Human Resources Officer/Business Partner from P-3 to P-4 level in view of the functions of the proposed position and the existing capacity within the single integrated mission support structure.

9. While the Advisory Committee understood the uncertainties associated with the start-up of UNMHA, and the Mission's challenging operational environment, it was concerned at the substantial underutilization of the resources approved for 2019 (57 per cent as at 31 October 2019). The Advisory Committee trusted that updated information on expenditure for 2019 would be provided to the General Assembly. In view of the underutilization of resources, the Advisory Committee recommended a 3 per cent reduction, amounting to \$1,191,534, in the proposed resources for operational costs for 2020.

10. With regard to BINUH, the Advisory Committee considered that there was a need to better clarify the division of labour between BINUH and the United Nations country team, specify roles and responsibilities, and formalize the coordination mechanisms between the two entities. In addition, the Advisory Committee recommended that the General Assembly request the Secretary-General to continue to seek opportunities for co-location and cost-sharing with other United Nations system entities.

11. The Advisory Committee welcomed the inclusion of 21 National Professional Officers in the staffing complement of BINUH. With regard to backstopping, the Advisory Committee had requested further information on related positions at Headquarters. It had noted that a total of five backstopping positions for the United Nations Mission for Justice Support in Haiti (MINUJUSTH) were being funded through the peacekeeping support account; and that the Division for Special Activities in the Department of Operational Support also provided backstopping services. The Advisory Committee recommended that the General Assembly approve resources for general temporary assistance to provide the functions of the four positions (1 P-5, 1 P-4 and 2 General Service (Other level)) proposed for the backstopping of BINUH at Headquarters.

12. With regard to operational costs, the Advisory Committee recommended reductions of 5 per cent in the overall proposed resources for consultants and consulting services, official travel outside the mission area, and communications and information technology.

13. Introducing the report of the Advisory Committee on the revised estimates relating to the Office of the United Nations Emergency Ebola Response Coordinator (A/74/7/Add.27), he recalled that initial funding for the Office had been authorized by the Secretary-General for the period from 19 June to 31 August 2019; subsequently, additional funds had been provided by means of a commitment authority approved by the

Advisory Committee for the period from 9 August to 31 December 2019.

14. The Advisory Committee acknowledged the fluidity of the situation on the ground and trusted that the Secretary-General would provide an update to the General Assembly on recent developments, including the impact of the security situation on the work of the Office and the response effort overall. Every effort should be made to build on past experience. In that connection, a lessons-learned exercise should be undertaken as soon as possible.

15. Although it was currently expected that the Ebola outbreak would end by March 2020 and that the Office would close by 30 June 2020, the resulting slowdown of operations on the ground had not been reflected in the proposed requirements for 2020 under a number of budget lines, including staff costs and general operating expenses, such as ground transportation. In addition, the Advisory Committee was not convinced of the operational need for three consultants. In view of those issues, as well as the planned drawdown of the Office, the insufficient justification in the proposed requirements and the lack of clarity in the budget presentation, the Advisory Committee recommended that the General Assembly appropriate an additional amount of \$5,600,000 (net of staff assessment) under section 27, Humanitarian assistance, of the programme budget for 2020, to be charged to the contingency fund, and an amount of \$295,100 under section 36, Staff assessment, to be offset by a corresponding amount under income section 1, Income from staff assessment, of the programme budget.

16. Introducing the report of the Advisory Committee on the statement of programme budget implications of draft resolution [A/C.3/74/L.11/Rev.1](#): Countering the use of information and communications technologies for criminal purposes ([A/74/7/Add.28](#)), he said that the Advisory Committee had been informed that it was possible to absorb the requirements in the amount of \$138,300 under section 2, General Assembly and Economic and Social Council affairs and conference management, within the proposed programme budget for 2020. The Advisory Committee recommended that the Fifth Committee inform the General Assembly that, should it adopt the draft resolution, an additional appropriation in the amount of \$59,400, representing a charge against the contingency fund, would be required under the proposed programme budget for 2020, comprising \$55,000 under section 16, International drug control, crime and terrorism prevention and criminal justice, and \$4,400 under section 36, Staff assessment, to be offset by a corresponding amount under income section 1, Income from staff assessment.

17. **Mr. Velázquez Castillo** (Mexico), speaking also on behalf of Argentina, Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, Guatemala, Paraguay and Uruguay, said that the establishment of BINUH after two decades of peacekeeping operations in Haiti was a welcome step. The role of BINUH should be to address the root causes that had led to violence and conflict in the past, with a focus on prevention, inclusive and sustainable development, addressing institutional fragility and responding to the needs of the local population.

18. The important technical assistance that BINUH was mandated to provide included aiding the Government in its efforts to plan and execute free, fair and transparent elections; to reinforce the capacity of the Haitian National Police; to develop an inclusive approach with all sectors of society to reduce community violence; to improve the penitentiary administration's management and oversight of prison facilities; and to strengthen and reform the justice sector. The integration of BINUH and the United Nations Haiti country team, which was responsible for delivering the programmatic and technical assistance needed to achieve the Sustainable Development Goals, would add value to the Organization's work on the ground, although coordination would be difficult owing to the complexity and volatility of the situation in the country.

19. The support of the United Nations was essential for coordinating initiatives to build a better future for Haiti and promote the country's sustainable development. BINUH must be provided with sufficient resources to enable it to fulfil its mandate. Accordingly, he urged the Committee to approve the resource requirements for 2020 proposed by the Secretary-General.

20. **Mr. Rattray** (Jamaica), speaking on behalf of the Caribbean Community (CARICOM), said that the promotion and maintenance of international peace and security was a core priority for CARICOM. As a community of small island developing States, CARICOM was cognizant of the relationship between peace and security and sustainable growth and development. Accordingly, CARICOM had welcomed the adoption of Security Council resolution [2476 \(2019\)](#) and the appointment of Helen Meagher La Lime as the Secretary-General's Special Representative for Haiti and Head of BINUH.

21. CARICOM supported the Secretary-General's resource proposals for BINUH in the amount of \$20,395,200. It was concerned, therefore, that the Advisory Committee had recommended that the General

Assembly approve an amount of \$20,291,800, a reduction of \$103,400 compared to the proposed resources. Given the importance of ensuring the success of BINUH, he called for the full amount to be appropriated.

22. **Mr. Alliance** (Haiti) said that his delegation welcomed the establishment of BINUH, which would provide good offices and play an advisory and advocacy role at the political level. The mandate of BINUH was much more strategic than that of its predecessor, MINUJUSTH, which had focused on strengthening the rule of law.

23. As noted by the Controller, BINUH would be responsible for advising the Government of Haiti on promoting and strengthening political stability and good governance, advancing a peaceful and stable environment and protecting and promoting human rights. The Office would also assist the Government in its efforts to plan and execute free, fair and transparent elections and reinforce the capacity of the Haitian National Police to respond to gang violence and sexual and gender-based violence. His delegation was pleased that there were economic and social dimensions to the mandate of BINUH and welcomed the integration of BINUH with the United Nations country team. Such a comprehensive approach should lead to better results on the ground.

24. His Government was aware that much remained to be done, and expressed its intention to continue with its programme of reform. The year 2020 would be pivotal for Haiti as the authorities worked to take into account the demands of all population groups, with a view to achieving the Sustainable Development Goals by 2030. Given the current economic, social and political turbulence in the country, and the high stakes involved, BINUH must be provided with adequate financial, material and human resources. He welcomed the various initiatives under way aimed at securing sufficient resources for BINUH; no avenue should be ruled out.

25. His delegation supported the Secretary-General's resource proposals for BINUH. However, the Advisory Committee had recommended that the General Assembly approve an amount of \$20,291,800, a reduction of \$103,400 compared to the proposed resources. He hoped that the Advisory Committee would be provided with the additional information it had requested swiftly so that the Secretary-General's resource proposals could be approved in full by the Fifth Committee. In addition, his delegation hoped that funding for quick-impact projects could be included in the programme budget for BINUH.

Agenda item 140: Human resources management
(continued) (A/74/546 and A/74/584)

26. **Mr. Ball** (Chief, Strategic Policy Development Service), introducing the note by the Secretary-General on seconded active-duty military and police personnel (A/74/546), said that the note had been prepared in response to General Assembly resolution 71/263, in which the Assembly had endorsed the conclusions and recommendations contained in the report of the Advisory Committee (A/71/557). In that report, the Advisory Committee had recommended that the application of the exceptional measures be extended for up to three years, during which the Secretary-General was to intensify his engagement with Member States with a view to identifying alternative solutions for addressing the conflicts between national legislation and the Staff Regulations and Rules of the United Nations regarding the secondment of active-duty military and police personnel.

27. On 17 October 2019, as recommended by the Advisory Committee in its report, the Secretariat had circulated a note verbale to all Member States requesting information on potential conflicts between their national legislation and the Staff Regulations and Rules, as well as on remuneration and benefits provided to active-duty seconded officers. Despite extending the deadline for completing the survey, the Secretariat had received only 34 responses, a response rate of 17 per cent. Of those Member States that had responded, 15 had reported potential conflicts, either because their national legislation provided for additional salary payments or pension contributions or because it prohibited the receipt of remuneration from the United Nations. The remaining 19 Member States reported no potential conflicts. At the current time, there were four Member States with arrangements in place, with a total of eight officers benefiting from the exceptional measures. The application of those measures was due to expire at the end of December 2019.

28. The Secretary-General, in his report on seconded active-duty military and police personnel (A/68/495), had proposed that potential conflicts with national legislation could be addressed by amending the Staff Regulations and Rules. In its resolution 68/252, the General Assembly had requested the Secretary-General to submit a new proposal, if necessary. However, owing to the low response rate and the lack of information, it had not been possible to develop a new proposal. The Secretary-General was therefore requesting the Assembly to consider extending the application of the exceptional measures to the end of 2020, so that the active-duty personnel currently benefiting from those measures could continue to serve without any conflict.

29. The Secretary-General requested Member States to cooperate fully with requests for information from the Secretariat on potential conflicts between their national legislation and the Staff Regulations and Rules, as well as on any remuneration and benefits provided to seconded active-duty officers. In the meantime, the Secretariat would continue to ask seconded active-duty officers to disclose any remuneration or benefits received from their Governments. In cases where an officer disclosed receipt of remuneration, the Secretariat would work with the relevant Member State to regularize the situation by applying the exceptional measures, provided that the request to extend those measures was approved.

30. **Mr. Terzi** (Chair of the Advisory Committee on Administrative and Budgetary Questions), introducing the related report of the Advisory Committee (A/74/584), said that the Advisory Committee recommended that the General Assembly authorize the Secretary-General to extend the exceptional measures regarding seconded active-duty military and police

personnel to 31 December 2020. However, the Advisory Committee noted with concern the insufficient engagement with Member States in the three-year period prior to the issuance of the survey in October 2019 and the lack of information and clarity regarding the extent to which the national legislation of Member States conflicted with the Staff Regulations and Rules and the number of active-duty uniformed personnel affected.

31. The Advisory Committee recommended that the General Assembly request the Secretary-General to provide detailed factual information in his report on the overview of the financing of the United Nations peacekeeping operations. In addition, it maintained its recommendation that the Assembly request the Secretary-General to intensify his engagement with Member States in the interim, with a view to identifying solutions for addressing the conflicts between national legislation and the Staff Regulations and Rules regarding the secondment of active-duty military and police personnel.

The meeting rose at 10.45 a.m.