



# General Assembly

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Seventy-fifth session

Agenda item 141

## Programme budget for 2021

### Report of the Fifth Committee

*Rapporteur:* Mr. Tsu Tang Terrence Teo (Singapore)

#### I. Introduction

1. The previous recommendations made by the Fifth Committee to the General Assembly under agenda item 141 are set out in the report of the Committee contained in document [A/75/682](#).

2. During the first part of the resumed seventy-fifth session, the Fifth Committee met formally and remotely owing to the coronavirus disease (COVID-19) pandemic, during which it resumed its consideration of the item. The Committee formally resumed its consideration of the item in person at its 11th meeting, on 26 March 2021. Statements and observations made in the course of the Committee's formal consideration of the item are reflected in the relevant summary records.<sup>1</sup>

3. For its further consideration of the item, the Committee had before it the following documents:

#### **Revised estimates resulting from resolutions and decisions adopted by the Human Rights Council**

Report of the Secretary-General on revised estimates resulting from resolutions and decisions adopted by the Human Rights Council: revised estimates resulting from the statement by the President entitled "Methods of work of the Consultative Group of the Human Rights Council", adopted at the organizational session for the fifteenth cycle of the Human Rights Council ([A/75/588/Add.2](#))

Related report of the Advisory Committee on Administrative and Budgetary Questions ([A/75/7/Add.38](#))

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<sup>1</sup> [A/C.5/75/SR.11](#).



**Conditions of service and compensation for officials other than Secretariat officials**

Report of the Secretary-General on conditions of service and compensation for officials other than Secretariat officials: members of the International Court of Justice and President and judges of the International Residual Mechanism for Criminal Tribunals ([A/74/354](#))

Related report of the Advisory Committee on Administrative and Budgetary Questions ([A/74/7/Add.20](#))

**Addressing the deteriorating conditions and limited capacity of the conference services facilities at the United Nations Office at Nairobi**

Report of the Secretary-General on addressing the deteriorating conditions and limited capacity of the conference services facilities at the United Nations Office at Nairobi ([A/75/716](#))

Related report of the Advisory Committee on Administrative and Budgetary Questions ([A/75/7/Add.37](#))

**Request for a subvention to the Special Tribunal for Lebanon**

Report of the Secretary-General on the request for a subvention to the Special Tribunal for Lebanon ([A/75/763](#))

Related report of the Advisory Committee on Administrative and Budgetary Questions ([A/75/7/Add.40](#))

**Standards of accommodation for air travel**

Report of the Secretary-General on the standards of accommodation for air travel ([A/75/654/Rev.1](#))

Related report of the Advisory Committee on Administrative and Budgetary Questions ([A/75/7/Add.39](#))

**Review of the experience of the utilization of the contingency fund**

Report of the Secretary-General on the review of the experience of the utilization of the contingency fund ([A/70/395](#))

Related report of the Advisory Committee on Administrative and Budgetary Questions ([A/70/7/Add.7](#))

**II. Consideration of draft resolution [A/C.5/75/L.27](#)**

4. At its 11th meeting, on 26 March, the Committee had before it a draft resolution entitled “Special subjects relating to the programme budget for 2021” ([A/C.5/75/L.27](#)), submitted by the Chair of the Committee on the basis of informal consultations coordinated by the representatives of Cuba, Israel, Kenya and Lesotho.

5. At the same meeting, the Committee adopted draft resolution [A/C.5/75/L.27](#) without a vote (see para. 6).

### III. Recommendation of the Fifth Committee

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

#### Special subjects relating to the programme budget for 2021

*The General Assembly,*

##### I

#### Revised estimates resulting from resolutions and decisions adopted by the Human Rights Council

*Having considered* the report of the Secretary-General on revised estimates resulting from resolutions and decisions adopted by the Human Rights Council: revised estimates resulting from the statement by the President entitled “Methods of work of the Consultative Group of the Human Rights Council”, adopted at the organizational session for the fifteenth cycle of the Human Rights Council,<sup>1</sup> and the related report of the Advisory Committee on Administrative and Budgetary Questions,<sup>2</sup>

1. *Takes note* of the report of the Secretary-General;
2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;
3. *Appropriates* an additional amount of 154,800 United States dollars, comprising 126,800 dollars (of which 25,700 dollars is non-recurrent) under section 2, General Assembly and Economic and Social Council affairs and conference management, 10,000 dollars (of which the full amount is non-recurrent) under section 24, Human rights, and 18,000 dollars under section 29E, Administration, Geneva, of the programme budget for 2021, representing a charge against the contingency fund;
4. *Also appropriates* an amount of 17,400 dollars (of which 3,100 dollars is non-recurrent) under section 36, Staff assessment, to be offset by an equivalent amount under income section 1, Income from staff assessment, of the programme budget for 2021;

##### II

#### Conditions of service and compensation for officials other than Secretariat officials

*Recalling* its resolutions [37/240](#) of 21 December 1982, [40/257](#) A to C of 18 December 1985, [45/250](#) A to C of 21 December 1990 and [48/252](#) A to C of 26 May 1994, section VIII of its resolution [53/214](#) of 18 December 1998, its resolutions [55/249](#) of 12 April 2001, [56/285](#) of 27 June 2002, [57/289](#) of 20 December 2002 and [58/264](#) of 23 December 2003, section III of its resolution [59/282](#) of 13 April 2005, its resolutions [61/262](#) of 4 April 2007, [63/259](#) of 24 December 2008, [64/261](#) of 29 March 2010 and [65/258](#) of 24 December 2010 and section VI of its resolution [71/272](#) A of 23 December 2016 and its decision 74/540 B of 13 April 2020,

*Recalling also* Article 32 of the Statute of the International Court of Justice, as well as relevant resolutions of the General Assembly that govern the conditions of service and compensation for the members of the International Court of Justice and

<sup>1</sup> [A/75/588/Add.2](#).

<sup>2</sup> [A/75/7/Add.38](#).

for the President and judges of the International Residual Mechanism for Criminal Tribunals,

*Having considered* the report of the Secretary-General on conditions of service and compensation for officials other than Secretariat officials: members of the International Court of Justice and President and judges of the International Residual Mechanism for Criminal Tribunals<sup>3</sup> and the related report of the Advisory Committee,<sup>4</sup>

1. *Takes note* of the report of the Secretary-General;
2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee;
3. *Decides* to maintain the three-year cycle for the review of the conditions of service and compensation for the members of the International Court of Justice and the President and judges of the International Residual Mechanism for Criminal Tribunals and to undertake the next comprehensive review at its seventy-seventh session;
4. *Appreciates* the efforts of the Secretary-General in presenting a comprehensive review of the pension schemes for the members of the International Court of Justice and the President and judges of the International Residual Mechanism for Criminal Tribunals, and requests the Secretary-General to further refine the review of the pension schemes and his proposed options and to report thereon at its seventy-seventh session, taking into account, inter alia, the following considerations:
  - (a) The possibility of raising the normal retirement age of the members of the International Court of Justice to 65 years;
  - (b) Focusing on defined benefit schemes;
  - (c) The possibility of introducing into the schemes a contribution factor;
  - (d) Scenarios incorporating grandfathering entitlements to current participants;
  - (e) Other scenarios reflecting strict equal treatment of all members of the International Court of Justice;
  - (f) Possible modalities for a transition to the new scheme as proposed, if needed;
  - (g) Projected estimated costs to the Organization for each option compared with the present pension scheme;

as well as the integrity of the Statute of the International Court of Justice and other relevant statutory provisions, the universal character of the Court, principles of independence and equality and the unique character of membership of the Court;

### **III**

#### **Addressing the deteriorating conditions and limited capacity of the conference services facilities at the United Nations Office at Nairobi**

*Recalling* its resolution [73/270](#) of 22 December 2018 and section XIV of its resolution [74/263](#) of 27 December 2019,

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<sup>3</sup> [A/74/354](#).

<sup>4</sup> [A/74/7/Add.20](#).

*Having considered* the report of the Secretary-General<sup>5</sup> and the related report of the Advisory Committee,<sup>6</sup>

1. *Takes note* of the report of the Secretary-General;
2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee;
3. *Approves* the establishment of a temporary post of Project Coordinator (P-4);
4. *Appropriates* an amount of 494,000 dollars under section 29G, Administration, Nairobi, of the programme budget for 2021, which would represent a charge against the contingency fund;

#### **IV**

#### **Request for a subvention to the Special Tribunal for Lebanon**

*Having considered* the report of the Secretary-General<sup>7</sup> and the related report of the Advisory Committee,<sup>8</sup>

1. *Takes note* of the report of the Secretary-General;
2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee;
3. *Underscores* the high priority accorded to the work of the Special Tribunal for Lebanon;
4. *Welcomes with appreciation* the provision of 49 per cent of the funding over the years and the continued support of the Government of Lebanon for the Tribunal, and acknowledges the commitment of the Government to the success of the Tribunal despite the exceptional circumstances it is facing, including an unprecedented socioeconomic and financial crisis, that have challenged its ability to maintain its financial support to the Tribunal;
5. *Expresses appreciation* to the donors of the Tribunal, and requests the Secretary-General to intensify fund-raising efforts, including by broadening the donor base, and encourages all Member States to provide voluntary support to the Tribunal for its activities during the period 2021–2022;
6. *Urges* the Tribunal to ensure that no resources will be needed after 2022 beyond residual activities, if any;
7. *Stresses* the importance of completing the audit certification of the Tribunal's financial statements for the year 2019, as well as the importance of providing the full text of the Tribunal's budgets for 2020 and 2021;
8. *Recalls* paragraph 15 of the report of the Advisory Committee, and encourages the Tribunal to pursue its efforts to further reduce its costs and enhance its efficiency;
9. *Appropriates* an additional amount of 15,503,355 dollars under section 8, Legal affairs, of the programme budget for 2021, to supplement the voluntary financial resources of the Tribunal by way of a subvention;

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<sup>5</sup> [A/75/716](#).

<sup>6</sup> [A/75/7/Add.37](#).

<sup>7</sup> [A/75/763](#).

<sup>8</sup> [A/75/7/Add.40](#).

## V

**Standards of accommodation for air travel**

*Recalling* its resolutions 37/240 of 21 December 1982 and 42/214 of 21 December 1987, section IV, paragraph 14, of its resolution 53/214 of 18 December 1998, section XV of its resolution 62/238 of 22 December 2007, section II of its resolution 63/268 of 7 April 2009, section IV of its resolution 65/268 of 4 April 2011, section VI of its resolution 67/254 A of 12 April 2013, section IV of its resolution 69/274 A of 2 April 2015, section VI of its resolution 71/272 B of 6 April 2017 and section I of its resolution 72/262 B of 4 April 2018, as well as its decision 57/589 of 18 June 2003,

*Having considered* the report of the Secretary-General<sup>9</sup> and the related report of the Advisory Committee,<sup>10</sup>

1. *Takes note* of the report of the Secretary-General;
2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee, subject to the provisions of the present resolution;
3. *Recalls* paragraph 12 of the report of the Advisory Committee, and requests the Secretary-General to continue to limit the use of exceptions, to elaborate on the rules regarding the determination of eminent and prominent persons and the attribution of exceptions, to encourage eminent and prominent persons to voluntarily downgrade from their entitled class, and to report thereon in his next report on standards of accommodation for air travel;
4. *Also recalls* paragraph 21 of the report of the Advisory Committee, and requests the Secretary-General to include in his next report alternative proposals to improve the current travel approval processes in order to enable managers to maximize the use of limited travel budgets;
5. *Requests* the Secretary-General to make additional efforts to encourage all individuals who qualify for first-class or business class United Nations-funded air travel to voluntarily downgrade from their entitled class, where possible, and to report thereon in his next report on standards of accommodation for air travel;
6. *Decides* that the changes set out in the present resolution shall not affect the current standards of accommodation for air travel and daily subsistence allowance of members of organs and/or subsidiary organs, committees, councils and commissions of the United Nations, including standards applicable to delegations of least developed countries;
7. *Reiterates its request* to the Secretary-General to hold managers accountable for the judicious use of travel resources, in particular by increasingly encouraging the use of alternative methods of communication and representation and by giving primary consideration to authorizing official travel only where direct face-to-face contact is necessary for mandate implementation;
8. *Recalls* paragraph 4 of the report of the Advisory Committee, recognizes the limited statistical value of travel data for 2020 and 2021 owing to the coronavirus disease (COVID-19) pandemic, and looks forward to receiving information on the lessons learned from COVID-19 in air travel management in the context of the next report;
9. *Reiterates its serious concern* at the low compliance with the advance purchase policy directive in all travel categories, and requests the Secretary-General

<sup>9</sup> A/75/654/Rev.1.

<sup>10</sup> A/75/7/Add.39.

to intensify his efforts to improve the situation in order to reduce air travel costs, taking into account the patterns and nature of official travel and the reasons for non-compliance by each department, office and field mission;

10. *Requests* the Secretary-General to establish guidelines to ensure that tickets purchased at the expense of the Organization for home leave and family visit travels always comply with the advance purchase policy;

11. *Welcomes* the adoption of a regional approach for the purchase of air tickets, accommodating potential for local discounts and arrangements while attempting to take advantage of economies of scale at the regional level, and ensuring that procurement processes are in accordance with United Nations procurement principles;

12. *Reiterates its requests* to the Secretary-General to ensure that the procurement process for all air travel management services contracts is conducted in full compliance with general procurement principles as set out in financial regulation 5.12, namely, (a) best value for money; (b) fairness, integrity and transparency; (c) effective international competition; and (d) the interest of the United Nations,<sup>11</sup> and to ensure that the procurement process includes the option of awarding a contract to multiple vendors to allow for greater competition among selected vendors;

13. *Decides* to consider the proposals of the Secretary-General on a single threshold for official travel with any updates, if applicable, at its seventy-seventh session;

14. *Takes note* of paragraph 29 of the report of the Advisory Committee, and requests the Secretary-General to review the use of the least restrictive economy class fare as the basis for determining the lump sum for home leave travel, including the staff uptake and appropriateness of the unaccompanied baggage entitlement, to consider alternatives and to present his conclusions thereon in the context of his next report;

15. *Requests* the Secretary-General to encourage staff members to use a lump-sum option for home leave, and also requests the Secretary-General to explore alternative measures to increase the rate of acceptance of the lump-sum payment and to report thereon.

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<sup>11</sup> See [ST/SGB/2013/4](#).