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Chairman: Mr. Yousfi (Algeria)
later: Mr. Mitsopoulos (Vice-Chairman) (Greece)
later: Mr. Yousfi (Algeria)
*Chairman of the Advisory Committee on Administrative
 and Budgetary Questions:* Mr. Saha

Contents

Agenda item 141: Financing of the United Nations Stabilization Mission in Haiti

Agenda item 132: Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations (*continued*)*United Nations Logistics Base at Brindisi*Agenda item 117: Programme budget for the biennium 2006-2007 (*continued*)*Financial situation of the International Research and Training Institute for the Advancement of Women*

Agenda item 129: Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 (*continued*)

Agenda item 130: Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (*continued*)

Comprehensive proposal on appropriate incentives to retain staff of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia

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

Agenda item 141: Financing of the United Nations Stabilization Mission in Haiti (A/61/741, A/61/852/Add.15 and A/61/869)

1. **Mr. Sach** (Controller), introducing the report of the Secretary-General containing the performance report on the budget of the United Nations Stabilization Mission in Haiti (MINUSTAH) for the period from 1 July 2005 to 30 June 2006 (A/61/741), said that, based on the amount originally apportioned for the Mission and actual expenditure, the rate of implementation of the budget had been 92.9 per cent.

2. Introducing the report of the Secretary-General containing the proposed budget of MINUSTAH for the period from 1 July 2007 to 30 June 2008 (A/61/869), he indicated that the budget for the forthcoming period was 9.9 per cent higher than the previous budget. The key causes of the increase were additional requirements for facilities and infrastructure connected with the projected increase in civilian personnel and mission locations, including the co-location of MINUSTAH and Haitian National Police personnel; the 196 proposed posts for national staff; and the revised salary scale for such staff introduced in July 2006.

3. In the light of the decisions made by the General Assembly in its resolution 61/264 on liabilities and proposed funding for after-service health insurance benefits, the Mission's share of after-service health insurance provisions drawn from interest and other income, as well as from the unencumbered balances for the 2005/06 financial period, would be credited in full to the Member States.

4. **Mr. Saha** (Chairman of the Advisory Committee on Administrative and Budgetary Questions), introducing the related report of the Advisory Committee (A/61/852/Add.15), said that, in connection with the proposed budget for the Mission for the period from 1 July 2007 to 30 June 2008, the recommendations of the Advisory Committee entailed a reduction of \$2,291,500. The recommendations regarding posts were contained in paragraphs 22-41 of its report. With regard to non-post expenditure, the Advisory Committee recommended that the proposed apportionment for travel should be reduced to the level of estimated expenditure for 2006/07.

5. **Mr. Lithgow** (Dominican Republic), speaking on behalf of the Rio Group, said that the Rio Group had long taken a close interest in finding a long-term and stable solution to the situation in Haiti and had devoted substantial effort and resources to safeguarding Haitians' sovereignty, independence and unity, strengthening democratic institutions and the management capabilities of the State and achieving lasting peace with full respect for human rights.

6. Recalling the commitments made at the Twelfth Ministerial Meeting between the Rio Group and the European Union, held in Luxembourg in May 2005, to strengthen cooperation and rebuild the Haitian economy and society, he said that establishing order and overcoming deteriorating security were vital to strong State institutions, a secure legal environment, respect for human rights and economic and social development. His Group valued the part played by MINUSTAH in supporting the Government and people of Haiti in that regard and urged that it should be provided with the requisite resources to fulfil its post-election mandate.

7. The clear mandate given to MINUSTAH by the Security Council in its resolution 1743 (2007) must be backed by sufficient and predictable resources, particularly in order to consolidate the rule of law, build institutional capacity, strengthen public information activities and ensure the continuation of quick-impact projects and implementation of the disarmament, demobilization and reintegration programme. Quick-impact projects deserved support because they increased acceptance of the Mission, built trust in the peace process and improved social and economic well-being, while disarmament, demobilization and reintegration programmes contributed to bringing peace to societies in conflict.

8. His Group supported the Mission's transfer of responsibilities in the Civil Affairs Section, the Electoral Assistance Section and the Disarmament, Demobilization and Reintegration Section from United Nations Volunteers to National Officers. It also supported the intention of the Mission to provide advice to the National Commission for Disarmament, Demobilization and Reintegration on the development and implementation of the National Strategy for Disarmament, Demobilization and Reintegration/Community Violence Reduction and on improved legislation for the control of small arms and light weapons.

9. The Group welcomed the steps taken by the Civil Affairs Section to coordinate efforts focused on governance, institutional support and expansion of State authority, as well as the Mission's capacity-building efforts in communities. The Government's adoption of the Haitian National Police Reform Plan was a central part of the current phase of the Mission's mandate; the Mission's own police personnel must receive the support they needed to create an infrastructure to support the implementation of the Reform Plan. The Group consequently supported the proposal of the Secretary-General to establish the post of Coordinator of the Working Group on the Rule of Law at the highest possible level.

10. The Rio Group recalled that the Mission had established a disaster recovery centre located within the International Research and Training Institute for the Advancement of Women (INSTRAW) facility, so as to ensure continuity and stability in the Mission's operations in the event of a disaster or a deterioration of security. Finally, it was concerned at the Mission's high vacancy rates, and would like more details on the impact of the reductions recommended by the Advisory Committee.

11. **Mr. Poulin** (Canada), speaking also on behalf of Australia and New Zealand, said that, despite operating in a challenging environment, MINUSTAH had been able to make progress, as shown by the holding of free and fair elections and the restoration of security. Moreover, the Mission's strong partnership with the United Nations Development Programme was an example for the United Nations country team and for other peacekeeping operations to follow.

12. While recognizing that budgetary planning for peacekeeping was not an exact science, the three delegations urged the Secretary-General to make further progress in refining budget assumptions and reducing the unencumbered balances remaining at the end of each budget period. They welcomed that fact that the Mission's cash balance was sufficient, and urged Member States to continue to pay their assessments in full, on time and without conditions, so that timely reimbursements could be made to troop-contributing countries.

13. Having considered the budget proposed by the Secretary-General for the period from 1 July 2007 to 30 June 2008 and the related recommendations of the Advisory Committee, the delegations supported the

establishment of two Senior Political Affairs Officer (P-5) posts to provide advice to the Office of the President of Haiti, believing that such an arrangement would provide the necessary accountability structure to implement the capacity-building mandate of the Mission. Because of the importance of rule-of-law reforms, they would like to know the rationale for the Advisory Committee's recommendation to fill the position of Coordinator of the Working Group on the Rule of Law at a lower grade than originally proposed and the practical effect of such a step on the implementation of the Mission's mandate.

14. As the 75-per-cent vacancy rate for National Officers jeopardized the Mission's role in national capacity-building, a key factor in the transition to the peacebuilding phase, he wished to know the causes of that rate, the steps which the Secretary-General proposed to take to improve the situation and the Secretariat's views on the feasibility of utilizing existing vacancies instead of increasing the staffing table. He hoped that the renewal of the Mission's mandate in October 2007 would build on the comprehensive assessment of the security risks, challenges and priorities facing Haiti to be provided in an upcoming report of the Secretary-General.

15. **Mr. Tarrisse da Fontoura** (Brazil) said that his delegation did not believe that there was a purely military solution to the crisis in Haiti. In order to prevent the situation in Haiti from reverting to the status quo ante, it was vital for MINUSTAH to have the resources it needed to assist the Haitian authorities as they strove to stabilize the country, reform the legal system, establish law and order, protect human rights, coordinate assistance efforts and pave the way for sustainable development.

16. His delegation welcomed the clear manner in which the budget was presented, as well as the increased number of Haitian staff members in the Mission. His delegation also strongly supported the implementation of 125 quick-impact projects in training and capacity-building, infrastructure rehabilitation and public services and social mobilization. Such projects would build trust in the Mission and allow it to implement its mandate effectively. The importance of quick-impact projects in Haiti had been recognized in Security Council resolution 1743 (2007) and his country supported the allocation of the \$2 million that those projects required.

17. His country supported the Mission's new focus on disarmament, demobilization and reintegration and welcomed the fact that it would be providing advice to the Haitian authorities on the structuring and implementation of a national disarmament, demobilization and reintegration strategy, as well as logistical support for operational aspects, such as storage and destruction of weapons. Disarmament, demobilization and reintegration had to be planned and implemented with the social and political peculiarities of Haiti in mind.

18. In that context, he requested assurances from the Secretariat that the downgrading of one P-3 post to the P-2 level would not hamper the work of the Mission's Disarmament, Demobilization and Reintegration Section. His delegation supported the creation of the post of Coordinator of the Working Group on the Rule of Law, at the D-2 level, in the Office of the Principal Deputy Special Representative. The D-2 level for that post was fully justified given the substantive and technical challenges of the position.

19. Adequate resources were required for humanitarian and development coordination. His country supported the allocation of the amounts budgeted for public information programmes because the Haitian population needed to be well informed about the Mission's activities.

20. **Mr. Arias Cárdenas** (Bolivarian Republic of Venezuela) said that Haiti had been a pioneer in its region, as the first State to gain independence and as a leader in the fight to abolish slavery. Haiti's current crisis must be a focus of attention for the international community, which, through the Security Council, had dispatched the multinational force which had been the forerunner of MINUSTAH in 2004, following the overthrow of the legitimate Government of Jean-Bertrand Aristide.

21. Despite the interest which a particular country might have in exploiting the situation to further its desire for domination, the people of Haiti were returning to constitutional rule. A milestone in that process had been the establishment of the democratically elected Government of René Prével. The Venezuelan Government had backed the Mission's contribution to restoring democratic institutions and promoting social development and supported action in compliance with the Charter of the United Nations.

22. As a central aim of the Mission must be to help the Government to further social development and to combat poverty, quick-impact projects should receive support and their duration and resources should not be restricted. Another priority was improving the security situation. As efforts in that regard should not involve the use of force against the population, the actions of United Nations personnel should be governed by the Haitian authorities' requirements and conditions. International initiatives to resolve the current crisis in Haiti should not undermine the ultimate right of its people to make decisions regarding their political and social institutions or the course of their development in the interest of overcoming poverty. The international community must ensure that the electoral process was transparent.

23. The Venezuelan Government, as a sign of its deep solidarity with Haiti and the other countries of Latin America and the Caribbean and its interest in promoting South-South cooperation, had concluded a number of social development agreements to benefit Haiti. They covered initiatives and donations for a humanitarian fund, airport renovation, health care, food, medicine, waste collection and disposal, and also fuel supplies provided under its ALBA (Bolivarian Alternative for the Americas) initiative.

24. **Ms. Sánchez Izquierdo** (Ecuador) said that the close relationship between peace, security and development dictated that the design, planning and implementation of peacekeeping operations should be addressed in an integral, cohesive and coordinated way. Believing that those living in post-conflict areas must have a concrete manifestation of the peace dividend, Ecuador had provided engineers to work with MINUSTAH. Moreover, quick-impact projects had improved day-to-day life and had enabled MINUSTAH to serve as a source of authority and protection in places where the State was barely represented. Through its presence in Haiti, the United Nations had generated 650,000 jobs, producing a direct impact on the population, helping to build trust, interaction and commitment and therefore helping to improve security.

25. In the area of training, all reform initiatives should focus on peacekeeping staff and personnel from troop-contributing countries. Training provided by the Organization had enabled Ecuador to increase its contingent and establish peacekeeping training on its own soil. However, despite its strong commitment to peacekeeping, Ecuador and other middle-income

countries faced a difficult situation in which they paid more in peacekeeping assessments than they did in assessments for the regular budget. A solution must be found to the problem of delayed reimbursement, which had a damaging effect.

26. **Mr. Mérorès** (Haiti) said that his delegation was grateful for the international community's continuing efforts to help Haiti to find viable and lasting solutions to its many problems. In particular, it appreciated the recent joint efforts by MINUSTAH and the Haitian National Police to restore a level of security that had not existed for some time. While the task was difficult and the results sometimes fell short of expectations, all those involved must persevere to ensure that the country achieved stability and sustainable development. To that end, the Government had recently taken steps to encourage more private investment.

27. His delegation welcomed the resources proposed for quick-impact projects in the 2007/08 budget of the Mission and the establishment of seven Community Violence Prevention and Development Committees in particularly volatile areas, but was concerned at the small portion of the total budget devoted to the important issue of disarmament, demobilization and reintegration, and also at the plans to downgrade or alter the category of certain positions in the Disarmament, Demobilization and Reintegration Section and the Procurement Section. The recruitment of more local staff for the Mission was positive; efforts in that regard should continue, in order to reduce the high vacancy rates for local personnel.

Agenda item 132: Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations (*continued*)

United Nations Logistics Base at Brindisi
(A/61/679, A/61/752, A/61/759 and
A/61/852/Add.14)

28. **Mr. Sach** (Controller), introducing the report of the Secretary-General containing the performance report on the budget of the United Nations Logistics Base at Brindisi for the period from 1 July 2005 to 30 June 2006 and details of the implementation of the strategic deployment stocks, including the award of contracts for procurement (A/61/679), said that the budget implementation rate for the period in question had been 87.4 per cent, that \$30,625,600 in strategic deployment stocks had been issued, and that

\$47,831,100 had been expended on replenishment of those stocks.

29. The proposed budget for the United Nations Logistics Base for the period from 1 July 2007 to 30 June 2008 (A/61/752) would represent an increase of 14.7 per cent over the previous budget. Key causes were the addition of 8 international and 12 national posts, plus acquisition of hardware and software, for the proposed Strategic Air Operations Centre, the Engineering Design Unit and the Geographical Information System Centre; and the increase in maintenance and spare-part costs reflecting the higher overall inventory value of information and communications equipment of the Logistics Base.

30. In response to the requests made by the General Assembly in its resolution 60/267, the proposed budget for the period from 1 July 2007 to 30 June 2008 also included detailed information on the concept of operations, financial and legal implications and expected benefits of the expansion of the Logistics Base. Between July and October 2006, the Department of Peacekeeping Operations had conducted a comprehensive organizational review of the Logistics Base, leading to a new concept of operations, a proposal for three new entities and a new organizational chart.

31. Although the provision for common staff costs included an amount corresponding to 8 per cent of net salaries to meet the requirements for the Organization's unfunded liability arising from the after-service health insurance scheme, that amount would be excluded from the budget for 2007/08 as a result of the decision made by the General Assembly in its resolution 61/264 on liabilities and proposed funding for after-service health insurance benefits.

32. **Mr. Saha** (Chairman of the Advisory Committee on Administrative and Budgetary Questions), introducing the related report of the Advisory Committee (A/61/852/Add.14), said that the Advisory Committee's recommendations regarding the pilot project for the Personnel Management and Support Service, Tenant Units and the restructuring of the Logistics Base services, and the non-application of a provision of 8 per cent of net salaries for after-service health insurance liabilities, would result in a reduction of \$378,100.

33. With respect to the proposal to establish three new Tenant Units at the Logistics Base, the Advisory

Committee recommended acceptance of the Secretary-General's proposal for a Strategic Air Operations Centre with a staffing component of five posts. It recommended that the posts requested for the establishment of the Geographical Information System Centre and the Engineering Design Unit should be funded from general temporary assistance at the current stage.

34. In connection with the restructuring of the Logistics Base, the Advisory Committee recommended acceptance of the proposals to establish four national posts. The reorganization of Logistics Base services, which was based on the reconfiguration of existing functions to separate the activities supporting the Logistics Base from functions supporting field missions, should be cost-neutral and should not inflate the grade structure. The Advisory Committee therefore recommended against the proposals to reclassify posts at a higher level or to establish new posts at a grade level higher than that of the posts to be abolished.

35. *Mr. Mitsopoulos (Greece), Vice-Chairman, took the Chair.*

Agenda item 117: Programme budget for the biennium 2006-2007 (continued)

Financial situation of the International Research and Training Institute for the Advancement of Women (A/61/897 and A/61/924)

36. **Ms. Wong** (Programme Planning and Budget Division), introducing the report of the Secretary-General on the financial situation of the International Research and Training Institute for the Advancement of Women (INSTRAW) (A/61/897), said that the report had been prepared in response to the request contained in General Assembly decision 61/555 of 4 April 2007 that the Secretary-General should report on the financial situation of the Institute for 2007.

37. In that decision, the General Assembly had decided on an exceptional basis to authorize the Secretary-General to enter into commitments in an amount of up to \$190,000, under section 9, Economic and social affairs, of the programme budget for the biennium 2006-2007, subject to full reimbursement pending receipt of voluntary contributions for the financing of INSTRAW.

38. A recent review of the status of the INSTRAW Trust Fund had revealed that the \$385,000 in voluntary

contributions received during the biennium 2006-2007 up to 30 April 2007 was insufficient to provide for the functioning of the Institute to the end of 2007. If the \$190,000 commitment authority was applied, then the shortfall in resources required for 2007 would amount to \$647,900.

39. The \$190,000 commitment authority and the additional \$647,900 were over and above the \$1,042,200 that had been approved by the General Assembly in its resolution 60/247 for the functioning of the Institute in 2006.

40. Accordingly, the General Assembly was requested to authorize the Secretary-General to enter into an additional commitment of up to \$647,900, on an exceptional basis, subject to full reimbursement pending receipt of voluntary contributions, for the financing of INSTRAW for the remainder of 2007.

41. **Mr. Saha** (Chairman of the Advisory Committee on Administrative and Budgetary Questions), introducing the related report of the Advisory Committee (A/61/924), said that the recommendations of the Advisory Committee were set out in paragraphs 3, 5, 6, 8 and 9 of its report.

42. The fundamental issues that confronted INSTRAW, namely the requirement to operate on the basis of voluntary funding and the insufficiency of such funding, remained unresolved.

43. Subject to the approval of the Institute's budget by the Executive Board at its upcoming meeting on 30 May 2007 and the payment of further voluntary contributions, the proposal of the Secretary-General entailed authorizing him, on an exceptional basis, to enter into commitments in the amount of \$647,900.

44. **Mr. Hussain** (Pakistan), speaking on behalf of the Group of 77 and China, reaffirmed his Group's support for General Assembly resolution 60/229 and for the ongoing efforts to revitalize the Institute and provide it with the funding it required to carry out its core functions for the biennium 2006-2007. He regretted that his Group's proposal to fund INSTRAW through the end of 2007 had not been accepted. That decision had forced the Assembly to face the issue again within two months of its earlier decision.

45. Inasmuch as INSTRAW was the only institution within the United Nations system with a mandate to promote and undertake research and training programmes that contributed to the advancement of

women and gender equality worldwide, and one of the few located in a developing country, he urged donors who had pledged financial assistance to fulfil their commitments as soon as possible in order to ensure the financial stability of the Institute. While the Group would welcome further information from the Executive Board on the Institute's budget and the status of voluntary contributions, it fully supported authorizing the Secretary-General to enter into commitments in the amount of \$647,900.

46. **Mr. Lithgow** (Dominican Republic), speaking on behalf of the Rio Group, said that his Group fully and unconditionally supported INSTRAW, which was one of the few United Nations system institutions with its headquarters in a developing country and the only such institution whose mandate was to provide training for women. The Group's support was based on its belief that INSTRAW was capable of fulfilling its mandates, particularly regarding gender issues, security, international migration, governance, political involvement and — most importantly — coordination of activities with other entities in the United Nations system.

47. While the Rio Group acknowledged the Member States' valuable support of INSTRAW in recent years, it believed that INSTRAW would continue to need backing in order to carry out its core functions and a programme of work which would enable it to focus on its vital research and advancement efforts, to improve the situation of women throughout the world.

48. Despite the difficult financial situation which INSTRAW had been experiencing, its Director had succeeded in redirecting, coordinating and updating its policies to emphasize programmes in strategic and priority fields connected with promoting gender equality and empowerment of women in developed and developing countries alike. It should be remembered that INSTRAW also provided services in Santo Domingo to the United Nations Stabilization Mission in Haiti (MINUSTAH), particularly for its disaster recovery centre.

49. The work of the INSTRAW Executive Board, composed of two representatives from each regional group, clearly demonstrated Member States' commitment, interest and desire to ensure the Institute's continuity and stability. The Rio Group wished to thank the Member States that had made voluntary contributions to INSTRAW, and urged others

to do likewise. It agreed with the recommendation of the Advisory Committee that INSTRAW should continue efforts to diversify its donor base, ascertain the expected date of receipt of pledged funds and withdraw from its statements long-outstanding pledges that were unlikely to materialize.

50. Recalling that the General Assembly, in paragraph 10 of its resolution 60/229, had decided to provide its full support to the current efforts to revitalize INSTRAW and, in that regard, to provide it with the requisite funds to enable it to carry out its core functions for the biennium 2006-2007, the Rio Group trusted that the Fifth Committee would avoid polemic and explore ways of providing INSTRAW with the requisite funds to continue its activities uninterrupted in 2007.

51. **Mr. Hillman** (United States of America) said that while his country had taken note of the Institute's improved performance and management reorganization plans, INSTRAW continued to lack sufficient support from donor States to sustain its current level of activity.

52. Recalling the funding approved by General Assembly resolutions and by decision 61/555, he said that it was clear that even though the Institute's statute called for it to operate on the basis of voluntary contributions, the General Assembly had been forced to go to great lengths to compensate for the Institute's funding shortfalls. In that regard, the Advisory Committee had correctly noted that the fundamental issues facing INSTRAW remained unresolved.

53. It was not the responsibility of Member States, through assessed contributions, to again grant INSTRAW commitment authority to provide for its functioning through the end of 2007. Contrary to suggestions that voluntary contributions would be forthcoming to reimburse the previously authorized commitment authority of \$190,000, as well as to fund the balance of the budget, INSTRAW was once again seeking a subvention to continue its operations. Such repeated requests to the General Assembly were an inappropriate basis for the future operation of the Institute.

54. INSTRAW should re-examine its budget and workplan and reduce its overhead so as to accurately reflect current donor commitments, rather than seek additional subventions. He concurred with Advisory Committee's recommendation that the Institute's budget should be formulated in such a way as to be

more closely aligned with the volume of voluntary resources available to it.

55. It was the responsibility of Member States that supported the work of INSTRAW to provide it with the resources it required to function. At a time when Member States were being asked to sustain record-level budgets, the Organization could not afford to subsidize a programme that had been established on the understanding that it would be funded through voluntary contributions.

56. **Mr. Yamada** (Japan) said that articles VI and VII of the INSTRAW Statute clearly called for the Institute to operate on the basis of voluntary funding. Subventions such as those that had previously been given to the Institute were unacceptable because they undermined sound management of United Nations resources by Member States, as well as financial discipline.

57. INSTRAW had yet to reimburse the amount of \$190,000 authorized by General Assembly decision 61/555. His delegation was concerned about the Institute's planning and financial management capacities because it had failed to avoid budget increases and had not been successful in raising voluntary contributions to reimburse that sum. In conclusion, it was incumbent upon INSTRAW to reimburse those funds, and there should be no subventions for the Institute's programme budget for 2007-2008.

Agenda item 129: Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 (*continued*)

Agenda item 130: Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (*continued*)

Comprehensive proposal on appropriate incentives to retain staff of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia (A/61/824 and A/61/923)

58. **Mr. Thatchachawalit** (Programme Planning and Budget Division), introducing the report of the Secretary-General on the comprehensive proposal on appropriate incentives to retain staff of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia (A/61/824), said that the report had been prepared in response to General Assembly resolutions 61/241 and 61/242 on the financing of those Tribunals.

59. He reminded the Committee that staff retention at the Tribunals had been a concern of the General Assembly for some time. In its resolutions 61/241 and 61/242, the Assembly had endorsed the recommendations contained in the Advisory Committee's report on financial and any other implications resulting from the introduction of a staff retention bonus at the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia (A/61/591), which had requested the Secretary-General to further explore ways and means of applying existing Staff Regulations and Rules, including annex III thereto (which dealt with termination indemnities), with a view to retaining staff until the Tribunals had completed their mandates.

60. The report of the Secretary-General contained a proposal on appropriate incentives to retain staff at the Tribunals and took into account the most recent estimates of when those Tribunals would complete their work. Since retention bonuses were to be paid out mainly in 2009 and 2010, the resources required to establish those bonuses would be reflected in the proposed budgets for the Tribunals for 2008-2009 and 2010. The establishment of a retention bonus would not have any financial implications for the current biennium.

61. **Mr. Saha** (Chairman of the Advisory Committee on Administrative and Budgetary Questions), introducing the related report of the Advisory Committee (A/61/923), said that the Secretary-General had indicated that the retention incentive would apply only to staff who were required to remain with the Tribunals until their services were no longer needed and their posts were abolished. The Advisory

Committee had been assured that the Tribunals had conducted a rigorous review of the anticipated workload in the biennium 2008-2009 on the basis of the actual number of cases that remained and the staff that were needed to support each case. A reduction in the number of cases was anticipated in the biennium 2008-2009 as the Tribunals moved to the appeals process.

62. The Advisory Committee recognized the special features of the Tribunals, including the fact that a large proportion of their staff performed specialized functions that were not readily available within the United Nations system. Under the circumstances, the Committee considered that the use of a retention incentive, pursuant to the terms of annex III to the Staff Regulations and Rules, was a valid option for enabling the Tribunals to retain required staff until their posts were abolished. The Advisory Committee recommended that consideration should be given to increasing the number of years of service that were required before key staff became eligible for the retention incentive from two to five years of continuous service, until the post was abolished. In the current circumstances, the retention incentive would become effective from the biennium 2008-2009.

63. The Advisory Committee further recommended that the administrative arrangements for retention incentives should be based on an ad hoc decision of the General Assembly rather than an amendment to the Staff Rules.

64. **Mr. Hussain** (Pakistan), speaking on behalf of the Group of 77 and China, said that with the anticipated closure of the Tribunals in 2010, his Group fully understood the anxiety of their highly specialized staff and the need to ensure continuity in the Tribunals' work. The strategy outlined in the report of the Secretary-General provided a sound basis for taking a decision during the current session of the General Assembly.

65. The loss of professional, specialized and trained staff during the final stages of the Tribunals' work would seriously harm ongoing and future cases that were complex or involved multiple accused. His Group agreed with the Secretary-General that retention incentives would lead to substantial savings by forestalling productivity losses and staff rotation costs, and considered the retention of personnel to be vital to the completion of the Tribunals' work in accordance

with General Assembly and Security Council resolutions.

66. Further information should be made available during informal consultations on the specific categories of staff that were essential for the Tribunals to conclude their work without disruption, as well as on the financial implications of introducing a retention incentive.

67. **Mr. Woeste** (Germany), speaking on behalf of the European Union; the candidate countries Croatia, the former Yugoslav Republic of Macedonia and Turkey; the stabilization and association process countries Albania, Montenegro and Serbia; and, in addition, Iceland, Liechtenstein and Moldova, said that the European Union attached great importance to the work of the Tribunals and fully supported the time frame for its completion.

68. Recalling that the issue of retention incentives had been discussed previously, he said that the main objective that all Member States shared was the retention of core personnel so that the Tribunals would be able to complete their work without any unnecessary delays. The right approach had to be found in order to achieve that goal.

69. In that regard, he looked forward to receiving clarifications in the course of informal consultations on a number of issues, including the assumptions underlying the comprehensive proposal, the downsizing of the Tribunals throughout the completion phase and the possible precedents that might be set.

70. **Mr. Kishimoto** (Japan) said that the report that had been presented by the Secretary-General did not address the conclusions and recommendations contained in the previous report of the Advisory Committee (A/61/591), which had been endorsed by the General Assembly in its resolutions 61/241 and 61/242. He asked the Secretary-General to offer his assurance that the proposed retention bonuses would ensure strict compliance with the completion strategy for the Tribunals.

71. Although the purpose of the proposed retention bonus was to ensure that the two ad hoc bodies concerned would be able to carry out their mandates, it had huge implications in terms of human resources management and would be taken as a precedent for other current and future United Nations operations. Careful consideration should be given to the

implications of such a proposal for the United Nations common system before any decision was taken.

72. The Secretary-General's report did not provide a precise cost-benefit analysis based on the projections it contained. Cost estimates needed to be determined precisely on the basis of the drawdown plan for the Tribunals, which clearly defined the requirements of the upcoming phases of the completion strategy.

73. The current proposal, in which the retention bonus would be applied to every job category, had to be re-examined. Retention bonuses should be offered only to those staff members whose expertise made their retention essential.

74. In the absence of the basic information it required, his delegation did not endorse the reports of either the Secretary-General or the Advisory Committee.

75. *Mr. Yousfi (Algeria) resumed the Chair.*

76. **Mr. Nkayivu** (Uganda), speaking on behalf of the African Group, said that the work of the Tribunals constituted an important part of the international justice system. The General Assembly, in light of the staff retention problems those Tribunals faced, should take whatever measures were necessary to ensure that they fulfilled their completion strategies.

77. Recalling the earlier report of the Secretary-General on the financial and any other implications resulting from the introduction of a staff retention bonus at the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia (A/61/522), in which the Secretary-General had concluded that the financial implications of the retention bonus would be far offset by the cost savings associated with lower rates of staff turnover, he said it was abundantly clear that the Assembly had to resolve that matter once and for all. Accordingly, the African Group supported the Secretary-General's request for authorization to apply the termination indemnities set out under the heading "Permanent appointments" in annex III to the Staff Regulations and Rules for the specific and sole purpose of approving payments related to the retention incentive for staff of the Tribunals.

78. **Mr. García** (United States of America) said that the reports of the Secretary-General and the Advisory Committee provided an opportunity to again discuss the issue of appropriate incentives to retain key staff

throughout the life of the Tribunals, a topic that had been under consideration since the Advisory Committee had issued its report of 10 November 2004 on the financing of the Tribunals (A/59/561). Yet two years on, two essential aspects of the retention incentive question — a comprehensive drawdown plan identifying key posts and the correlation between a successful retention bonus and an acceptable turnover rate — had not been adequately addressed.

79. With respect to the comprehensive drawdown plan, the Secretary-General, as noted in the Advisory Committee's report, had yet to respond to the requests of the Advisory Committee and the General Assembly for a comprehensive proposal on staff retention that provided a more precise determination of the expertise, functions and posts that would be required during the foreseeable phases of the completion strategy. He reiterated his delegation's request that the Secretary-General should provide that information so that Member States could review it prior to the implementation of any retention bonus. Without more information, his delegation could not support the proposition that all or even the majority of current staff were essential and should be provided incentives in order to retain their services.

80. He also expressed his delegation's desire for more information regarding how the proposed incentive scheme would affect projected staff turnover. The Secretary-General's turnover calculations seemed to be based on past Tribunal staff turnover rates and not on current data. In addition, he wondered whether permanent staff would be eligible for retention bonuses for continuing to work at the Tribunals until they closed in addition to a 50-per-cent increase in their termination indemnities as allowed under the applicable Staff Regulations and Rules.

The meeting rose at 11.45 a.m.