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PROGRAMME BUDGET FOR THE BIENNIUM 1976-1977

PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1978-1979

Honoraria for the members of the Human Rights Committee

Fourteenth report of the Advisory Committee on Administrative
and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the note by the Secretary-General entitled "Financial implications of article 35 of the Covenant on Civil and Political Rights and the Optional Protocol" in which he proposes that, beginning in 1977, the Chairman of the Human Rights Committee should receive an annual lump-sum payment in the amount of \$2,500 and that the other members should be paid \$1,000 a year each (A/C.5/32/38).
2. As the Secretary-General recalls in paragraph 3, the Covenant on Civil and Political Rights, which was adopted by the General Assembly in resolution 2200 (XXI) of 16 December 1966, provides in article 35 that "the members of the Committee shall, with the approval of the General Assembly of the United Nations, receive emoluments from United Nations resources on such terms and conditions as the General Assembly may decide, having regard to the importance of the Committee's responsibilities".
3. The Human Rights Committee, which consists of individuals serving in their personal capacity, was constituted in September 1976. Although it held its first session in 1977, its members have not yet received any emoluments inasmuch as the General Assembly has not approved the related amounts.
4. The emoluments proposed by the Secretary-General for the Chairman and the members of the Human Rights Committee are the same as those currently payable to the Chairmen and members of the International Law Commission, the International Narcotics Control Board and the United Nations Administrative Tribunal.

Observations of the Advisory Committee

5. The Advisory Committee recalls that, in a report to the General Assembly at its thirtieth session, it stated that the basic principle that neither a fee nor any other remuneration should normally be paid to members of organs and subsidiary organs of the United Nations dated back to the early years of the Organization. That basic principle was reaffirmed by the Assembly at its 1082nd plenary meeting on 18 December 1961, again in paragraph 2 of resolution 2489 (XXIII) of 21 December 1968 and - implicitly - in the first preambular paragraph of resolution 2889 (XXVI) of 22 December 1971. Payment of the honoraria to the officers and members of the International Law Commission, the International Narcotics Control Board and the United Nations Administrative Tribunal had been authorized by the General Assembly as exceptions to the basic principle. ^{1/} The Secretary-General refers to this principle in paragraph 5 of his note (A/C.5/32/38).

6. The payment of emoluments to the Chairman and members of the Human Rights Committee will be a further exception to the basic principle. The Advisory Committee notes, however, that provision for the payment of such emoluments is already embodied in an instrument approved by the General Assembly and that the only question before the Assembly at its current session is to determine the related terms and conditions.

7. As has been stated in paragraph 4 above, the amounts proposed by the Secretary-General are the same as those currently payable to the Chairmen and members of the International Law Commission, the International Narcotics Control Board and the United Nations Administrative Tribunal. The Advisory Committee has no objection to the Secretary-General's proposal.

8. Should the General Assembly accept this proposal, additional expenditures in the amount of \$19,500 will be incurred under section 18 of the programme budget for the biennium 1976-1977. In paragraph 7 of his note (A/C.5/32/38), the Secretary-General states that this amount can be absorbed within available appropriations.

9. As regards requirements in 1978-1979, the Advisory Committee recalls that, pursuant to General Assembly resolution 3536 (XXX) of 17 December 1975, the Secretary-General submitted to the Assembly at its thirty-first session a comprehensive study of the question of honoraria payable to members of organs and subsidiary organs of the United Nations (A/C.5/31/2). Consideration of the question has been deferred to the current session of the Assembly, at which the Secretary-General will submit a further report on the question of honoraria. When the Assembly considers this question, it will have an opportunity to determine for the future whether honoraria should continue to be payable to the Chairmen and members of the bodies in respect of which they are now authorized and, if so, in what amounts. In the meantime, the additional requirements in 1978-1979 can be estimated at \$39,000 under section 18.

^{1/} Official Records of the General Assembly, Thirtieth Session, Supplement No. 8A (A/10008/Add.1-28), document A/10008/Add.3, paras. 3 and 7 and foot-note 3.