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## Commission on Crime Prevention and Criminal Justice

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### Draft report

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#### Addendum

### **Policy directives for the crime programme of the United Nations Office on Drugs and Crime and the role of the Commission on Crime Prevention and Criminal Justice as its governing body, including administrative, strategic management and budgetary questions and follow-up on resolutions**

1. At its 10th meeting, on 22 April, the Commission considered agenda item 7, entitled “Policy directives for the crime programme of the United Nations Office on Drugs and Crime and the role of the Commission on Crime Prevention and Criminal Justice as its governing body, including administrative, strategic management and budgetary questions and follow-up on resolutions”.
2. For its consideration of agenda item 7, the Commission had before it the following:
  - (a) Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime (E/CN.7/2009/3–E/CN.15/2009/3);
  - (b) Report of the Secretariat on the recommendations of the open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime (E/CN.7/2009/10–E/CN.15/2009/10);



(c) Report of the Executive Director on the implementation of the consolidated budget for the biennium 2008-2009 for the United Nations Office on Drugs and Crime (E/CN.7/2009/11–E/CN.15/2009/11);

(d) Note by the Secretary-General on the nomination of members of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute (E/CN.15/2009/17);

(e) Report of the Board of Trustees on major activities of the United Nations Interregional Crime and Justice Research Institute (E/CN.15/2009/CRP.1);

(f) UNODC regional programmes: a strategic planning and implementation tool (E/CN.7/2009/CRP.6–E/CN.15/2009/CRP.6);

(g) Report by the Open-ended Intergovernmental Working Group on Improving the Governance and Financial Situation of the United Nations Office on Drugs and Crime (E/CN.7/2009/CRP.7–E/CN.15/2009/CRP.7);

(h) UNODC financial situation: presentation (E/CN.15/2009/CRP.15).

3. Introductory statements were made by the following representatives of UNODC: the Chief of the Financial Resources Management Services, the Chief of the Strategic Planning Unit, the Director of the Division for Operations and the Deputy Director of the Division for Treaty Affairs. Statements were made by the representative of Argentina (on behalf of the Group of 77 and China) and the observers for the Czech Republic (on behalf of the States members of the European Union; with the candidate countries Croatia, the former Yugoslav Republic of Macedonia and Turkey, the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro, Serbia, as well as Armenia, Georgia, the Republic of Moldova and Ukraine, associating themselves with the statement) and the Plurinational State of Bolivia (on behalf of the Group of Latin American and Caribbean States). Statements were also made by the representatives of the United Kingdom, Canada, the Democratic Republic of the Congo, the Republic of Korea, the United States and Japan. Statements were also made by the observers for Norway and Australia.

## **Deliberations**

4. Following an introductory statement by the Chairperson, the Commission considered the nomination of three candidates proposed for reappointment and appointment to the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute.

5. The Chief of the Financial Resources Management Services of UNODC presented the report of the Executive Director on the implementation of the consolidated budget for the biennium 2008-2009 for the United Nations Office on Drugs and Crime (E/CN.7/2009/11–E/CN.15/2009/11), which contained information on the Office's performance during the first year of the biennium and on progress made towards achieving the expected accomplishments set out in the consolidated budget. In the report, an overall shortfall in general-purpose funds and an acute problem in respect of the general-purpose funding of the United Nations Crime Prevention and Criminal Justice Fund had been highlighted. The Chief of the

Financial Resources Management Services reported that steps would be taken to merge the general-purpose fund accounts and programme support cost accounts of the drug programme fund and the crime programme fund in time for the preparation of the consolidated budget for the biennium 2010-2011. He referred to the long-term decline in general-purpose fund income, from \$19 million in 2003 to \$15.2 million in 2008. The current requirements to cover staffing costs and other commitments were on the level of \$15.6 million, but the Office was currently projecting that its income in 2009 would be \$3.9 million lower than those requirements and could ultimately be as low as \$10.5 million. Decisive action was required to reduce general-purpose fund expenditures by at least \$3.9 million. Cost savings would have a disproportionate impact on the running of UNODC, as general-purpose funds were being used to cover the costs of key staff positions in the areas of evaluation, policy, analysis and research, advocacy, strategic planning, human security and the rule of law, health and human development, in field offices and for the Programme and Financial Information Management System (ProFi). UNODC had taken steps to cut costs, including by freezing vacant posts, reducing travel and consultancies, assigning shared support costs to projects, reducing other operational costs and abolishing posts in field offices. Further savings targets had been set for each division. Other measures to be implemented were the realignment of functions across divisions at UNODC headquarters to eliminate duplication and optimize the impact of remaining core resources, a return to one-year contracts, a new emphasis on negotiations for cost-sharing agreements with countries hosting field offices and, in the future, the earmarking of a minimum amount from special-purpose contributions to be used for general purposes. The target for savings in general-purpose funds was about \$4 million.

6. The Chief of the Strategic Planning Unit of UNODC highlighted the efforts being made by the Office to promote an integrated approach to addressing the challenges posed by drugs, crime and terrorism. UNODC advanced a focused approach to fulfilling its mandates and was promoting an approach that contextualized drug control, crime prevention, criminal justice and terrorism prevention within the development, security and peace agenda. UNODC was undertaking a number of strategic and organizational measures to improve performance, including expanded strategic partnerships and the development of thematic and regional programmes.

7. The Director of the Division for Operations of UNODC spoke about the development of regional programmes and the expected results in terms of transparency, effective planning and cooperation, alignment with Governments' priorities and partnerships with other entities within and outside the United Nations system. The reconfiguration of the network of field offices of UNODC, which was aimed at increasing synergy and reducing costs, was presented.

8. The Deputy Director of the Division for Treaty Affairs of UNODC reported to the Commission on the open-ended intergovernmental working group on governance and finance that had been established pursuant to decision 17/2 of the Commission on Crime Prevention and Criminal Justice and decision 51/1 of the Commission on Narcotic Drugs. He recalled that the Commission on Narcotic Drugs had decided, at its fifty-second session, to establish a standing open-ended intergovernmental working group on governance and finance (Commission on Narcotic Drugs resolution 52/13). It was noted that a draft resolution mirroring the

one adopted by the Commission on Narcotic Drugs had been submitted to the Commission on Crime Prevention and Criminal Justice, for its consideration. The adoption of parallel resolutions by the two commissions was intended to lead to the setting up of a single working group reporting to both bodies.

9. Several speakers welcomed the report on the financial situation, took note of the measures implemented by UNODC and requested that the Commission be briefed on related developments and measures as they arose. Some speakers expressed the opinion that, given the funding situation, the Commission should be conservative in giving additional mandates to UNODC and that the number of resolutions adopted should be commensurate with the financial resources available to the Office.

10. A number of speakers welcomed the report of the Executive Director on the activities of the United Nations Office on Drugs and Crime (E/CN.7/2009/3–E/CN.15/2009/3) and the ongoing commitment to streamline operations in accordance with the strategy for the period 2008-2011 for the United Nations Office on Drugs and Crime through, inter alia, the development of thematic and regional programmes and increased ownership of such programmes by Member States.

11. Support was expressed for the result-based approach adopted by UNODC; further improvements in terms of qualitative monitoring, reporting and evaluation of results were requested.

12. A number of speakers noted that, while UNODC was undertaking efforts to integrate programme development and organizational structure, those efforts were hampered by a fragmented funding and budgetary structure, as well as by fragmented governance arrangements. Several speakers reiterated the importance of improving the financial and functional independence of the Independent Evaluation Unit, whose work was helping UNODC identify its strengths and areas for improvement.

13. Efforts being made by UNODC, in particular within the framework of the One United Nations initiative, to enhance partnerships with other United Nations entities were welcomed by a number of speakers. Similarly, support was expressed for efforts aimed at broadening the Office's donor base by including representatives of the private sector and other multilateral organizations.

14. Several speakers welcomed the establishment of an open-ended standing working group on governance and finance and expressed the expectation that it would propose pragmatic and practical recommendations for ways to enhance the governance and funding situation of UNODC. Such a working group could also provide a forum for dialogue between Member States and the Secretariat. One speaker noted that the intergovernmental working group established pursuant to Commission decision 17/2 had focused on processes rather than on substance, adding yet another bureaucratic level and increasing the reporting burden on UNODC. It was hoped that the proposed open-ended standing working group would focus more on the substance of the discussion and provide added value.

15. Speakers acknowledged the challenges being faced as a result of the decrease in general-purpose funds and the imbalance in the sources of funding. It was recognized that ensuring an effective governance and an effective funding structure were key issues. Some speakers expressed the view that UNODC should not rely on

voluntary contributions to finance its core activities and that the increase in that category of funding was attributable to earmarking for specific projects. It was stressed that general-purpose funding was too dependent on a limited number of donors, which is why UNODC was urged to continue to work on expanding its donor base. Some speakers mentioned that the regular budget of the United Nations should provide a larger share of the UNODC budget. Emphasis was placed on the importance of ensuring stable and predictable funding in order to improve the planning of activities and on the importance of adopting a realistic and systematic approach to addressing the funding situation of the Office. One speaker cautioned that it might be counterproductive to oblige donors making special-purpose contributions to earmark part of those contributions as general-purpose funds.

16. Some speakers considered that the allocation of less than 1 per cent of the regular budget of the United Nations to UNODC was not commensurate with the mandates of the Office, despite the fact that those mandates had been one of the priorities of the United Nations for several bienniums. One speaker stated that support could be given to a request for an increase in the regular budget with due justification. Another speaker cautioned that it might not be realistic to expect increases in the regular budget given the current financial situation, further stating that donors should consider soft-earmarked contributions as an additional way to ease the shortfall of general-purpose funds.

17. A number of speakers welcomed the initiative to merge the two general-purpose fund accounts, noting that such a measure would simplify the budget presentation and eliminate the need to report on two different accounts.

18. One representative, speaking on behalf of the States Members of the United Nations that are members of the Group of 77 and China, expressed the view that the use of the phrase “within existing resources” or similar language in resolutions had a negative impact on the implementation of activities and that the use of that phrase in resolutions and decisions should be avoided. He stated that the use of such phrases violated the provisions of General Assembly resolution 45/248 B, in which the Assembly had reaffirmed that the Fifth Committee was the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters. Another speaker expressed the view that the phrase “subject to the availability of resources” indicated the intention to honour the authority of the Fifth Committee to decide whether necessary funds would be approved by the Fifth Committee or whether proposed activities should be implemented with voluntary contributions.

19. One speaker requested UNODC to pay due regard to geographical distribution in the recruitment of staff.

20. One speaker made suggestions for improving the work of the Commission with regard to the rules of procedure already in place in order to allow for more focused and higher quality discussions and decisions. Greater focus could be achieved by submitting draft resolutions one month in advance of the session and deciding on the topic of the thematic discussion one year in advance of the session.