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## Fifth Committee

### Summary record of the 33rd meeting

Held at Headquarters, New York, on Wednesday, 26 March 2014, at 10 a.m.

*Chair:* Mr. Taalas ..... (Finland)  
*Chair of the Advisory Committee on Administrative  
and Budgetary Questions:* Mr. Ruiz Massieu

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*The meeting was called to order at 10.10 a.m.*

**Agenda item 134: Programme budget for the biennium 2014-2015** (*continued*)

*Programme budget implications of draft resolution A/68/L.37: Strengthening and enhancing the effective functioning of the human rights treaty body system (A/68/779 and A/68/807)*

1. **Ms. Casar** (Controller), introducing the statement of programme budget implications of draft resolution [A/68/L.37](#) ([A/68/779](#)), said that the ten current treaty bodies established under the human rights conventions constituted a fundamental pillar of the international human rights protection system. Since the establishment of the first treaty body in 1969, the treaty body system had grown significantly, due to the adoption of new human rights treaties and an increase in States parties.

2. In 2012 the General Assembly had launched an intergovernmental process aimed at strengthening and enhancing the effective functioning of the human rights treaty body system, culminating in the draft resolution whose programme budget implications were now before the Committee. Under the provisions of the draft resolution, the meeting time allocated to the treaty bodies would be reviewed biennially and amended in line with budgetary procedures, which might result in amended resource proposals without prior decisions by the Assembly.

3. The programme budget implications took into account the introduction of word limits and limitations on the working languages for the translation of documents and for interpretation services. Future reviews and programme budget submissions would take into consideration possible exceptions to those limitations, such as ad hoc requests for translation.

4. Net additional resources in the amount of \$194,300 would arise for the biennium 2014-2015: \$9,855,200 under section 24, Human rights; \$327,400 under section 28, Public information; and \$317,100 under section 29F, Administration, Geneva, mostly offset by a decrease of \$10,305,400 under section 2, General Assembly and Economic and Social Council affairs and conference management. The net increase would represent a

charge against the contingency fund and, as such, would require an additional appropriation for the biennium 2014-2015 to be approved by the General Assembly.

5. For 2016-2017, the proposed programme budget would include additional requirements representing a net increase of \$1,293,700 over the programme budget for 2014-2015, and would include \$19,574,400 under section 24, Human rights; \$661,600 under section 28, Public information; and \$393,300 under section 29F, Administration, Geneva, mostly offset by a decrease of \$19,335,600 under section 2, General Assembly and Economic and Social Council affairs and conference management.

6. **Mr. Ruiz Massieu** (Chair of the Advisory Committee on Administrative and Budgetary Questions), introducing the related report of the Advisory Committee ([A/68/807](#)), said that the Advisory Committee recommended approval of the Secretary-General's proposal except for two P-3 posts and one General Service post, and videoconferencing equipment for two conference rooms. The Advisory Committee also recommended that the General Assembly should request the Secretary-General to reflect any variations in resource requirements in the performance reports.

7. Accordingly, the Advisory Committee recommended that the Fifth Committee should inform the General Assembly that, should it adopt draft resolution [A/68/L.37](#), a revised appropriation of (\$324,200) would arise under the programme budget for the biennium 2014-2015, comprising an increase of \$9,691,500 under section 24, Human rights; an increase of \$163,700 under section 28, Public information; and an increase of \$126,000 under section 29F, Administration, Geneva, partially offset by a net decrease under section 2, General Assembly and Economic and Social Council affairs and conference management (\$10,305,400); as well as an additional amount of \$684,400 under section 36, Staff assessment, to be offset by a corresponding amount under income section 1, Income from staff assessment. The amount of (\$324,200) would represent a credit to the contingency fund for the biennium 2014-2015.

8. **Ms. Rios Requena** (Plurinational State of Bolivia), speaking on behalf of the Group of 77 and

China, said that the Group deeply regretted the late issuance of reports, a chronic problem that hindered the Committee's ability to effectively undertake and complete its work. The timely submission of reports by the Secretariat and the Advisory Committee in all official languages, in accordance with the rules of procedure of the General Assembly, were critical to the Committee's work.

9. The Group attached great importance to the human rights pillar of the Organization. The increasing workload meant that it had become critical to strengthen and enhance the effective functioning of the human rights treaty body system. The United Nations had an important role to play in supporting State parties in building capacity to implement their treaty obligations, in consultation with and with the consent of the States concerned.

10. The Group noted the additional requirements of \$194,300 for 2014-2015, and fully supported the provision of the resources requested by the Secretary-General. All mandates approved by intergovernmental bodies should be provided with adequate resources from the regular budget for their implementation.

11. **Ms. Tan** (Singapore), speaking on behalf of the Association of Southeast Asian Nations (ASEAN), said that ASEAN was firmly committed to the strengthening of the treaty body system. The programme budget implications of the draft resolution must accurately reflect the balanced outcome of the negotiations conducted. She emphasized that the Fifth Committee was the appropriate Main Committee of the General Assembly entrusted with responsibility for budgetary matters.

12. Treaty bodies must be given adequate resources to allow them to continue contributing to the promotion and protection of human rights. The use of such resources must be transparent and accountable, bearing in mind the role of States parties as key stakeholders in the treaty body system. In particular, ASEAN would examine the programme budget implications associated with the capacity-building programme to ensure that, as specified in the draft resolution, capacity-building activities were undertaken in consultation with and with the consent of the State concerned as well as at the request of States parties.

13. ASEAN also supported the additional margin of a 15 per cent increase in meeting time to prevent the recurrence of backlogs. She requested details of how the distribution of the additional margin — calculated at 8.6 weeks — among the various committees had been arrived at.

14. Lastly, the late issuance of reports continued to seriously impede the work of the Committee. The important item now before it had been taken up only two days before the scheduled end of the first part of the resumed session.

15. **Ms. Power** (Observer for the European Union), speaking also on behalf of the candidate countries Montenegro and Serbia; the stabilization and association process countries Albania and Bosnia and Herzegovina; and, in addition, Georgia and the Republic of Moldova, said that the draft resolution represented a balanced outcome which would strengthen the capacity of the treaty bodies to address the increased number of ratifications, and thus reports, in a more timely and effective manner, provide for sustainability with regard to future developments, and support States parties in building capacity to implement their treaty obligations. She trusted that the Committee's deliberations would come to a swift conclusion so as to enable the final adoption of the draft resolution.

16. **Mr. Dettling** (Switzerland), speaking also on behalf of Australia, Canada, Liechtenstein, New Zealand, Mexico, Norway and Turkey, said that the human rights treaty bodies were the cornerstone of the implementation and monitoring of the international conventions aimed at ensuring respect for human rights, and, as such, a key component of the human rights pillar of the United Nations.

17. He welcomed the balanced result represented by the draft resolution, the fruit of over two years of negotiations, as strengthening the human rights pillar of the United Nations. He called upon Member States to endorse the complete package of measures negotiated through the intergovernmental process to strengthen and enhance the effective functioning of the human rights treaty body system.

18. **Ms. Coto-Ramírez** (Costa Rica), speaking also on behalf of Argentina, Colombia, El Salvador, Guatemala, Peru and Uruguay, said that the delegations were committed to strengthening the treaty bodies, as fundamental to ongoing,

independent oversight of human rights. The draft resolution represented a substantive outcome embodying a delicate balance between the various positions put forward during lengthy and complex negotiations. The treaty bodies system was at a critical juncture, a definitive solution could no longer be deferred.

19. She urged the Committee to approve the programme budget implications for the biennium 2014-2015, and looked forward to the corresponding submission for the biennium 2016-2017.

20. **Mr. Chumakov** (Russian Federation) said that his delegation attached great importance to strengthening the United Nations treaty bodies as a key element in the international system for protecting and promoting human rights. Those monitoring bodies had achieved undoubted success, but their operation showed obvious signs of systemic crisis. The cause was obvious: the number of States parties had grown, and the examination of reports and complaints, which constituted the fundamental workload of the treaty bodies, had also grown. There were, nevertheless, also subjective reasons: treaty bodies overstepping the limits of their treaty-defined mandates, attempting to make their recommendations binding, and seeking to “counsel” States parties on matters of constitutional and political structure. The very *raison d’être* of the treaty monitoring committees — to advise States on how to strengthen their national protection and promotion of human rights — was being forgotten, leading to an increase in expenditure and to needless tension in relations between the States parties. It must be kept in mind that the main purpose of the current discussions was to refine the components of the treaty body system to enable them to better assist the States themselves.

21. With regard to the priorities for the Fifth Committee, the provision of translation and interpretation services must be based on actual requirements, including the languages required. However, provision must also be made for machinery whereby requests by States parties for translation of official documents, or of records, could not be denied for lack of resources. Multilingualism was a crucial part of the mandate of treaty bodies.

22. The time allocation proposed for consideration of State party reports was based on past practice, and did not take into account potential improvements in their working methods, resulting in a dangerously mechanical approach and an irrational use of resources. Yet other bodies in the United Nations system, for example the Advisory Committee, considered documents of similar length and complexity much more quickly. How committees allocated resources in terms of considering reports of States parties versus complaints by individuals must also be looked at. In that connection, the approach taken by the Office of the United Nations High Commissioner for Human Rights, and the reasons for requests for additional resources, merited scrutiny. There was also potential for optimization of expenditure on field missions, travel and consultants.

23. Lastly, experience suggested that the argument that no precedent would be set by the proposals before the Committee might prove ineffective.

*The meeting rose at 10.40 a.m.*