



General Assembly

Distr.
LIMITED

A/C.6/44/L.8
8 November 1989

ORIGINAL: ENGLISH

Forty-fourth session
SIXTH COMMITTEE
Agenda item 143

REPORT OF THE UNITED NATIONS COMMISSION ON INTERNATIONAL TRADE LAW ON THE WORK OF ITS TWENTY-SECOND SESSION

Programme budget implications of draft resolution A/C.6/44/L.5

Statement submitted by the Secretary-General in accordance with
rule 153 of the rules of procedure of the General Assembly

A. Requests contained in the draft resolution

1. Under the terms of operative paragraphs 5 and 6 of draft resolution A/C.6/44/L.5 the General Assembly would:

(a) Decide that an international conference of plenipotentiaries shall be convened at Vienna from 8 to 26 April 1991 to consider the draft Convention on the Liability of Operators of Transport Terminals in International Trade ^{1/} prepared by the Commission and to embody the results of its work in an international convention;

(b) Request the Secretary-General:

(i) To invite all States to participate in the conference;

(ii) To invite representatives of organizations that have received a standing invitation from the General Assembly to participate in the sessions and the work of all international conferences convened under its auspices in the capacity of observers to participate in the conference in that capacity in accordance with Assembly resolutions 3237 (XXIX) of 22 November 1974 and 31/152 of 20 December 1976;

(iii) To invite representatives of the national liberation movements recognized in its region by the Organization of African Unity to participate in the conference in the capacity of observers in accordance with General Assembly resolution 3280 (XXIX) of 10 December 1974;

- (iv) To invite the specialized agencies and the International Atomic Energy Agency, as well as interested organs of the United Nations and interested international organizations, to be represented at the conference by observers.

B. Relationship of requests to proposed programme of work

2. The activities proposed fall under chapter 3, "International justice and law", programme 5, "Progressive harmonization and unification of the law of international trade", of the medium-term plan for the period 1984-1989 as revised. 2/ Provision has been made under section 26, "Legal activities", of the proposed programme budget for the biennium 1990-1991 3/ for the substantive servicing of meetings as outlined in programme element 1.2, "Substantive servicing of meetings", under programme 5, "Progressive harmonization and unification of the law of international trade", which is carried out by the International Trade Law Branch.

C. Activities by which the requests would be implemented

3. Should the General Assembly adopt draft resolution A/C.6/44/L.5, the international conference of plenipotentiaries be convened at Vienna from 8 to 26 April 1991. The conference would require the provision of interpretation in the six official languages of the General Assembly. The schedule of meetings would provide for three meetings a day throughout the three weeks' duration. There would be 150 pages (7 documents) of pre-session documentation, 235 pages (100 documents) of in-session documentation and 20 pages (1 document) of post-session documentation to be issued in the six official languages of the Assembly. In conformity with paragraph 8 of Assembly resolution 37/14 C of 16 November 1982, by which the Assembly authorized the provision of summary records for legal codification conferences, the conference would be entitled to summary records.

D. Additional requirements at full cost

4. The related conference-servicing requirements are estimated on a full-cost basis at \$1,635,200, broken down as follows:

	\$
I. <u>Pre-session documentation</u> (150 pages of 7 documents in A,C,E,F,R,S)	197 800
II. <u>Meeting servicing</u> (Interpretation: A,C,E,F,R,S)	289 500
III. <u>In-session documentation</u> (235 pages of 100 documents in A,C,E,F,R,S)	330 700
IV. <u>Post-session documentation</u> (20 pages of one document in A,C,E,F,R,S)	26 300
V. <u>Summary records</u> (45 meetings: A,C,E,F,R,S)	790 900
Total	1 635 200

E. Potential for absorption

Conference-servicing costs

5. The above cost estimates are based on the assumption that no part of the conference-servicing requirements would be met from within the permanent conference-servicing capacity under section 29 of the proposed programme budget and that additional resources would be required for temporary assistance for meetings. The extent to which the Organization's permanent capacity needs to be supplemented by temporary assistance resources can only be determined in the light of the proposed calendar of conferences for 1990-1991. However, as indicated in paragraph 29.5 of the proposed programme budget, 4/ the 1990-1991 level of resources for temporary assistance for meetings was estimated on the basis of previous experience to accommodate not only meetings which were programmed but also additional meetings. In other words, provision was made in the proposed programme budget not only for meetings known at the time of budget preparation but also for meetings that would be authorized subsequently, provided that the number and distribution of meetings and conferences in the biennium 1990-1991 was consistent with the pattern of meetings in the past years. On that basis, it is estimated that no additional cost would be incurred under section 29 of the proposed programme budget for the biennium 1990-1991 as a result of the adoption of draft resolution A/C.6/44/L.5.

F. Indication of additional resource requirements

6. In addition to the above conference-servicing costs, additional costs of \$20,200 would arise for travel and subsistence of the Legal Counsel (\$3,100) and of representatives (\$17,100).

G. Contingency fund

7. No provision has been made in the proposed programme budget for the biennium 1990-1991 to provide for the travel and subsistence costs of \$20,200 indicated in paragraph 5 above.

8. It will be recalled that, under the procedure established by the General Assembly in its resolution 41/213 of 19 December 1986 and in effect starting with the biennium 1990-1991, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the proposed programme budget. Under the same procedure, if additional expenditures are proposed that exceed resources available from the contingency fund, these activities can be implemented only through redeployment of resources from low-priority areas or modifications of projected activities. Otherwise, such additional activities will have to be deferred until a later biennium. A consolidated statement of all programme budget implications and revised estimates will be submitted to the Assembly towards the end of the current session.

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9. The Secretary-General has considered the possibility of curtailing the travel undertaken by the staff of the International Trade Law Branch in connection with their attendance at sessions of working and study groups at locations other than Vienna referred to in paragraph 26.11 of the proposed programme budget for the 1990-1991 biennium, in order to offset the additional costs relating to the travel and subsistence of the Legal Counsel and representatives. In the event that the additional resources required cannot be financed from the contingency fund, it would be the intention of the Secretary-General to reduce the attendance of staff at sessions of working and study groups from a total of 12 to 8 weeks and to redeploy the resources thus made available to meet the travel and subsistence requirements that would arise from the adoption of draft resolution A/C.6/44/L.5.

Notes

1/ Official Records of the General Assembly, Forty-fourth Session, Supplement No. 17 (A/44/17), annex I.

2/ Ibid., Thirty-seventh Session, Supplement No. 6 (A/37/6 and Corr.1).

3/ Ibid., Forty-fourth Session, Supplement No. 6 (A/44/6/Rev.1), vol. II.

4/ Ibid., sect. 29.
