UNITED NATIONS



FIFTIETH SESSION Official Records

FIFTH COMMITTEE
42nd meeting
held on
Monday, 18 December 1995
at 9.30 p.m.
New York

SUMMARY RECORD OF THE 42nd MEETING

<u>Chairman</u>: Mr. VILCHEZ ASHER (Nicaragua)

<u>Chairman of the Advisory Committee on Administrative</u> and Budgetary Questions: Mr. MSELLE

CONTENTS

AGENDA ITEM 159: HUMAN RESOURCES MANAGEMENT (continued)

AGENDA ITEM 115: PROGRAMME BUDGET FOR THE BIENNIUM 1994-1995 (continued)

Revised estimates under section 3. Peace-keeping operations and special missions; section 32. Staff assessment; and income section 1. Income from staff assessment: International Commission of Inquiry in Rwanda (continued)

AGENDA ITEM 134: FINANCING OF THE UNITED NATIONS OBSERVER MISSION IN LIBERIA

AGENDA ITEM 116: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1996-1997 $(\underline{continued})$

Programme budget implications of draft resolution A/50/L.61 concerning agenda item 110

Programme budget implications of the draft resolution submitted to the General Assembly for adoption by the Third Committee in its report contained in document A/50/816 concerning agenda item 165

AGENDA ITEM 136: 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

/ . . .

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of the publication* to the Chief of the Official Records Editing Section, room DC2-794, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

Distr. GENERAL A/C.5/50/SR.42 12 February 1996

ORIGINAL: ENGLISH

95-82765 (E) /...

CONTENTS (continued)

AGENDA ITEM 160: 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

The meeting was called to order at 9.50 p.m.

AGENDA ITEM 159: HUMAN RESOURCES MANAGEMENT ($\underline{continued}$) (A/C.5/49/13, A/C.5/49/60 and Add.1 and Add.2 and Add.2/Corr.1; A/50/7/Add.8, A/50/540; A/C.5/50/2 and Add.1, A/C.5/50/3, A/C.5/50/32; A/C.5/50/L.2)

- 1. Mr. MUÑOZ (Spain), speaking on behalf of the European Union and of Bulgaria, Cyprus, Hungary and Latvia, said that the privileges and immunities of officials of the United Nations and other specialized agencies and related organizations were granted not on a personal basis but in the interests of the Organization and its personnel. Disregard for such privileges and immunities was therefore one of the principal obstacles to the implementation of the missions and programmes which Member States assigned to the Organization. It was the responsibility of host Governments and of parties to conflicts to guarantee respect for those rights. Under the Charter, Governments were considered to have special responsibilities towards organizations of the United Nations system and their officials.
- 2. The European Union was very concerned over the attacks on United Nations personnel described in the Secretary-General's report (A/C.5/50/3), particularly since four new cases of deaths of staff members had occurred in the period from 1 August to 22 November 1995. It strongly condemned acts of terrorism and called upon those responsible for the detention of Alec Collet to provide information about his fate and to release him immediately. The many other cases mentioned in the annex to the Secretary-General's report were of equal concern to the European Union, which called upon the Governments involved to ensure respect for the privileges and immunities of civilian staff members and personnel engaged in peace-keeping operations and humanitarian missions, including locally recruited staff, so that they could exercise their functions without risking their personal integrity and safety. The European Union unconditionally supported the efforts being undertaken by the Secretary-General to guarantee the safety and protection of United Nations personnel.
- 3. With regard to the composition of the Secretariat, the Secretary-General's decision to suspend the granting of probationary contracts upon recruitment or of new permanent appointments was a violation of the commitment given by the United Nations to candidates recruited through competitive national examinations as well as to Member States and was therefore unacceptable.
- 4. Another area of concern was the decision regarding applications by General Service staff to take national competitive examinations for appointments at the P-3 level. There was no legislative basis for such examinations, and it was perplexing that the decision had been taken at a time when the Secretary-General had decided to suspend the granting of probationary and permanent appointments to external candidates.
- 5. As for the representation of women in posts subject to geographical distribution, while the percentage of 34.1 per cent marked an improvement over the previous year, it was regrettable that neither the overall target of 35 per cent nor the 25 per cent target for women in posts at the D-1 level and above had been achieved.

- 6. The European Union supported the amendments to the Staff Rules contained in document A/C.5/50/32. The Staff Rules should be updated to reflect the new provisions adopted by the General Assembly.
- 7. Finally, with regard to the reform of the internal justice system of the United Nations Secretariat, the serious and informed discussion which the issue deserved could not be held in the time remaining in the current session. Consideration of the item should therefore be deferred to the resumed fiftieth session.
- 8. $\underline{\text{Mr. WANG Xiaochu}}$ (China) said that his delegation supported the goals of the proposed reform of the internal system of justice in the United Nations Secretariat set out in paragraph 6 of the report of the Secretary-General (A/C.5/50/2). Given the legal implications of the proposed reforms, however, he supported the proposal to request an opinion from the Sixth Committee. China also believed that, given the limited time remaining in the current session, consideration of the item should be deferred to the resumed fiftieth session.
- 9. Mr. HALLIDAY (Assistant Secretary-General for Human Resources Management), responding to questions raised by delegations during the general debate, acknowledged that the opening, on an experimental basis, of the P-3 national competitive examination to General Service staff who possessed the other entry requirements was not specifically covered by General Assembly resolution 35/210. The Secretary-General's intention was to offer additional opportunities to nationals of unrepresented and under-represented Member States who were already in the service of the Organization and to determine how and whether such opportunities yielded suitable and successful internal candidates. The Secretariat would report on the outcome of the experiment to the fifty-first session of the General Assembly and seek guidance on a number of issues, including the setting of guidelines for future action on such points as whether the promotions of successful candidates should be counted against a specific percentile.
- 10. Replying to a further question asked by the representative of Japan, he explained that promotion from the P-2 to the P-3 level was governed by the promotion and placement system established in accordance with the relevant Staff Regulations and Staff Rules. Thus P-3 posts could be offered to successful examination candidates only after all qualified staff at the P-2 level had received full and fair consideration. That priority would be met by announcing all vacancies internally for serving P-2 staff before making any P-3 posts available for successful candidates from the P-3 examinations.
- 11. With regard to the Staff-Management Coordination Committee consultations held in June 1995 on the definition of "reasonable time" for staff representational activities, a report on the agreements reached would be prepared early in 1996.
- 12. In response to the concerns raised by delegations regarding the suspension of the conversion of probationary appointments to permanent contracts and its impact on staff recruited through national competitive examinations, a decision had been taken to exclude probationary appointments from the temporary suspension measures. The Secretary-General intended, however, to bring to the

fifty-first session of the General Assembly the full range of issues concerning career appointments, including proposals on what proportion of appointments should be made on a fixed-term basis. Reviews for conversion of probationary appointments would therefore continue and successful candidates recruited through national competitive examinations would continue to be offered probationary appointments until the whole issue was reviewed by the General Assembly at its fifty-first session. He hoped that those adjustments would meet the concerns of delegations.

- 13. $\underline{\text{Mr. KUMAMARU}}$ (Japan), supported by $\underline{\text{Mr. MUNOZ}}$ (Spain), on behalf of the European Union, $\underline{\text{Ms. ALMAO}}$ (New Zealand) and $\underline{\text{Mr. Soong Chul SHIN}}$ (Republic of Korea), welcomed the Secretariat's decision to lift the suspension of the review of probationary appointments. It would be useful to know when the Secretary-General's new bulletin containing that decision would be issued.
- 14. $\underline{\text{Mr. HALLIDAY}}$ (Assistant Secretary-General for Human Resources Management) said that the Secretary-General's bulletin would be issued by the end of the current week.
- 15. <u>The CHAIRMAN</u> proposed that the Committee should recommend to the General Assembly the following procedural decision:

"The General Assembly takes note of the amendments to the 100 and 200 series of the Staff Rules contained in documents A/C.5/48/37, A/C.5/49/32 and A/C.5/50/32."

- 16. <u>It was so decided</u>.
- 17. The CHAIRMAN recalled that the Committee, at its 40th meeting, had decided to postpone consideration of the item to its resumed session, in particular, the consideration of the Secretary-General's reports and the observations and recommendations of the Advisory Committee on the reform of the internal justice system.
- AGENDA ITEM 115: PROGRAMME BUDGET FOR THE BIENNIUM 1994-1995 (continued)

Revised estimates under section 3. Peace-keeping operations and special missions; section 32. Staff assessment; and income section 1. Income from staff assessment: International Commission of Inquiry in Rwanda (continued) (A/C.5/50/27 and A/50/7/Add.4)

18. Mr. ABELIAN (Armenia), Vice-Chairman, introduced the following draft decision which had been agreed upon during informal consultations:

"The General Assembly takes note of the report of the Secretary-General concerning the revised estimates of the International Commission of Inquiry in Rwanda (A/C.5/50/27) and endorses the recommendations of the Advisory Committee on Administrative and Budgetary Questions thereon as contained in document A/50/7/Add.4."

- 19. $\underline{\text{The CHAIRMAN}}$ said that he took it that the Committee wished to adopt the oral draft decision proposed by the Vice-Chairman.
- 20. It was so decided.

AGENDA ITEM 134: FINANCING OF THE UNITED NATIONS OBSERVER MISSION IN LIBERIA (UNOMIL) (A/50/650 and Add.1)

- 21. Mr. TAKASU (Controller) presented the report of the Secretary-General contained in documents A/50/650 and Add.1. He pointed out that the most recent decision of the Security Council had extended the mandate of UNOMIL until 31 January 1996. However, the existing financial arrangements for UNOMIL were scheduled to terminate on 31 December 1995. It was therefore urgent to provide financial resources for the continued function of the mission, particularly if the Security Council decided to extend its mandate beyond 31 January 1996. In November 1995, the Security Council had authorized an increase in the military personnel posted to the mission. Owing to delays in the programmes for demobilization and for the deployment of military and civilian personnel, the actual expenses for the period of 1 July to 31 December 1995 had been about \$14 million less than anticipated. However, most of that sum would need to be reprogrammed for 1996; an estimated \$21.9 million would be required for the period of 1 January to 31 March 1995, of which \$11.9 million could be reprogrammed from the 1995 budget.
- 22. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the Advisory Committee had conducted a preliminary review of the cost estimates contained in the report of the Secretary-General for the two 6-month periods from 1 July to 31 December 1995 and from 1 January to 30 June 1996 (A/50/650 and Add.1). In discussions with the Secretary-General, it had been determined that the initial plan for the first of those two periods could not be fully implemented owing to delays in the deployment of military and civilian personnel and in military demobilization. The Advisory Committee had therefore requested that revised estimates should be submitted for its consideration. The revised cost estimates for the period were \$8,100,093 gross (\$7,730,800 net). The General Assembly, in its resolution 49/232 B of 12 July 1995, had appropriated \$8.5 million for the continued operation of the Mission during the period in question. It appeared that no additional appropriation would be needed.
- 23. The Advisory Committee had also requested information on the estimated mission expenses for the period following 31 December 1995 in order to review them during the Committee's winter session in February 1996. The Secretary-General had estimated that approximately \$2.9 million would be required per month for a total of \$17.5 million gross during the period of 1 January to 30 June 1996. However, the revised estimates for 1 January to 31 March 1996 were for \$21.9 million, of which \$10.855.500 related to non-recurrent expenditures and approximately \$11.1 million related to current expenditures, with the higher amount currently requested representing activities rolled over from 1995. The sum of \$11.1 million represented an increase of \$2.3 million over the amount requested by the Secretary-General in his report (A/50/650/Add.1) and included recurrent costs related to demobilization and information activities and the increase in personnel required for the

demobilization programme. Taking into account the need for additional funding, and prior to its detailed review of the Secretary-General's report, the Advisory Committee had recommended that a total of \$21,943,200 gross (\$21,447,000 net) should be approved and assessed for maintenance of UNOMIL through 31 March 1996, without prejudice to any recommendations that the Committee might make to the General Assembly following its detailed review of staffing and other needs.

- 24. Mrs. GRAHAM (United States of America) said that it was her delegation's understanding that a vacant post of Assistant Secretary-General had been temporarily transferred from UNOMIL to the United Nations Protection Force (UNPROFOR). If so, her delegation wondered why and on what authority that had been done. It also wondered whether Member States were being assessed twice for the post, since it could find no evidence that the budget of UNOMIL had been reduced accordingly, and how long the UNOMIL post of Assistant Secretary-General had been unoccupied. With regard to the status-of-mission agreement, paragraph 23 of the Secretary-General's report stated that the Secretariat had called upon the Liberian National Transitional Government (LNTG) to ensure that all factions cooperated with UNOMIL. Her delegation would prefer a more complete assessment of the local authorities' cooperation, especially with regard to exemption from fees and taxes.
- 25. $\underline{\text{Mr. TAKASU}}$ (Controller) said that those questions would be answered in the informal consultations.
- 26. <u>The CHAIRMAN</u> said that informal consultations on item 134 would be conducted by the Vice-Chairman of the Advisory Committee, Mr. Movses Abelian (Armenia).

AGENDA ITEM 116: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1996-1997 (continued) (A/C.5/50/46 AND A/50/L.61)

- 27. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that in his statement of the programme budget implications of draft resolution A/50/L.61 (A/C.5/50/46), the Secretary-General had estimated that an amount of \$518,100 would eventually be required. With regard to the question of honorariums, the Advisory Committee wished to draw the attention of the Fifth Committee to the observations made in chapter I of the report of the Advisory committee for the biennium 1996-1997 (A/50/7, paras. 85-86).
- 28. The CHAIRMAN suggested that the Fifth Committee should inform the General Assembly that, should the Assembly adopt draft resolution A/50/L.61, no additional appropriation would be required under section 21 of the programme budget for the biennium 1996-1997.
- 29. It was so decided.

30. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that in his opinion, the Fifth Committee's decision had been the correct one. Adoption of the resolution would entail an additional expense of \$518,100. Since it was not expected that the Convention on the Rights of the Child would be ratified or enter into force during the current biennium, the Advisory Committee did not envision any additional related appropriations during that period. The estimated expenses contained in document A/C.5/50/46 would be reconsidered when the Convention entered into force.

<u>Programme budget implications of the draft resolution submitted to the General Assembly for adoption by the Third Committee in its report contained in document A/50/816 concerning agenda item 165</u>

- 31. Mr. TAKASU (Controller) said that the Third Committee had recommended that the General Assembly should adopt a draft resolution on follow-up activities to the Beijing Conference. The programme budget implications submitted to that Committee were essentially identical to those contained in document A/C.5/50/44. The draft resolution included the requests that the Secretary-General should assume responsibility for the coordination of policy within the United Nations for the implementation of the Platform for Action and the mainstreaming of a system-wide gender perspective in all activities of the United Nations system and that he should ensure the more effective functioning of the Division for the Advancement of Women in order to carry out all the tasks foreseen for it in the Beijing Platform for Action. After the adoption of the Platform, the Secretary-General had submitted a report detailing the additional activities and resources which would be required for its implementation. The two primary activities which would require additional resources were the coordination of policy within the United Nations for the implementation of the Platform and the mainstreaming of a system-wide gender perspective. In order to ensure that the follow-up to the Beijing Conference would be as broadly based as possible and reflect the concerns of constituencies and groups on gender-related issues, the Secretary-General had proposed that a high-level board on the advancement of women should be set up, at an estimated cost of \$240,000 for the biennium 1996-1997.
- 32. With regard to the more effective functioning of the Division for the Advancement of Women, the Secretary-General proposed that substantive support should be provided for the Commission on the Status of Women in relation to inter-agency coordination, monitoring and outreach activities and that the existing capacity of the Division should be strengthened by adding three additional posts at the Professional level at a cost of \$356,600. With regard to the enhanced capacity of the regional commissions, the Secretary-General intended to review the matter and to report thereon to the General Assembly in the context of the report requested in the draft resolution. The total amount requested by the Secretary-General in implementation of the Beijing Conference was \$596,600.
- 33. $\underline{\text{Mr. MSELLE}}$ (Chairman of the Advisory Committee on Administrative and Budgetary Questions) highlighted the information presented in document A/C.5/50/44 and said that the Advisory Committee had been informed that the three additional posts proposed at the Professional level had been budgeted at 50 per cent of their annual cost. The Committee had no objection to the proposed new posts. With regard to the Secretary-General's proposal on setting

up a high-level advisory board, he noted that no such board had been recommended either in the Platform for Action or in the draft resolution recommended by the Third Committee. The Advisory Committee wished to caution against the trend to establish high-level boards as a follow-up activity to international conferences in the economic, social and related fields and felt that if the General Assembly approved additional resources for the establishment of the proposed board, it might set a precedent for the future.

- 34. Mr. KUMAMARU (Japan) said that his delegation was baffled by the statement of programme budget implications, especially with regard to the creation of the high-level board. There was no mandate for such an action either in the Beijing Declaration and Platform for Action or in the draft resolution recommended by the Third Committee. Procedurally, it would be inappropriate to approve the creation of such a Board when there had been no discussion of the matter by the substantive committee. His delegation saw no merit in the proposal, especially in light of the work of the Commission on the Status of Women, which functioned as an expert advisory body of eminent persons and of concerned intergovernmental bodies. The Secretary-General could also make use of the expertise available within the Organization when he required advice on gender-related issues. His delegation was therefore unable to accept the statement of programme budget implications in its current form.
- 35. Mrs. ARAGON (Philippines) said that her delegation felt that it was of the utmost importance that the Secretary-General should fully implement the provisions of the Beijing Declaration and Platform for Action. She asked the reasons for the decision to budget the proposed Professional posts at 50 per cent of their annual cost and for the Secretary-General's proposal on establishing a high-level advisory board. Her delegation would have preferred for the Secretary-General to implement the recommendations made in the Platform for Action, especially with regard to the establishment of a high-level post to ensure the implementation of the Platform.
- 36. Mrs. KORNFEIND (Austria) said that her delegation supported the position of the delegation of Japan.
- 37. Mr. ATIYANTO (Indonesia) said that his delegation wished to associate itself with the concerns expressed by the representative of the Philippines.
- 38. Mr. ETUKET (Uganda) said that his delegation agreed with the comments made by the representative of the Philippines. His Government supported the outcome of the Fourth World Conference on Women and looked forward to the implementation of the Beijing Declaration and Platform for Action. He wondered whether other possibilities for the implementation of draft resolution A/C.3/50/L.68 had been explored in addition to the setting up of a high-level board.
- 39. Mr. TAKASU (Controller) said, in response to the concerns raised by the representatives of Japan, Austria, the Philippines, Indonesia and Uganda, that the Beijing Declaration and Platform for Action had requested the initiation of new activities and the strengthening of existing ones. The Secretary-General had been requested to assume responsibility for coordination of policy within the United Nations for implementation of the Platform for Action and the mainstreaming of a system-wide gender perspective. He had concluded that, in

addition to the existing mechanisms and expertise available to him, he would require additional support from eminent persons, especially in promoting knowledge of, and mobilizing support for, United Nations activities for the advancement of women. Despite the Advisory Committee's caution against the proliferation of high-level boards, the Secretary-General felt that the circumstances in question called for the creation of such a board. It was to be hoped that Member States would reconsider their positions.

- 40. Mr. AMARI (Tunisia) said that it was regrettable that difficulties had been raised with regard to the establishment of a high-level board. His delegation supported the Secretary-General's proposal and further measures to ensure implementation of the Platform for Action.
- 41. Mr. ETUKET (Uganda) said that his delegation attached great importance to the follow-up to the Beijing Conference and felt that the Secretary-General should do everything possible to establish an effective mechanism for that purpose. Uganda, however, was not fully convinced that the establishment of a high-level board was the best way to ensure effective follow-up activities. He therefore hoped that every effort would be made by the Secretary-General to review the functioning of the proposed follow-up mechanism in terms of substantive work and financing.
- $42.\ \underline{\text{Ms. ALMAO}}$ (New Zealand) inquired how long the proposed high-level board of eminent persons would be in existence.
- 43. $\underline{\text{Mr. TAKASU}}$ (Controller) said that the proposal to establish the board covered the next biennium. The board would serve to complement existing mechanisms and be kept under review.
- 44. Mrs. BRENNEN-HAYLOCK (Bahamas) said that very few delegations in the Third Committee had spoken in favour of the establishment of such a high-level board of eminent persons. Many questions had been left unanswered, including the role of the board and the possibility of duplication and overlapping. A number of delegations in the Third Committee had felt that the establishment of a post of a high-level advisor to the Secretary-General would be a more appropriate step. Her delegation had heard little at the current meeting to dispel its doubts with regard to the establishment of such a board.
- 45. Mr. KELLER (United States of America) proposed that, in view of the importance of the issue under consideration and in order to expedite matters, the Committee should approve the request to establish a high-level board but hold in abeyance approval of the required resources amounting to \$240,000 under section 7A of the proposed programme budget.
- 46. Mr. KUMAMARU (Japan) said that his delegation was unable to support the proposal by the United States of America because the question of establishing the high-level board had not been given sufficient consideration in the Third Committee. The decision on the necessary financial arrangements would have to be taken after agreement had been reached in that Committee.
- 47. Mr. ETUKET (Uganda) said it was not clear if the procedure proposed by the United States of America was feasible.

 $48. \ \ \, \underline{\text{The CHAIRMAN}}$ said that the question would be given further consideration in informal consultations.

AGENDA ITEM 136: 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 (A/C.5/50/41)

- 49. The CHAIRMAN drew attention to the report of the Secretary-General on the agenda item, contained in document A/C.5/50/41.
- 50. Mr. TAKASU (Controller) said that the Secretary-General was requesting an interim decision by the General Assembly to continue the functioning of the International Tribunal for the first three months of 1996. Owing to a number of constraints, it had been necessary to calculate the minimum costs for that period on the assumption that the Advisory Committee would have the opportunity to review them early in 1996. The costs for the first three months were estimated at just over \$7.6 million. He suggested following the financing arrangement laid down in General Assembly resolution 49/242, namely, assessing half of the expenses on the basis of the regular budget scale and covering the other half through the unencumbered balance from the previous budget period of the United Nations Protection Force (UNPROFOR).
- 51. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the report of the Secretary-General on the financing of the International Tribunal (A/C.5/50/41) indicated the Tribunal's requirements for 1996 in the amount of \$40,779,300. As indicated in paragraph 1 and table 3 of the report, the Secretary-General proposed the addition of 84 posts for 1996 to the 258 posts budgeted in the biennium 1994-1995 for a total of 342 posts for 1996, including 11 judges. The new posts comprised 36 additional posts for the Office of the Prosecutor and 48 for the Registry. To date, 195 posts had been filled.
- 52. Owing to the late submission of the report, the Advisory Committee had requested information from the Secretariat as to the need for additional funding prior to a full review of the proposal, including staffing proposals, which would take place in early February 1996. The Advisory Committee intended to examine the staffing proposals in 1996 and would take into account its observations on staffing issues presented in its prior report on the financing of the International Tribunal (A/49/7/Add.12). The Advisory Committee had been informed that approximately \$7.6 million would cover the costs of all ongoing activities at the International Tribunal for a period of three months from 1 January to 31 March 1996.
- 53. Under the circumstances and taking into account the need for additional funding prior to a full review of the proposal by the Advisory Committee and the General Assembly in early 1996, the Advisory Committee recommended that the Assembly should approve the appropriation to the special account for the International Tribunal in the amount of \$7.6 million for the period from 1 January to 31 March 1996 and assessment thereon of such amount, to allow the Tribunal to continue its activities through 31 March 1996. Additional funding should be granted, however, without prejudice to recommendations that the Advisory Committee might make to the General Assembly in February 1996 and the

decisions that the Assembly might take thereon with regard to the budgetary and administrative matters, including posts, concerning the Tribunal. In that connection, the Advisory Committee recommended that the authority to enter into contractual arrangements for staff for periods of up to one calendar year should be continued. In administering that authority, however, it should be borne in mind that the staffing table had not yet been approved by the General Assembly.

54. The CHAIRMAN suggested that the Secretariat should prepare a draft decision for action by the Committee at its next meeting.

55. It was so decided.

AGENDA ITEM 160: 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 (A/C.5/50/16 and A/C.5/50/47)

- 56. The CHAIRMAN drew attention to the reports of the Secretary-General on the agenda item, contained in documents A/C.5/50/16 and A/C.5/50/47.
- 57. Mr. TAKASU (Controller) said that, as indicated in the report of the Secretary-General (A/C.5/50/16), owing to delays in attaining a fully operational phase, the funding appropriated for the period up to 31 October 1995 would be sufficient to meet the requirements of the International Tribunal for Rwanda up to 31 December 1995. In view of the further delays experienced by the Tribunal, it had not been possible to prepare detailed estimates of requirements for 1996. It was therefore proposed that a maintenance budget of three months' resources and posts, at the level authorized in 1995, should be approved for the period from 1 January to 31 March 1996. The estimated requirements for the International Tribunal for the period amounted to \$7,090,600 and were detailed in table 1 of the report of the Secretary-General in document A/C.5/50/47. As in the case of the International Tribunal for the Former Yugoslavia, he suggested following the same financing arrangements set forth in General Assembly resolution 49/242, namely, assessing half of the expenses on the basis of the regular budget scale and covering the other half through the unencumbered balance of the United Nations Assistance Mission for Rwanda (UNAMIR).
- 58. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the Administrative Committee recommended an appropriation of \$7,090,600 to the special account for the International Tribunal and an assessment for the same amount for the period from 1 January to 31 March 1996, subject to the same conditions as set forth by the Advisory Committee in its statement on the financing of the International Tribunal for the Former Yugoslavia.
- 59. The CHAIRMAN suggested that the Secretariat should prepare a draft decision for action to be taken by the Committee at its next meeting.
- 60. It was so decided.