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Chair: Mr. Tommo Monthe (Cameroon)
*Vice-Chair of the Advisory Committee on Administrative
and Budgetary Questions:* Mr. Sene

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The meeting was called to order at 3.20 p.m.

Agenda item 148: Financing of the International Residual Mechanism for Criminal Tribunals

(continued) ([A/72/813](#), [A/72/813/Corr.1](#) and [A/72/875](#))

1. **Mr. Guazo** (Acting Deputy Controller), introducing the report of the Secretary-General on the proposed revised budget for the International Residual Mechanism for Criminal Tribunals for the biennium 2018–2019 ([A/72/813](#) and [A/72/813/Corr.1](#)), said that, by its resolution [72/258](#), the General Assembly had authorized the Secretary-General to enter into commitments in an amount not exceeding \$87.8 million for the maintenance of the Mechanism for the one-year period from 1 January to 31 December 2018. Following a detailed review of the resource requirements for 2018, the Mechanism had concluded that the approved commitment authority would not be sufficient to carry out the functions mandated by the Security Council, including trials and appeals, until the end of 2018. On the basis of that conclusion, the Secretary-General had deemed it necessary to seek additional funding by submitting a revised budget proposal for the consideration of the General Assembly. Accordingly, the present report contained revised resource requirements for the Mechanism for the biennium 2018–2019 amounting to \$184 million, reflecting an increase of \$52 million compared with the final appropriation for the biennium 2016–2017. The revised budget proposal included provisions for 185 posts and for operational requirements.

2. The difference between the revised resource requirements for the biennium 2018–2019 and the final appropriation for the biennium 2016–2017 was mainly attributable to expanded judicial activity related to an ongoing retrial of two high-level accused persons and three ongoing appeals cases; the consequent increase in the provision of administrative services by the Mechanism following the closure of the International Tribunal for the Former Yugoslavia and the ensuing discontinuation of its administrative support to the Mechanism through “double-hatting” and cost-sharing arrangements; and the proposed temporary strengthening and reconceptualization of the fugitives-tracking team of the Office of the Prosecutor as an interdisciplinary task force for tracking, investigation and legal matters in Arusha.

3. **Mr. Sene** (Vice-Chair of the Advisory Committee on Administrative and Budgetary Questions), introducing the related report of the Advisory Committee ([A/72/875](#)), recalled that the Secretary-General had submitted an initial budget proposal for the Mechanism for the biennium 2018–2019 reflecting

resource requirements amounting to \$215.4 million gross.

4. Since 1 January 2018, the Mechanism had been carrying out its operations without the assistance of its predecessor Tribunals, a situation that provided an opportunity to review and clarify the administrative arrangements for its two branches. Consequently, the Advisory Committee recommended that the Secretary-General should review those arrangements in order to clearly define the role of each of the Mechanism’s branches; and should provide information on that review in its next budget submission.

5. While acknowledging the Mechanism’s efforts to reduce its resource requirements, the Advisory Committee trusted that more accurate projections of those requirements would be included in future submissions, together with more detailed justifications for non-post requirements, including for general temporary assistance. In that regard, the Advisory Committee considered that the number of general temporary assistance positions forecast for the end of the biennium 2018–2019, namely 346, did not constitute a baseline for future budget periods. In the absence of full justifications for each of the proposed general temporary assistance positions, the Advisory Committee recommended a reduction of almost \$1 million in the proposed requirements for other staff costs, representing 5 per cent of the increase in the requirements for the Registry under that category. The Advisory Committee also recommended small adjustments in the proposed requirements for consultants, training for general temporary assistance positions, travel and improvement of premises, totalling almost \$0.3 million.

6. **Mr. Alsayed** (Egypt), speaking on behalf of the Group of 77 and China, said that the Group attached great importance to the work of the Mechanism. Adequate resources must be provided to enable the Mechanism to fulfil its mandate; the Group therefore accorded high priority to consideration of the related revised budget proposal.

7. The Group noted with appreciation that the proposed revised budget had largely addressed the gaps identified by the Advisory Committee and the General Assembly in the initial budget proposal submitted for consideration at the main part of the seventy-second session. The revised proposal represented a reduction of approximately 14.8 per cent compared with the original submission. The Group noted with concern that the Mechanism had been unable to plan the implementation of key mandated operational and judicial activities for reasons including budgetary uncertainty. In that connection, the timely preparation and submission of

proposals for the Committee's consideration, including by the Advisory Committee, must be ensured. The Group further stressed that commitment authorities were not the most suitable way of funding United Nations activities, as they led to uncertainty and could undermine mandate implementation.

8. There were a number of gaps in the revised budget proposal, including in the area of internal oversight and in the human resource requirements for the Arusha branch. While the establishment of a dedicated position of Registrar, to be stationed in Arusha alongside the Prosecutor, would promote effective and efficient mandate implementation, the Group was concerned that appropriate supportive capacity for their Offices had not been provided for. Moreover, with the exception of the Registrar and the Prosecutor in the Arusha branch, leadership within the Mechanism remained at the P-5 level, which was inadequate to address key managerial and operational issues on the ground, including with regard to interaction with the host country and other stakeholders. The Group would present specific proposals to address those gaps.

9. The Group had learned of a number of challenges encountered in the construction of the new facility for the Mechanism's Arusha branch that needed to be addressed. The Group commended the Mechanism for its innovative efforts to do so, and looked forward to updates on the matter in the context of the final progress report on the construction project. While the Group appreciated some of the observations and recommendations made by the Advisory Committee, it was concerned at the unjustified and arbitrary reductions recommended under the travel, consultancy, staff training, general temporary assistance, and facilities and infrastructure headings. It would also seek clarification on issues including oversight, recruitment and staffing, procurement, consultancy and air travel. He acknowledged the generous support of the Governments of the United Republic of Tanzania and of the Netherlands for the work of the Mechanism.

10. **Mr. Burity** (Angola), speaking on behalf of the Group of African States, said that the Group attached great importance to the work of the Mechanism and to the provision of adequate resources to enable it to fulfil its mandate effectively and efficiently. It therefore accorded high priority to consideration of the related revised budget proposal.

11. It was a matter of concern that the commitment authority granted for the period from 1 January to 31 December 2018, in line with the Advisory Committee's recommendations, had not ensured the availability of adequate resources, preventing the

Mechanism from carrying out time-bound judicial and operational activities, including trials and appeals. The Group commended the Mechanism for its ongoing efforts to operate in the face of those constraints.

12. While appreciating the Secretary-General's revised budget proposal for the Mechanism, the Group noted that a number of key elements included in his previous proposal, including staffing resources at the Director level, had not been included in the current submission. The Group would therefore be interested to learn how existing functions commensurate with the Director level would be performed. It would also present specific proposals to reduce the identified gaps in order to ensure that the Mechanism functioned properly and had the required scope for delegation of authority; and that bureaucratic delays in the performance of operational and support functions such as finance, procurement and administration were addressed.

13. The Group was deeply concerned at the unjustified reductions recommended by the Advisory Committee in areas essential to mandate delivery, including staff training, consultancy, air travel, and maintenance of facilities and infrastructure, especially after the Mechanism had significantly adjusted its resource requirements as part of a cost reduction plan. The Group would seek further information on the rationale for those recommendations; on issues related to procurement, consultancy, recruitment, shared services and human resources; and on how the Mechanism was supporting the Residual Special Court for Sierra Leone, pursuant to General Assembly resolution [71/272 A](#).

14. **Mr. Kisoka** (United Republic of Tanzania) said that the United Republic of Tanzania was committed to facilitating the efficient and effective fulfilment of the Mechanism's mandate. His delegation regretted the late introduction of the item on the financing of the International Residual Mechanism and hoped for an improvement in that regard in future.

15. While the preparation of a revised budget proposal for the Mechanism was appreciated, that revised proposal contained a number of gaps that could undermine mandate fulfilment, and was out of step with the Secretary-General's own stated priorities of addressing bureaucratic delays, promoting efficiency and effectiveness, and ensuring appropriate delegation of authority, areas in which the Mechanism remained weak. For example, delegation of authority for procurement and finance was lacking, with some functions being performed at the D-1 level from as far away as New York. Similarly, simple procurement functions, such as the purchase of airline tickets costing less than \$200 for officials travelling between Arusha

and Dar es Salaam, had been performed from as far away as Europe.

16. His delegation looked forward to addressing the role of the Mechanism in supporting the Residual Special Court for Sierra Leone and the question of the review of the administrative arrangements for the Mechanism. More functions should also be allocated to the Arusha branch in order to capitalize on existing facilities and infrastructure, make savings, and promote efficiency and effectiveness. Lastly, the Group was deeply concerned at, and struggled to understand the rationale for, the reductions recommended by the Advisory Committee under the headings of consultancy, training, general temporary assistance, and maintenance of facilities and infrastructure, reductions which exceeded those envisaged under the Mechanism's cost reduction plan.

The meeting rose at 3.55 p.m.