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Fifth Committee

Agenda item 135

Programme budget for 2025

Draft resolution submitted by the Chair of the Committee following informal consultations

Capital master plan

The General Assembly,

Recalling its resolution [54/249](#) of 23 December 1999, section IV of its resolution [55/238](#) of 23 December 2000, its resolutions [56/234](#) and [56/236](#) of 24 December 2001 and [56/286](#) of 27 June 2002, section II of its resolution [57/292](#) of 20 December 2002, section XXII of its resolution [58/272](#) of 23 December 2003, section XI of its resolution [59/276](#) of 23 December 2004, its resolution [59/295](#) of 22 June 2005, section II of its resolution [60/248](#) of 23 December 2005, its resolutions [60/256](#) of 8 May 2006, [60/282](#) of 30 June 2006, [61/251](#) of 22 December 2006, [62/87](#) of 10 December 2007, [63/270](#) of 7 April 2009, [64/228](#) of 22 December 2009 and [65/269](#) of 4 April 2011, section III of its resolution [66/258](#) of 9 April 2012, section V of its resolution [67/246](#) of 24 December 2012, sections III and IV of its resolution [67/254](#) of 12 April 2013, section IV of its resolution [68/247](#) A of 27 December 2013, section VII of its resolution [68/247](#) B of 9 April 2014, section VIII of its resolution [69/274](#) A of 2 April 2015 and its resolutions [70/239](#) of 23 December 2015 and [79/246](#) of 24 December 2024, and its decisions 58/566 of 8 April 2004, 65/543 of 24 December 2010 and 66/555 of 24 December 2011,

Having considered the twenty-third annual progress report of the Secretary-General on the implementation of the capital master plan¹ and the related report of the Advisory Committee on Administrative and Budgetary Questions,²

1. *Takes note* of the report of the Secretary-General;
2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;
3. *Notes with concern* that the Organization continues to disburse a higher amount in legal fees for arbitration under the capital master plan than the total in damages subsequently awarded to the plaintiffs, and reiterates its request to the

¹ [A/80/334](#).

² [A/80/396](#).



Secretary-General to ensure the cost- and time-effective resolution of the remaining arbitration;

4. *Recalls* paragraph 7 of the report of the Advisory Committee, requests the Secretary-General to provide in his future reports detailed and precise estimates on the remaining third phase of the second arbitration case, including projected expenditures on all expenses, including legal costs, and potential liabilities, required for each year in which the arbitration might last, based on the latest assumptions and the anticipated timing for when Member States may incur financial obligations, and also requests the Secretary-General to take necessary steps to limit the financial liabilities and protect the rights of the United Nations to the fullest extent possible;

5. *Also recalls* paragraph 8 of the report of the Advisory Committee, and requests the Secretary-General to continue to gather lessons learned related to the arbitration cases and share them with other construction projects with a view to avoiding litigation insofar as feasible, including from subcontractors and third parties, and protecting the rights of the United Nations in other construction projects, as well as improving construction-related risk management processes;

6. *Requests* the Secretary-General to continue to hold managers accountable when their decisions have been established to be grossly negligent according to the applicable Staff Regulations and Rules of the United Nations and have led to litigation and subsequent financial loss;

7. *Recalls* paragraph 17 of the report of the Advisory Committee, and requests the Secretary-General to provide further information on the review of vendor registration with options on further strengthening the registration process in his next progress report.
