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Report of the Human Rights Council

Programme budget for the biennium 2014-2015

Revised estimates resulting from resolutions and decisions adopted by the Human Rights Council at its twenty-fifth, twenty-sixth and twenty-seventh sessions, and its twenty-first and twenty-second special sessions

Report of the Advisory Committee on Administrative and Budgetary Questions on the programme budget for the biennium 2014-2015

1. The Advisory Committee on Administrative and Budgetary Questions has considered an advance version of the report of the Secretary-General on the revised estimates resulting from resolutions and decisions adopted by the Human Rights Council at its twenty-fifth, twenty-sixth and twenty-seventh sessions, and its twenty-first and twenty-second special sessions ([A/69/615](#)), which was submitted in accordance with the procedure approved in part V of General Assembly resolution 63/263. During its consideration of the report, the Committee met with representatives of the Secretary-General, who provided additional information and clarification, concluding with written responses received on 11 December 2014.

2. The Advisory Committee was informed, upon inquiry, that the twenty-seventh session of the Human Rights Council had concluded on 26 September 2014. The advance version of the report of the Secretary-General on the revised estimates resulting from resolutions and decisions adopted by the Council was dated 24 November 2014 and presented to the Committee on 1 December 2014. The Committee takes notice of the omission of a table of contents which would have facilitated cross-referencing during its deliberations, in particular considering the length and complexity of the document. The Advisory Committee observes that the overall format and presentation could be streamlined in order to reduce the length of the report and, in particular, the costs related to the document's production in the six official languages. Specifically, the Advisory Committee considers it redundant to outline in the report on revised estimates the details of those requirements and related mandates which have already been approved under the programme budget of an ongoing biennium. The Committee believes that it would be sufficient to include



a consolidated table, with a breakdown by resolution, of already approved resources, current expenditures and other pertinent explanations, as needed.

3. The Advisory Committee recalls its comments with regard to the continued late submission of the reports of the Secretary-General on the revised estimates resulting from resolutions and decisions of the Human Rights Council, and stresses that the late submission of documentation has a negative impact on their consideration by intergovernmental bodies (see [A/68/7/Add.15](#), para. 2). The Committee recommends that the General Assembly request the Secretary-General to restructure the report to ensure a concise and streamlined document with a reader-friendly structure and a table of contents.

Requirements relating to the resolutions and decisions adopted by the Human Rights Council

4. The total requirements arising from the 69 resolutions and decisions having financial implications adopted by the Human Rights Council at its three regular and two special sessions in 2014 give rise to total requirements of \$52,073,200, inclusive of additional requirements of \$12,460,200 under the programme budgets for the biennium 2014-2015, and of \$4,466,800 under the proposed programme budget for 2016-2017. The Secretary-General notes in his report that the total requirements include \$25,048,800 for the biennium 2014-2015 for activities of a perennial nature, and \$10,097,400 relates to commitment authorities approved by the Advisory Committee in 2014 under resolution 68/249 of 27 December 2013 on unforeseen and extraordinary expenses, for which the Secretary-General seeks the related appropriations in the context of the first performance report on the programme budget for the biennium 2014-2015 ([A/69/615](#), paras. 4 and 5).

5. With regard to the additional requirements for the biennium 2014-2015 of \$12,460,200, the Secretary-General proposes that: (a) an amount of \$158,300 be accommodated within the appropriation for the biennium 2014-2015; and (b) the balance of the additional requirements of \$12,301,900, including \$3,462,600 under section 2, General Assembly and Economic and Social Council affairs and conference management, \$8,826,100 under section 24, Human rights, \$2,000 under section 28, Public information, and \$11,200 under section 29F, Administration, Geneva, be appropriated, representing a charge against the contingency fund for the biennium 2014-2015.

6. With regard to the criteria used for the absorption of \$158,300, the Advisory Committee was informed, upon inquiry, that resources proposed for absorption within the existing appropriation pertained primarily to the extension of the annual Forum on Business and Human Rights by an additional day under resolution 26/22. The Committee was further informed that the first such event had taken place at the beginning of December 2014, which preceded the review and approval by the Assembly of additional resources, and that the new requirements, an amount of \$151,100 (\$20,000 under section 2, \$129,600 under section 24 and an amount of \$1,500 under section 29F), had therefore been accommodated from existing staffing and resources. The remaining amount of \$7,200 pertained to resolution 27/25 for the Chairperson of the Working Group of Experts on People of African Descent to travel to New York to present a report to the General Assembly.

7. Upon inquiry, the Advisory Committee was provided with the status of expenditures for section 24, Human rights, and section 28, Public information,

under the programme budget for the biennium 2014-2015, showing that 19 per cent of resources, or \$37,005,361, had not been committed under both sections as at 31 October 2014. In this connection, the Committee notes that an analysis of to-date and anticipated expenditures would have been useful in justifying that only a small amount of resources had been proposed for accommodation from existing staffing and resources.

8. **The Advisory Committee observes that of the total proposed additional requirements of \$12,460,200, an amount of only \$158,300 is proposed to be accommodated from within the appropriation for the biennium 2014-2015. In this connection, the Committee reiterates its recommendation that the Secretary-General continue to accommodate, to the extent possible, additional requirements for mandated activities from within existing resources, while ensuring the effective implementation of mandates (see [A/68/7/Add.15](#), para. 8). Considering the above-noted uncommitted resources under sections 24 and 28 of the programme budget for the biennium 2014-2015, the Advisory Committee believes that capacity exists to accommodate a higher amount than proposed from approved resources; therefore, the Committee recommends that an amount of \$623,010 be accommodated from within the appropriation for the biennium 2014-2015.**

Observations and recommendations in connection with the Advisory Committee's concurrence to enter into commitments in 2014

9. The Advisory Committee notes that the Secretary-General sought and obtained the agreement of the Committee to enter into commitments totalling \$10,097,400 under the provisions of General Assembly resolution 66/249 on unforeseen and extraordinary expenses for the biennium 2014-2015 regarding the requirements resulting from the following Human Rights Council resolutions: (a) 25/1, on promoting reconciliation, accountability and human rights in Sri Lanka; (b) 25/23, on the continuing grave deterioration of the human rights and humanitarian situation in the Syrian Arab Republic; (c) 25/25, on the situation of human rights in the Democratic People's Republic of Korea (new field-based structure); (d) 26/24, on the situation of human rights in Eritrea (Commission of Inquiry); (e) S-21/1, on ensuring respect for international law in the Occupied Palestinian Territory, including East Jerusalem; and (f) S-22/1, on the human rights situation in Iraq in the light of abuses committed by the so-called Islamic State in Iraq and the Levant and associated groups (see [A/69/615](#), table 76).

10. The Advisory Committee observes that the comments and recommendations made in its letters to the Secretary-General in connection with those commitments in 2014 appear not to have been taken into consideration in the Secretary-General's proposal for revised estimates, in connection with the following resolutions of the Human Rights Council:

(a) 25/1: the Secretary-General requested an amount of \$1,199,000 and is requesting this requirement under the revised estimates, although, in its letter to the Secretary-General dated 3 June 2014, the Committee had noted that the Secretary-General had revised the requirements for travel of staff from \$137,277 to \$111,700. The Committee had expressed its view that the requirements in this connection should be reduced by 5 per cent, or \$6,864;

(b) 25/23: the Secretary-General requested \$4,390,600 for 2014 and is requesting this requirement under the revised estimates, although, in its letter dated 3 June 2014, the Committee had recommended reductions in connection with the staff costs associated with the post of Military Adviser at the P-4 level; with two General Service (Other level) Administrative Assistant posts (instead of the proposed three); and the Secretary-General's revision with regard to his proposal on travel of staff. The Committee had expressed its view that the requirements should be reduced by \$113,500;

(c) 25/25: the Secretary-General requested \$959,700 for 2014 and is requesting this same requirement under the revised estimates, although, in its letter to the Secretary-General dated 3 June 2014, the Committee had expressed its view that the universal periodic review should be financed through the relevant voluntary funds established for this purpose and recommended a reduction of \$50,000;

(d) 26/24: the Secretary-General requested \$1,237,100 for 2014 and is requesting this same requirement under the revised estimates, although, in its letter to the Secretary-General dated 22 September 2014, the Committee had made comments with regard to daily subsistence allowance, the travel of witnesses, which should be based on actual expenses incurred, and the travel of Secretariat staff to the region and recommended a reduction of \$61,900;

(e) S-21/1 (on the Occupied Palestinian Territory, including East Jerusalem): the Secretary-General requested \$1,820,400 for 2014 and is requesting this requirement under the revised estimates, although, in its letter to the Secretary-General dated 22 September 2014, the Committee had made comments with regard to the differing daily subsistence allowance rates for the travel of Commissioners, the rate per unit for local transportation, and the travel of witnesses, which should be based on actual expenses incurred, and recommended a reduction of \$20,400;

(f) S-21/1 (on Iraq): the Secretary-General requested \$750,400 for 2014 and is requesting this same requirement under the revised estimates, although, in its letter to the Secretary-General dated 22 September 2014, the Committee provided comments with regard to the erroneous calculation of daily subsistence allowance and recommended a reduction of \$7,100.

11. The Advisory Committee maintains the recommendations made in its letters to the Secretary-General in connection with all instances of concurrence to enter into commitments in 2014 and, therefore, recommends that the proposed additional requirements for the biennium 2014-2015 be reduced accordingly, including those with regard to posts.

12. On a related matter, in connection with resolution S-22/1, on the human rights situation in Iraq in the light of abuses committed by the so-called Islamic State in Iraq and the Levant and associated groups, the Advisory Committee recalls its letter to the Secretary-General dated 5 November 2014 in connection with the commitment for that resolution. In this regard, the Advisory Committee encourages the Secretary-General to ensure that the mission to Iraq mandated under Human Rights Council resolution S-22/1 utilizes the existing operational and administrative support structure available through the United Nations Mission in Iraq, when practical, without prejudice to the respective mandates of each entity.

13. In connection with resolution 26/24, on the situation of human rights in Eritrea (Commission of Inquiry), the Advisory Committee requested a breakdown of the resources provided for the activities of one official who has assumed the dual roles of Special Rapporteur and of Commissioner. The Committee was informed, upon inquiry, that in calculating the resource requirements in the programme budget implications statement for the resolution, the existing provisions for the extension of the mandate of the Special Rapporteur were taken into consideration and that the costs for two, instead of three, Commissioners were included in the calculation of additional resource requirements. **The Advisory Committee trusts that the expenditures for each mandate will be clearly demarcated in future budget submissions, and that there will be no duplication of functions or resources. In this connection, the Committee requested, but did not receive, a breakdown of resources other than travel, including staffing, in connection with the resources for the activities of one official who has assumed the dual roles of Special Rapporteur and of Commissioner and requests the Secretary-General to provide such information to the General Assembly at the time of consideration of the present report.**

General observations and recommendations

14. In his report (A/69/615), the Secretary-General proposes the establishment of nine posts (1 P-5, 1 P-4 and 7 P-3) under section 24, Human rights, of the proposed programme budget for the biennium 2014-2015 to support the activities mandated by the Council in its resolutions 25/25, 26/20, 26/22, 27/1 and 27/21, as follows:

Proposed staffing requirements

<i>Resolution number</i>	<i>Title of resolution</i>	<i>Number of posts</i>	<i>Level</i>	<i>Functions</i>	<i>Reference</i>
25/25	Situation of human rights in the Democratic People's Republic of Korea (field-based structure)	5	1 P-5	Coordinator	Para. 82
			1 P-4	Human Rights Officer	
			2 P-3	Human Rights Officers	
			1 P-3	Interpreter/Translator	
26/20	Special Rapporteur on the rights of persons with disabilities	1	1 P-3	Human Rights Officer	Para. 169
26/22	Human rights and transnational corporations and other business enterprises	1	1 P-3	Human Rights Officer	Para. 177
27/1	Enforced or involuntary disappearances	1	1 P-3	Human Rights Officer	Para. 210
27/21	Human rights and unilateral coercive measures	1	1 P-3	Human Rights Officer	Para. 248
Total		9			

Staffing support structure for Special Rapporteurs

15. The Advisory Committee was informed, upon inquiry, that support provided to Special Rapporteurs generally comprises four support staff: one post at the P-3 level for 12 months per annum; one post at the P-3 level under general temporary assistance for six months per annum; one consultant at the P-3 level for six months per annum; and one General Service (Other level) post funded under general

temporary assistance for six months per annum for a total of 12 months. This is the case, for example, under resolutions 26/20, Special Rapporteur on the rights of persons with disabilities, and 27/21, Human Rights and unilateral coercive measures, while a consultant at the P-4 level would be required under resolution 26/22, Human rights and transnational corporations and other business enterprises.

16. With regard to resolution 26/20, the Committee was informed, upon inquiry, that the consultant at the P-3 level would undertake research for six months per annum on practices from different parts of the world, with a special focus on developing countries (see also [A/69/615](#), para. 169 (c)). Further, with regard to resolution 27/21, the Committee was informed that the consultant at the P-3 level for six months per annum would undertake analytical and legal research on the negative impacts of unilateral coercive measures (*ibid.*, para. 248 (c)). The Committee was further informed that under resolution 26/22, a consultant at the P-4 level for four months each in 2015 and 2016 had been proposed to prepare consultations on business-related human rights violations in connection with the Council's consideration of a report which the Office of the United Nations High Commissioner for Human Rights had commissioned from a consultant in 2013 (*ibid.*, para. 178 (a)).

17. The Advisory Committee did not receive convincing justification for the requirement for outside consultants, in addition to the two staff at the P-3 level already required under the Special Rapporteur structure. The Committee believes that any expert tasks that fall under the respective resolution governing the mandate of a Special Rapporteur's should be undertaken by the two expert staff at the P-3 level and therefore recommends against approval of resources for consultants in connection with resolutions 26/20, 26/22 and 27/21 in the amount of \$162,600. In addition, the Committee recommends that, in future, available in-house expertise be utilized, whenever possible, and that the use of outside consultants be fully justified.

Data collection by non-governmental organizations and institutions contracted by the Office of the United Nations High Commissioner for Human Rights

18. Under resolution S-21/1, ensuring respect for international law in the Occupied Palestinian Territory, including East Jerusalem, the Secretary-General makes reference to the use of information management tools developed by the Office of the United Nations High Commissioner for Human Rights (OHCHR) (see [A/69/615](#), para. 293 (a) (v)). Upon inquiry, the Advisory Committee was informed that the primary tool used by this and other Commissions of Inquiry is a secure human rights database developed within OHCHR, which provides the basis for analysis of the situation concerning alleged human rights violations and the preparation of the reports of the Commissions. The Committee observes that the database was developed not within OHCHR, but by an external contractor. The Advisory Committee was also informed that Commissions of Inquiry did not contract outside institutions in general to collect or analyse data, but that would engage individual consultants on an ad hoc basis. The Committee was also informed that, in view of the lack of access to certain geographic areas, and given the nature of the project, OHCHR had contracted, through the United Nations Office at Geneva, an external expert/organization.

19. The Advisory Committee reiterates its recommendation that the General Assembly request the Secretary-General to provide detailed information on the criteria and the contractual and procurement arrangements and procedures for the use of non-governmental organizations and other institutions for the collection and analysis of data, and the related internal procedures and staffing required to review such data, and trusts that this information will be included in future reports on the revised estimates resulting from resolutions and decisions adopted by the Human Rights Council (see [A/68/7/Add.15](#), para. 19).

Travel resources

20. The Advisory Committee requested clarification with regard to travel arrangements for Special Rapporteurs and was informed that for country visits, as the eventual destinations for the field missions are not known, generic costs are applied for all mandates, as follows: \$5,000 per trip in business class from the home country to the destination and an average daily subsistence allowance rate of \$250, which becomes \$350 with the addition of the 40 per cent travel entitlement under the provision in the rules governing payment of travel expenses and subsistence allowances in respect of members of organs or subsidiary organs of the United Nations ([ST/SGB/107/Rev.6](#)). **The Advisory Committee believes that further analysis and details are needed on these standard costs and recommends that the General Assembly request the Secretary-General to include this information in the context of the second performance report.**

21. The Advisory Committee notes that, throughout the report of the Secretary-General, the length of country trips appears to be set in blocks of ten days, for example, with regard to travel in connection with resolutions 26/20, 26/24 and 26/32. The Committee considers that a normal work week consists of five working days plus two non-working days; therefore, it would appear that a two-week trip should be shown as 12 days, comprising 10 days for two full work weeks at five days each, plus two non-working days. **The Advisory Committee requested, but did not receive, clarification as to the reasons for setting the length of travel at exactly 10 days, and recommends that the General Assembly request the Secretary-General to provide a clarification in the context of consideration of the present report on revised estimates for the biennium 2014-2015.**

Conclusion and recommendation

22. The actions to be taken by the General Assembly are set out in paragraphs 305 and 311 of the report of the Secretary-General. **Subject to its observations and recommendations made in the present report, the Advisory Committee recommends approval of the proposals of the Secretary-General.**