



# General Assembly

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Agenda item 162

### Financing of the United Nations Mission for Justice Support in Haiti

## **Budget performance of the United Nations Mission for Justice Support in Haiti for the period from 1 July 2019 to 30 June 2020**

### **Report of the Advisory Committee on Administrative and Budgetary Questions**

|                                  |              |
|----------------------------------|--------------|
| Appropriation for 2019/20        | \$49,122,900 |
| Expenditure for 2019/20          | \$38,694,400 |
| Unencumbered balance for 2019/20 | \$10,428,500 |



## I. Introduction

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General on the budget performance of the United Nations Mission for Justice Support in Haiti (MINUJUSTH) for the period from 1 July 2019 to 30 June 2020 ([A/75/752](#)). During its consideration of the report, the Committee received additional information and clarification from representatives of the Secretary-General, concluding with written responses dated 31 March 2021.
2. The mandate of MINUJUSTH was established by the Security Council in its resolution [2350 \(2017\)](#) and was extended by subsequent resolutions of the Council. By its resolution [2466 \(2019\)](#), the Council decided to extend the mandate of MINUJUSTH for a final period of six months until 15 October 2019, requested the Secretary-General to initiate the necessary planning for an appropriate integrated United Nations system presence in Haiti, and prepare for and begin the gradual, phased withdrawal of MINUJUSTH personnel in advance of 15 October 2019 as appropriate, ensuring a seamless transition.
3. The Advisory Committee recalls that, by its resolution [72/260 A](#), the General Assembly decided to continue to use the Special Account established for the United Nations Stabilization Mission in Haiti (MINUSTAH). The Committee also recalls that the Assembly took note of the report of the Secretary-General on the final disposition of the assets of MINUSTAH in its resolution [74/287](#). The report of the Secretary-General on the final disposition of assets for MINUJUSTH will be submitted for the consideration of the Assembly during its seventy-sixth session. The Committee's comments and observations on the final performance report of MINUSTAH are contained in its related report.

## II. Budget performance for the period from 1 July 2019 to 30 June 2020

4. By its resolution [74/260 A](#), the General Assembly, appropriated the amount of \$49,122,900 gross (\$47,710,800 net) for the maintenance of the Mission for the period from 1 July 2019 to 30 June 2020. The total amount has been assessed on Member States. Expenditure for the period totalled \$38,694,400 gross (\$37,038,100 net), for a budget implementation rate of 78.8 per cent. The resulting unencumbered balance of \$10,428,500, in gross terms, represents 21.2 per cent of the overall level of resources approved for the period ([A/75/752](#), para. 3, and sect. III.A).
5. The unencumbered balance of \$10,428,500 reflects the net effect of reduced requirements under military and police personnel (\$4.8 million), increased requirements under civilian personnel (\$0.4 million), and reduced requirements under operational costs (\$6.1 million). A detailed analysis of variances is provided in section IV of the budget performance report of the Secretary-General. Upon enquiry, the Advisory Committee was informed that certain assumptions at the time of the budget preparation that resulted in the approved budget in the amount of \$49,122,900 had not materialized and that potential liabilities could not be estimated accurately. As MINUSTAH and MINUJUSTH used the same approved special account, this increased the possibility for the settlement by MINUJUSTH of old claims that could have been raised for MINUSTAH.

6. Regarding the expenditure under certain objects, the Advisory Committee was informed upon enquiry of the following:

(a) Under training fees, supplies and services, the additional requirements in the amount of \$11,500 were attributable to the contracting of a specialized service provider to deliver on-site training and technical support for the refurbishment of fire trucks to bring them to a functional state, for transfer from MINUJUSTH to the strategic deployment stocks in Brindisi; such a provision had not been included in the approved budget;

(b) Under individual consultants, the increased requirements in the amount of \$10,700 were attributable to the engagement of one consultant to conduct an analysis of lessons learned from the liquidation of MINUJUSTH;

(c) Under medical services, the reduced requirements were attributable primarily to use of existing stocks and lower demand for services and supplies, given the drawdown and closure of the Mission;

(d) On travel outside of mission area, 23 unplanned trips were attributable primarily to the higher number of staff members who travelled to Haiti for temporary duty assignment from United Nations Headquarters, Brindisi, the Kuwait Joint Support Office and other peacekeeping missions, to support the Mission's activities to ensure a smooth transition to the United Nations Integrated Office in Haiti (BINUH) and undertake liquidation activities;

(e) Under acquisitions, the increased requirements were attributable primarily to the acquisition of the higher quantity of supplies for packaging and transportation of equipment and other material from different camps, compared with the budgeted estimates; additional spare part requirements for refurbishing fire safety equipment; and higher costs of cement, block, sand, gravel and hollow blocks;

(f) On the higher separation costs for international and national staff, the budgeted estimates for final separation costs for international staff and national staff were based on historical trends, and entitlements related to separation could not be estimated accurately at the time of budget preparation.

7. The Advisory Committee notes the transfer of assets from MINUJUSTH to the strategic deployment stocks in Brindisi and other missions. **The Advisory Committee reiterates that the next report on MINUJUSTH should include comprehensive and transparent information on the disposal of assets, including the best value for the assets sold, and details on any related reimbursement/cost recovery for assets transferred to other missions and operations, including BINUH (see [A/74/791](#), para. 5).**

8. **The Advisory Committee notes the number of unplanned trips for temporary duty assignment and considers that more use could have been made of existing mission staff and their knowledge and experience of the Mission. The Committee recommends that, using existing in-house capacity, lessons learned be developed on the use of temporary duty assignments as compared with the retention of mission staff for transition and liquidation activities.**

9. The Advisory Committee was informed upon enquiry that all MINUJUSTH property had been disposed of and all residual liquidation activities had been completed. There were no pending death and disability claims for MINUJUSTH as at 12 March 2021, but there were three pending claims which pertained to uniformed personnel deployed under the mandate of MINUSTAH.

10. The Advisory Committee was provided, upon enquiry, with the table below on the financial position as at 31 March 2021.

**Summary of financial position as at 31 March 2021**

(Thousands of United States dollars)

| <i>Description</i>   | <i>Amount</i>     |
|--|-------------------|
| <b>I. Cash assets</b>  | <b>6 238.5</b>    |
| <b>II. Cash requirements (liabilities)</b>   |                   |
| Contributions received in advance  | 577.5             |
| Unliquidated obligations, including prior-period obligations                               | 6.1               |
| Other accounts payable and liabilities   | 2 994.4           |
| <b>Subtotal</b>  | <b>3 578.0</b>    |
| <b>III. Net cash available/(shortfall) (I less II)</b>                                     | <b>2 660.5</b>    |
| <b>IV. Credits due to Member States</b>  |                   |
| (a) For the year ended 30 June 2019  | 3 144.6           |
| (b) For the year ended 30 June 2020  |                   |
| (i) Unencumbered balance   | 10 428.5          |
| (ii) Other revenue   |                   |
| Interest revenue   | 117.1             |
| Other/miscellaneous revenue  | 2 967.3           |
| Cancellation of prior-period obligations   | 3 119.7           |
| <b>Subtotal, other revenue</b>   | <b>6 204.1</b>    |
| <b>Subtotal, credits due to Member States for the period ended 30 June 2020 (i) + (ii)</b> | <b>16 632.6</b>   |
| <b>Total credits due to Member States (a) + (b)</b>  | <b>19 777.2</b>   |
| <b>V. Cash surplus/(shortfall) (III less IV)</b>   | <b>(17 116.7)</b> |
| <b>Contributions outstanding from Member States (as at 31 March 2021)</b>                  | <b>26 234.0</b>   |

11. The Advisory Committee notes from the table above that, as at 31 March 2021, the outstanding contributions from Member States amounted to \$26,234,000. **The Advisory Committee recalls the repeated calls by the General Assembly for all Member States to pay their assessed contributions on time, in full and without condition.**

12. With respect to the civilian staffing component, the Advisory Committee was informed upon enquiry that: (a) 50 international staff, or 29.9 per cent, had been separated from MINUJUSTH as of the end of the Mission's mandate on 15 October 2019; (b) 132 national staff, or 70.9 per cent, had been separated from MINUJUSTH, including 4 staff who had resigned; and (c) 36 national staff had been reassigned from MINUJUSTH to BINUH without separation, and 1 national staff had been separated and reappointed. The Committee was also informed that 79 international staff had been reassigned to other United Nations entities (including BINUH), 8 had been temporarily assigned to other United Nations entities, and 4 had been seconded to other United Nations entities. The Committee was further informed that the employment information provided was limited to the data available in Umoja. **The Advisory Committee is of the view that the Secretariat should have access to full staffing information on former MINUJUSTH staff and trusts that an update will be provided to the General Assembly at the time of its consideration of the present report, as well as in the next report of the Secretary-General on MINUJUSTH.**

13. In its previous report, the Advisory Committee noted that the separation of three employees was on hold pending a decision of the Management Evaluation Unit or the completion of a review of their cases by the United Nations Dispute Tribunal in response to their request, while three employees were on extended sick leave (A/74/791, para. 14). Upon enquiry, the Committee was informed about the appointments of the three staff members in three management evaluation cases that were extended beyond 31 July 2020, as follows: the first case was resolved without financial implications on 21 January 2021; the second is expected to be resolved without financial implications; however, the resolution of the third case will result in financial implications. Two cases of sick leave were concluded as planned on 7 October 2020 and 20 November 2020, respectively, with separation of the staff concerned on grounds of disability. The third sick leave case was concluded on 11 November 2020 with the death of the staff member after a prolonged illness. **The Advisory Committee trusts that an update on the resolution of the remaining management evaluation cases, and any related financial implications, will be included in the next report of the Secretary-General.**

14. On the transition process from MINUJUSTH to BINUH and the country team, the Advisory Committee was informed, upon enquiry, that the Haiti-based integrated task force coordinated by MINUJUSTH and the Headquarters integrated task force coordinated by the Department of Peace Operations had engaged in joint planning from the beginning of 2019, following the deployment of a strategic assessment mission in January 2019. The process was established under the aegis of the Deputy Secretary-General, who subsequently established a Principal-level steering group to further support, monitor and enhance the outcomes of the transition. A joint study by the Department of Political and Peacebuilding Affairs, the Development Coordination Office and the United Nations Development Programme on the substantive United Nations transition in Haiti is under way. The study will: (a) identify lessons and best practices to inform transition planning and management; (b) provide practical and transferable lessons and best practices to colleagues and partners in countries where United Nations operations are undergoing transition processes; (c) contribute to the revision of relevant organizational policy and guidance materials; and (d) develop, where applicable and relevant, actionable recommendations that improve the efficiency, effectiveness and relevance of United Nations transitions. **The Advisory Committee trusts that the next report of the Secretary-General will include more detailed information on the implementation of the transition of MINUJUSTH to BINUH and the country team.**

15. Upon enquiry, the Advisory Committee was informed that the full responsibilities and related costs for the area of the logistics base, mission headquarters, used by BINUH had been transferred to BINUH in December 2019, as it had become evident towards the end of December 2020 that BINUH could not move before the end of the MINUJUSTH liquidation process. One large area of the base had been transferred to the Government of Haiti before the end of the liquidation process, on 31 December 2020.

16. In paragraph 21 of his report, the Secretary-General indicates that, following the decision to grant Haiti eligibility for support from the Peacebuilding Fund for a period of five years, the country team developed four project proposals, with technical advice from relevant mission components and in consultation with national counterparts and partners. The Advisory Committee was informed, upon enquiry, that each project funded by the Peacebuilding Fund in Haiti had been reviewed through a project approval process and based on a detailed project document and budget. Until the end of its mandate, on 15 October 2019, MINUJUSTH had been involved in the design of the project documents. A peacebuilding group comprising staff members from the United Nations country team and MINUJUSTH had been established to support the

implementation of the projects and had met on a regular basis, until the end of the Mission's mandate, to ensure linkages between projects in the portfolio.

### III. Conclusion

17. As noted above, MINUJUSTH uses the Special Account established for MINUSTAH, and the report of the Secretary-General on the final disposition of assets for MINUJUSTH will be submitted during the seventy-sixth session. **While the Advisory Committee notes that the use of the Special Account for both MINUSTAH and MINUJUSTH may have facilitated the Missions' transition and start-up phases of MINUJUSTH, it is concerned about the impact of a joint account and the resultant commingling of the Missions' assets and liabilities on the closing and liquidation phases. The Committee recommends that the General Assembly request the Secretary-General, using existing in-house capacity, to develop lessons learned on the benefits and challenges of how this joint account mechanism was employed.**

18. The actions to be taken by the General Assembly regarding the financing of MINUJUSTH are contained in paragraph 44 of the report of the Secretary-General. The Assembly is requested to: (a) take note of the total amount of \$16,632,600, comprising the unencumbered balance of \$10,428,500 with respect to the period from 1 July 2019 to 30 June 2020 and other revenue for the period ended 30 June 2020, amounting to \$6,204,100 from interest revenue (\$117,100), other/miscellaneous revenue (\$2,967,300) and the cancellation of prior-period obligations (\$3,119,700); and (b) defer, until consideration by the Assembly of the final performance report of the Mission, a decision on the treatment of the total amount of \$16,632,600 indicated in item (a).

19. The Advisory Committee notes the net cash available in the amount of \$2,660,500 as at 31 March 2021 (see table above). **The Advisory Committee trusts that an update on the assets, liabilities and cash balance of MINUJUSTH will be provided to the General Assembly at the time of its consideration of the present report. In addition, the Committee trusts that information on the status of payments to troop- and police-contributing countries and settlements of death and disability claims will also be provided to the Assembly at the same time.**

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