



# General Assembly

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## Seventy-eighth session

Agenda items 134 and 75 (c)

### Programme budget for 2024

#### Oceans and the law of the sea

## **Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction**

### **Programme budget implications of draft resolution [A/78/L.41](#)**

### **Forty-sixth report of the Advisory Committee on Administrative and Budgetary Questions on the programme budget for 2024**

## **I. Introduction**

1. The Advisory Committee on Administrative and Budgetary Questions has considered the statement submitted by the Secretary-General ([A/C.5/78/29](#)) on the programme budget implications of draft resolution [A/78/L.41](#) on the Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction, in accordance with rule 153 of the rules of procedure of the General Assembly. During its consideration of the statement, the Advisory Committee received additional information and clarification from the representatives of the Secretary-General, concluding with written responses dated 23 February 2024.

2. It is indicated in the statement of the Secretary-General that, under the terms of operative paragraphs 3, 11 and 12 of draft resolution [A/78/L.41](#), the General Assembly would:

(a) Decide to establish a preparatory commission, which shall meet at United Nations Headquarters unless otherwise decided, on dates to be determined, to prepare for the entry into force of the Agreement and to prepare for the convening of the first meeting of the Conference of the Parties to the Agreement, at the conclusion of which the commission will cease to exist;

(b) Also decide that the commission shall hold a three-day organizational meeting in the first half of 2024 with full conference services, including



documentation, to discuss organizational matters, including the election of the Co-Chairs and a Bureau of the commission consisting of up to 15 members with up to 3 members from each regional group and taking into account gender balance, the dates of meetings of the commission and the programme of work of the commission;

(c) Further decide that the commission shall prepare a final report on all matters within its mandate for presentation to the Conference of the Parties to the Agreement at its first meeting.

## II. Resource requirements

3. It is indicated in the statement of the Secretary-General that, pursuant to the mandate contained in operative paragraph 11 of the draft resolution (A/C.5/78/29, para. 3), it is envisaged that the organizational meeting would be conducted over three working days in the first half of 2024, with full conference services, including documentation.

4. It is also indicated in the statement of the Secretary-General that, with regard to operative paragraphs 3 and 12 of the draft resolution (see para. 2 above), it is not possible at the present time to estimate the potential cost implications of substantive and conference services. Once the specific decisions on the agenda and programme of work of the Preparatory Commission, as well as the format, number, duration and frequency of its sessions, have been made at the organizational meeting, the Secretary-General would submit the relevant costs of the requirements resulting from those decisions to the General Assembly (A/C.5/78/29, para. 8).

5. Tables 1 and 2 in the statement contain information relating to the additional resource requirements of \$88,300 for conference services (sections 2 and 29C) for the three-day organizational meeting for 2024, as follows:

(a) Department for General Assembly and Conference Management (\$79,600): interpretation for the three-day session in all six official languages, and three pre-session documents (total of 7,500 words), two in-session documents (total of 1,500 words) and one post-session document (2,000 words), to be issued in all six official languages;

(b) Office of Information and Communications Technology (\$8,700): information technology servicing for the three-day session.

6. It is indicated in the statement of the Secretary-General that no provision has been made in the programme budget for 2024 for the implementation of the mandate contained in the draft resolution and that, at this stage, it is not possible to identify activities within the relevant sections of the programme budget for 2024 that could be terminated, deferred, curtailed or modified during 2024. It is therefore necessary that the additional resources be provided through an additional appropriation for 2024 (*ibid.*, para. 10).

7. Upon enquiry, the Advisory Committee was informed that statements on programme budget implications were put forth based on the respective department's analysis, on a case-by-case basis, of existing workload. The Committee requested and received information on the appropriations approved and expenditures incurred for sections 2 and 29C of the programme budget since 2020 (see annexes I and II). **The Advisory Committee recalls that it noted a trend of annual underexpenditure for conferencing services for other staff costs under section 2, General Assembly and Economic and Social Council affairs and conference management, of the programme budget for the period from 2020 to 2023 (A/78/7/Add.27, para. 6).**

8. The Advisory Committee further recalls that the Department for General Assembly and Conference Management maintains a combined global documentation processing capacity, although the Committee was informed that such capacity was substantially lower than its annual workload and was not suitable for being considered as a source of absorption capacity for new mandates, given the unpredictability of their volume, scope and timing (A/77/7/Add.28, para. 5). **The Advisory Committee reiterates its view that the Secretariat will make further efforts to optimize the use of the combined global documentation process capacity, so as to increase absorptive capacity, whenever feasible (A/78/7/Add.27, para. 7).**

9. On a related matter, the Advisory Committee was informed upon enquiry that, pursuant to General Assembly resolution 77/321, in order to strengthen the capacity of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs, five new temporary posts (2 P-4, 1 P-2, 1 General Service (Principal level) and 1 General Service (Other level)) under section 8, Legal affairs, were established effective 1 January 2024 to support the activities mandated by resolution 77/321.<sup>1</sup> The job openings for those temporary posts were being advertised and the selection process would commence shortly. However, it was indicated to the Committee that any recruitment would be subject to the measures taken to mitigate the effects of the current liquidity crisis facing the Organization. **While noting current liquidity challenges experienced by the Organization, the Advisory Committee trusts that the implementation of the mandates authorized by the General Assembly will not be adversely affected.**

### III. Conclusion

10. The actions to be taken by the General Assembly are contained in paragraphs 11 to 13 of the statement of the Secretary-General. **Subject to its observations above, the Advisory Committee recommends that the Fifth Committee inform the General Assembly that, should it adopt draft resolution A/78/L.41, the Assembly request the Secretary-General to make every effort to absorb the additional resource requirements for section 2, General Assembly and Economic and Social Council affairs and conference management (\$79,600), and section 29C, Office of Information and Communications Technology (\$8,700), failing which the related additional expenditure should be reflected in the context of the financial performance report for 2024.**

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<sup>1</sup> In the resolution, the General Assembly requested the Secretary-General to make proposals in the context of the proposed programme budget for 2024 in order to strengthen the capacity of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat to undertake activities to promote a better understanding of the Agreement and to prepare for the entry into force of the Agreement and perform the secretariat functions under the Agreement until such time as the secretariat to be established under article 50 of the Agreement commenced its functions.

## Annex I

### Approved appropriations for 2020 to 2024 and expenditures for 2020 to 2023 for section 2, Department of General Assembly and Economic and Social Council affairs and conference management

(United States dollars)

Object of expenditure	2020			2021			2022			2023			2024
	Approved	Expenditures <sup>a</sup>	Balance	Approved	Expenditures <sup>b</sup>	Balance	Approved	Expenditures <sup>c</sup>	Balance	Approved	Expenditures <sup>d</sup>	Balance	Approved
Posts	254 742 000	248 197 438	6 544 562	263 221 400	247 357 638	15 863 762	262 889 500	247 968 960	14 920 540	260 423 400	257 058 700	3 364 700	276 735 100
Other staff costs	29 477 200	18 534 525	10 942 675	33 797 500	14 361 467	19 436 033	38 537 700	24 210 556	14 327 144	42 412 700	29 489 900	12 922 800	46 117 000
Hospitality	4 100	333	3 767	1 500	–	1 500	1 500	187	1 313	1 600	–	1 600	800
Consultants	–	24 933	(24 933)	–	66 254	(66 254)	–	47 416	(47 416)	–	14 800	(14 800)	–
Travel of representatives	91 700	–	91 700	92 700	66 457	26 243	98 400	113 752	(15 352)	111 600	175 200	(63 600)	–
Travel of staff	122 300	21 075	101 225	80 200	90 858	(10 658)	81 000	75 206	5 794	91 800	194 900	(103 100)	56 100
Contractual services	12 549 200	25 568 426	(13 019 226)	12 832 000	12 293 585	538 415	13 481 400	13 821 735	(340 335)	14 592 500	11 745 700	2 846 800	16 116 200
General operating expenses	1 735 400	2 584 552	(849 152)	1 740 600	3 453 523	(1 712 923)	1 826 200	1 799 743	26 457	1 989 000	2 026 800	(37 800)	2 065 200
Supplies and materials	501 900	159 075	342 825	449 800	177 115	272 685	405 100	127 798	277 302	373 200	128 400	244 800	351 000
Furniture and equipment	1 407 600	1 298 786	108 814	1 199 200	1 650 310	(451 110)	1 135 500	1 636 214	(500 714)	1 229 200	1 533 900	(304 700)	1 270 400
Improvement of premises	–	1 176	(1 176)	–	2 622	(2 622)	–	66 279	(66 279)	–	1 300	(1 300)	–
Grants and contributions	26 010 400	25 118 323	892 077	27 691 100	27 682 278	8 822	28 237 800	28 244 509	(6 709)	27 285 900	26 163 700	1 122 200	28 681 400
Other costs	–	68 395	(68 395)	–	–	–	–	–	–	–	–	–	–
<b>Total</b>	<b>326 641 800</b>	<b>321 577 037</b>	<b>5 064 763</b>	<b>341 106 000</b>	<b>307 202 108</b>	<b>33 903 892</b>	<b>346 694 100</b>	<b>318 112 354</b>	<b>28 581 746</b>	<b>348 510 900</b>	<b>328 533 300</b>	<b>19 977 600</b>	<b>371 393 200</b>

<sup>a</sup> From annex I to the financial performance report on the programme budget for 2020 (A/76/347), further disaggregated by object of expenditure.

<sup>b</sup> From annex I to the financial performance report on the programme budget for 2021 (A/77/347), further disaggregated by object of expenditure.

<sup>c</sup> From annex I to the financial performance report on the programme budget for 2022 (A/78/89), further disaggregated by object of expenditure.

<sup>d</sup> As at 15 February 2024.

## Annex II

### Approved appropriations for 2020 to 2024 and expenditures for 2020 to 2023 for section 29C, Office of Information and Communications Technology

(United States dollars)

Object of expenditure	2020			2021			2022			2023			2024
	Approved	Expenditures <sup>a</sup>	Balance	Approved	Expenditures <sup>b</sup>	Balance	Approved	Expenditures <sup>c</sup>	Balance	Approved	Expenditures <sup>d</sup>	Balance	Approved
Posts	24 501 600	26 239 901	(1 738 301)	24 812 800	26 627 992	(1 815 192)	25 303 700	25 374 425	(70 725)	24 824 700	26 004 200	(1 179 500)	25 891 500
Other staff costs	1 744 400	1 344 006	400 394	1 757 100	1 133 414	623 686	1 835 900	1 061 774	774 126	1 794 300	1 484 700	309 600	1 819 400
Experts	–	–	–	–	–	–	–	–	–	–	–	–	–
Consultants	127 200	435 183	(307 983)	101 500	102 810	(1 310)	96 900	272 313	(175 413)	105 100	109 700	(4 600)	108 100
Travel of staff	154 900	7 352	147 548	101 700	12 107	89 593	136 300	122 130	14 170	153 300	127 100	26 200	157 700
Contractual services	10 614 400	11 078 885	(464 485)	10 493 200	11 799 114	(1 305 914)	12 526 200	17 338 923	(4 812 723)	13 264 700	16 815 600	(3 550 900)	13 978 600
General operating expenses	9 758 000	8 826 042	931 958	11 573 600	7 409 717	4 163 883	11 061 200	6 128 194	4 933 006	11 401 400	5 721 300	5 680 100	10 313 200
Supplies and materials	100 400	34 068	66 332	81 100	16 612	64 488	72 400	54 230	18 170	66 800	20 600	46 200	68 700
Furniture and equipment	2 183 000	3 649 952	(1 466 952)	1 813 300	5 850 261	(4 036 961)	1 685 100	1 369 229	315 871	1 815 600	3 771 700	(1 956 100)	1 489 300
Improvement of premises	775 900	339	775 561	784 400	–	784 400	–	2 802	(2 802)	–	800	(800)	–
Grants and contributions	–	–	–	–	44	(44)	–	–	–	–	7 200	(7 200)	–
Other costs	–	68 758	(68 758)	–	–	–	–	–	–	–	–	–	–
<b>Total</b>	<b>49 959 800</b>	<b>51 684 486</b>	<b>(1 724 686)</b>	<b>51 518 700</b>	<b>52 952 071</b>	<b>(1 433 371)</b>	<b>52 717 700</b>	<b>51 724 020</b>	<b>993 680</b>	<b>53 425 900</b>	<b>54 062 900</b>	<b>(637 000)</b>	<b>53 826 500</b>

<sup>a</sup> From annex I to the financial performance report on the programme budget for 2020 (A/76/347), further disaggregated by object of expenditure.

<sup>b</sup> From annex I to the financial performance report on the programme budget for 2021 (A/77/347), further disaggregated by object of expenditure.

<sup>c</sup> From annex I to the financial performance report on the programme budget for 2022 (A/78/89), further disaggregated by object of expenditure.

<sup>d</sup> As at 15 February 2024.