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**Seventieth session**  
**Fifth Committee**  
Agenda items 134 and 83

**Proposed programme budget for the biennium 2016-2017**

**Report of the International Law Commission on the work  
of its sixty-seventh session**

## **Report of the International Law Commission on the work of its sixty-seventh session**

### **Programme budget implications of draft resolution [A/C.6/70/L.13](#)**

### **Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly**

#### **I. Introduction**

1. At its 29th meeting, on 20 November 2015, the Sixth Committee adopted draft resolution [A/C.6/70/L.13](#) without a vote. A statement of the programme budget implications of the draft resolution ([A/C.6/70/L.19](#)) was read out to the Committee.

#### **II. Requests contained in the draft resolution**

2. Under the terms of operative paragraph 17 of draft resolution [A/C.6/70/L.13](#), the General Assembly would take note of paragraph 309 of the report of the International Law Commission,<sup>1</sup> and decide that the next session of the Commission shall be held at the United Nations Office at Geneva from 2 May to 10 June and from 4 July to 12 August 2016.

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<sup>1</sup> *Official Records of the General Assembly, Seventieth Session, Supplement No. 10* (A/70/10).



### **III. Relationship of the proposed requests to the biennial programme plan and priorities for the period 2016-2017 and to the proposed programme budget for the biennium 2016-2017**

3. The requested activities referred to in the draft resolution relate to programme 6, Legal affairs, of the biennial programme plan and priorities for the period 2016-2017 (see [A/69/6/Rev.1](#)), as well as to activities under section 8, Legal affairs, of the proposed programme budget for the biennium 2016-2017 ([A/70/6](#) (Sect.8) and Corr.1).

### **IV. Activities by which the proposed requests would be implemented**

4. The amount of \$2,863,900 included in the proposed programme budget for the biennium 2016-2017 under section 8, Legal affairs, for the International Law Commission covers: (a) attendance by the Chairperson and 33 members at the annual session in Geneva; (b) attendance by the Chairperson at the regular sessions of the General Assembly during the consideration of the reports of the Commission; (c) travel of staff to service the sessions of the Commission; and (d) non-staff compensation payable at the rate set by the Assembly in its resolution 56/272. The amount is based on a 10-week session, with an assumed average attendance at the annual session of 80 per cent.

5. It is anticipated that the decision to hold the next session of the International Law Commission at the United Nations Office at Geneva from 2 May to 10 June and from 4 July to 12 August 2016, as contained in operative paragraph 17 of the draft resolution, would entail additional resource requirements in the amount of \$232,100 for the following activities:

- (a) Travel of representatives for 14 additional days (\$210,000);
- (b) Travel of staff for 14 additional days (\$22,100).

### **V. Financial implications of the proposal**

6. Should the General Assembly adopt the draft resolution to hold a 12-week session in 2016, additional requirements in the amount of \$232,100 would be necessary under the proposed programme budget for the biennium 2016-2017.

### **VI. Potential for absorption during the biennium 2016-2017**

7. As the provisions made in the proposed programme budget for the biennium 2016-2017 for the implementation of the activities requested under operative paragraph 17 of the draft resolution would not be sufficient, and as it is not possible to identify activities within the section of the proposed programme budget for the biennium 2016-2017 that could be terminated, deferred, curtailed or modified during the biennium at the current stage, it is necessary that additional non-recurrent resources in the amount of \$232,100 be provided through an additional appropriation for the biennium 2016-2017.

## **VII. Contingency fund**

8. It will be recalled that, under the procedures established by the General Assembly in its resolutions 41/213 and 42/211, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget. Under this procedure, if additional expenditures were proposed that exceeded the resources available from the contingency fund, the activities concerned would be implemented only through the redeployment of resources from low-priority areas or the modification of existing activities. Otherwise, such additional activities would have to be deferred to a later biennium.

## **VIII. Conclusion and action required of the General Assembly**

9. **Should the General Assembly adopt draft resolution [A/C.6/70/L.13](#), additional resource requirements in the amount of \$232,100 would arise under section 8, Legal affairs, of the proposed programme budget for the biennium 2016-2017. The amount of \$232,100 would represent a charge against the contingency fund and, as such, would require an additional appropriation for the biennium 2016-2017 to be approved by the Assembly.**

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