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Proposed programme budget for 2023

Israeli practices and settlement activities affecting the rights of the Palestinian people and other Arabs of the occupied territories

Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem

Programme budget implications of draft resolution
[A/C.4/77/L.12/Rev.1](#)

Thirty-second report of the Advisory Committee on Administrative and Budgetary Questions on the proposed programme budget for 2023

I. Introduction

1. The Advisory Committee on Administrative and Budgetary Questions has considered an advance version of the statement submitted by the Secretary-General ([A/C.5/77/18](#)), in accordance with rule 153 of the rules of procedure of the General Assembly, on the programme budget implications of draft resolution [A/C.4/77/L.12/Rev.1](#) on Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem. The Committee received additional information and clarification from the representatives of the Secretary-General, concluding with written responses dated 2 December 2022.

2. The Secretary-General indicates in the statement that, under the terms of operative paragraph 18 of draft resolution [A/C.4/77/L.12/Rev.1](#), the General Assembly would decide, in accordance with Article 96 of the Charter of the United Nations, to request the International Court of Justice, pursuant to Article 65 of the Statute of the Court, to render an advisory opinion on the following questions, considering the rules and principles of international law, including the Charter, international humanitarian law, international human rights law, relevant resolutions of the Security Council, the Assembly and the Human Rights Council, and the advisory opinion of the Court of 9 July 2004:



(a) What are the legal consequences arising from the ongoing violation by Israel of the right of the Palestinian people to self-determination, from its prolonged occupation, settlement and annexation of the Palestinian territory occupied since 1967, including measures aimed at altering the demographic composition, character and status of the Holy City of Jerusalem, and from its adoption of related discriminatory legislation and measures?

(b) How do the policies and practices of Israel referred to in paragraph 18 (a) above affect the legal status of the occupation, and what are the legal consequences that arise for all States and the United Nations from this status? ([A/C.5/77/18](#), para. 2).

II. Resource requirements

3. In his statement, the Secretary-General provides information on: (a) the relationship between the mandate contained in the draft resolution and the proposed programme budget for 2023; (b) deliverables and activities required to implement the mandate; and (c) the budgetary implications arising from the draft resolution (*ibid.*, paras. 3–8).

4. Upon enquiry, the Advisory Committee was informed that the programme budget implications had been prepared on the assumption that hearings would be held in the expected advisory proceedings in 2023, before the triennial change in the composition of the Court in February 2024. The Committee was also informed, upon enquiry, that the proposed programme budget for 2023 had been prepared based on the approved calendar of the Court at that time, meaning that the addition of the advisory opinion to the calendar would give rise to additional resource requirements in 2023.

5. In addition, it is indicated in the statement of the Secretary-General that no provision has been made in the proposed programme budget for 2023 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 section of the proposed programme budget for 2023 that could be terminated, deferred, curtailed or modified during 2023. It is therefore necessary that the additional resources be provided through an additional appropriation for 2023 (*ibid.*, para. 10). The Advisory Committee notes that the expenditure for 2021 under section 7, International Court of Justice ([A/77/6 \(Sect. 7\)](#)), was lower than the amounts approved by the General Assembly by \$3,152,300, or 10.24 per cent.

6. A summary of the total additional resource requirements for 2023, 2024 and 2025 (\$320,900) arising from draft resolution [A/C.4/77/L.12/Rev.1](#) is provided in table 1 in the statement of the Secretary-General.

7. Table 1 shows additional requirements amounting to \$233,900 for 2023, which comprise:

(a) Other staff costs (\$141,600): interpretation and documentation services, notably translators, interpreters and text-processing assistants, to provide support during the public hearings, including written and oral proceedings with the participation of States and intergovernmental organizations, and private meetings of the Court, mainly for deliberation by the judges;

(b) Contractual services (\$59,000): additional security support during the hearings and the external translation and printing of documents for dissemination to all States Members of the United Nations;

(c) General operating expenses (\$33,300): rental of furniture and equipment for the hearings and to set up a press room, postage for the distribution of documents,

supplies for internal reproduction, office supplies and photographs during the hearings.

8. For 2024, resource requirements amounting to \$57,000 will be needed for temporary assistance for meetings for the preparation of the volume in the pleadings series and for the printing of the advisory opinion and judges' declarations and opinions for the reports of the Court. For 2025, resource requirements amounting to \$30,000 will be needed for the printing of volumes in the pleadings series. The requirements will be reflected under section 7, International Court of Justice, of the proposed programme budgets for the respective budget periods ([A/C.5/77/18](#), para. 8).

9. Upon enquiry, the Advisory Committee was informed that the post of Translator/Reviser established in 2021 was not enough for the Department of Linguistic Matters to cope with its current and increasingly heavy workload. The Committee recalls that resources were provided for in the programme budget for 2022, mainly for the Court to implement eLUNa, an online, non-commercial computer-assisted translation tool specifically developed in-house for United Nations translators and verbatim reporters, with a view to achieving efficiency gains (see [A/76/7](#) and [A/76/7/Corr.1](#), para. III.8 (a)).

10. The Advisory Committee was also informed, upon enquiry, that the Registry's Security and General Assistance Division had three staff members in the General Service category who provided security services in the two buildings occupied by the Court within the Peace Palace premises. The Committee was further informed that, with the expected attendance of State delegations, the diplomatic corps, guests, the press and the public, the Division would not have sufficient capacity to control access to the premises and secure the Great Hall of Justice and rooms used by the parties during the proceedings. The Committee recalls, however, that the Secretary-General indicated that, following the discovery of asbestos in the Palace, the Registry was preparing for the temporary relocation of the Court to allow for major works to be undertaken to decontaminate and renovate the building (see [A/76/6 \(Sect. 7\)](#), para. 7.38 (b) (i)). The renovation, expected to begin in the middle of 2022 at the earliest, would take approximately eight years.

11. **The Advisory Committee encourages the Secretariat to make efforts to absorb, to the extent possible, the additional requirements within the resources of the proposed programme budget for 2023 and, considering the expenditure patterns, recommends a reduction of 10 per cent (\$2,000) under contractual services for external printing; a reduction of 15 per cent (\$600) under contractual services for security services; and a reduction of 15 per cent under each of the general operating expenses for rental of furniture and equipment (\$3,300) and for supplies and materials (\$1,400).**

III. Conclusion

12. The actions to be taken by the General Assembly are contained in paragraphs 11 and 12 of the statement of the Secretary-General. **Subject to its recommendation in paragraph 11 above, the Advisory Committee recommends that the Fifth Committee inform the General Assembly that, should the Assembly adopt draft resolution [A/C.4/77/L.12/Rev.1](#), additional resource requirements would arise under the proposed programme budget for 2023 as follows:**

(a) **Additional resource requirements in the amount of \$226,600 would arise under section 7, International Court of Justice, of the proposed programme budget for 2023. The total amount of \$226,600 would require an additional appropriation for 2023 to be approved by the General Assembly and, as such, would represent a charge against the contingency fund;**

(b) Additional resource requirements in the amount of \$21,200 would arise under section 36, Staff assessment, of the proposed programme budget for 2023 and would require an additional appropriation by the General Assembly, to be offset by an equivalent increase of \$21,200 under income section 1, Income from staff assessment.
