



# General Assembly

Distr.: General  
13 December 2019

Original: English

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## Seventy-fourth session

Agenda item 156

**Financing of the United Nations Mission for Justice**

**Support in Haiti**

## **Budget for 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**

#### **I. Introduction and background**

1. The recommendations of the Advisory Committee on Administrative and Budgetary Questions in paragraphs 12 and 16 below would entail a reduction of \$327,200 in the budget for the United Nations Mission for Justice Support in Haiti (MINUJUSTH) for the period from 1 July 2019 to 30 June 2020 ([A/74/532](#)). The Committee has made recommendations and observations on specific issues, where appropriate, in the paragraphs below.

2. The Advisory Committee on Administrative and Budgetary Questions has considered an advance version of the report of the Secretary-General on the budget for United Nations Mission for Justice Support in Haiti (MINUJUSTH) for the period from 1 July 2019 to 30 June 2020 ([A/74/532](#)). 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 6 December 2019.

3. The mandate of MINUJUSTH was established by the Security Council in its resolution [2350 \(2017\)](#) and was extended for a final period until 15 October 2019 in its resolution [2466 \(2019\)](#). In that resolution, the Council requested the Secretary-General to initiate the necessary planning for an integrated United Nations system presence in Haiti, including a special political mission, as recommended in paragraphs 71 to 82 of the Secretary-General's report ([S/2019/198](#)), beginning on 16 October 2019. The Council also requested the Secretary-General to prepare for and begin the gradual, phased withdrawal of MINUJUSTH personnel in advance of 15 October 2019, as appropriate, ensuring a seamless transition (see [A/73/755/Add.6](#), paras. 4–5).



4. Subsequently, in its resolution [2476 \(2019\)](#), the Security Council requested the Secretary-General to establish the United Nations Integrated Office in Haiti (BINUH) beginning on 16 October 2019. In the same resolution, the Council underscored the need for the activities of BINUH and the United Nations country team in Haiti, which would assume the programmatic and technical assistance role of MINUJUSTH after 15 October 2019, to be fully integrated, and stressed the need for a seamless, successful and responsible transition to BINUH to ensure continuity (see related observations and recommendations in the Advisory Committee's report on the 2020 budget proposal for BINUH ([A/74/7/Add.24](#))).

*Financing for the period from 1 July to 31 December 2019*

5. The Advisory Committee recalls that, in his note dated 15 February 2019 ([A/73/748](#)), the Secretary-General requested that the General Assembly authorize him to enter into commitments with assessment in the total amount of \$51,850,100 for the remainder of 2019, to allow the Mission to fulfil its mandate through 15 October 2019 and conduct closure activities from 16 October to 31 December 2019. Subsequently, the Committee recommended that the Assembly authorize the Secretary-General to enter into commitments in an amount not to exceed \$50,950,100 for the period from 1 July to 31 December 2019 (see [A/73/755/Add.6](#), para. 39). On 3 July 2019, the General Assembly, in its resolution [73/317](#), authorized the Secretary-General to enter into commitments for the maintenance of the Mission in an amount not exceeding \$49,450,100 for the period from 1 July to 31 December 2019. The total amount (\$49,450,100) has been assessed on Member States (see [A/74/532](#), para. 4).

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

6. In his report on the proposed budget for MINUJUSTH, the Secretary-General indicates that, starting from 1 July 2019, the Mission would continue to implement mandated activities in accordance with Security Council resolution [2466 \(2019\)](#), in which the Council requested the Secretary-General to prepare for and begin the gradual, phased withdrawal of Mission personnel by 15 October 2019, after which the Mission would cease its substantive operations. The withdrawal of MINUJUSTH from Haiti would entail the administrative liquidation of the Mission during the period from 16 October 2019 to 30 June 2020, which would include such activities as: handling legal matters that may arise from contractual disputes with suppliers, service providers and civilian personnel; financial management and reporting; disposition of assets; residual procurement activities; human resources management; environmental management; and archiving and records management for MINUJUSTH and its predecessor, the United Nations Stabilization Mission in Haiti (MINUSTAH) (*ibid.*, paras. 6 and 15). From 16 October 2019, the Mission headquarters in Port-au-Prince would be temporarily occupied by BINUH, pending the establishment of its permanent premises, and the administrative liquidation team until the final withdrawal of MINUJUSTH from Haiti (*ibid.*, para. 11).

### **A. Resource requirements**

7. The proposed budget for MINUJUSTH for the period from 1 July 2019 to 30 June 2020 amounts to \$49,450,100, which has been assessed on Member States and represents a decrease of \$72,005,800 (or 59.3 per cent) compared with the appropriation of \$121,455,900 for the period 2018/19. The main factor contributing to the decreased requirements is the phased withdrawal and liquidation of the Mission. A breakdown of the variances is provided in the report of the Secretary-General (*ibid.*, sect. II.A).

8. The proposed budget provides for the phased repatriation of 295 United Nations police officers, 700 formed police units personnel, 167 international staff (including 1 temporary position), 186 national staff, 13 United Nations Volunteers and 38 Government-provided personnel by 15 October 2019 and for the administrative liquidation of the Mission during the period from 16 October 2019 to 30 June 2020 (*ibid.*, para. 8). The Mission put in place a staffing drawdown plan for a staggered reduction of personnel ahead of the end of its mandate on 15 October 2019 (*ibid.*, para. 9). During the period from 16 October 2019 to 30 June 2020, a team of 40 civilian personnel, comprising 19 international staff and 21 national staff, would be engaged in completing the liquidation of the Mission (*ibid.*, para. 10).

9. As indicated in the supplementary information provided to the Advisory Committee, as at 1 January 2019, an amount of \$2,674,600 was owed by the Organization under troop costs and \$8,959,000 under contingent-owned equipment. Upon enquiry, the Committee was informed that, as at 26 November 2019, a total amount of \$6,954,339 was due to be paid by the Organization to police-contributing countries for reimbursement to police personnel for the period from 1 January to 31 October 2019, and a total amount of \$3,348,847 was owed by the Organization for contingent-owned equipment for the period from 1 January to 30 September 2019. **The Advisory Committee expects that all outstanding reimbursements will be settled in a timely manner.**

#### **United Nations police personnel and Government-provided personnel**

10. The proposed resource requirement for United Nations police personnel for the financial period 2019/20 amounts to \$5,776,000, which includes a provision for 11 United Nations police personnel, whose deployment was extended beyond the end of the mandate for MINUJUSTH until 31 December 2019 as a transition measure until the completion of the process of hiring United Nations police personnel for BINUH (*ibid.*, paras. 32 and 45). Similarly, for Government-provided personnel, the proposed resource requirement amounts to \$395,700, which includes the provision for two Government-provided personnel, whose deployment was extended until 31 December 2019 to provide continuity of support to the Directorate of Prison Administration until the completion of recruitment of government-provided correctional officers for BINUH (*ibid.*, para. 51).

11. Upon enquiry, the Advisory Committee was informed that, to ensure a seamless transition of mandated tasks with respect to the support provided to the Haitian National Police, a small team of 11 United Nations police personnel and 2 Government-provided personnel would be needed to undertake post-mandate activities focusing on the transfer of knowledge and handover of responsibilities to the incoming BINUH team. Those personnel would be identified based on their specialized technical and interpersonal skills and their strong working relationships with their counterparts in the national police and at the Directorate of Prisons Administration. The Committee was further informed that the recruitment of the individual police officers and Government-provided personnel for BINUH was ongoing and that the process for deploying the selected officers was under way.

12. The Advisory Committee notes that the resource requirement for BINUH for the period from 16 October to 31 December 2019 includes provisions for the deployment of 13 individual police officers and two Government-provided personnel, while at the same time a provision for 11 United Nations police personnel and two Government-provided personnel is included in the proposed budget for MINUJUSTH for the period from 1 July 2019 to 30 June 2020, which includes a 2.5-month period after the end of the Mission's mandate and overlapping with the ongoing mandate of BINUH. **Considering that the mandate for MINUJUSTH ended on 15 October 2019 and that of BINUH started on 16 October 2019 and that, since its inception, the**

resource requirements for BINUH has included the provision for 13 individual police officers and two Government-provided personnel, the Advisory Committee recommends a reduction in the amount of resources proposed for the deployment of 11 United Nations police personnel and two government-provided personnel for MINUJUSTH for the period from 16 October to 31 December 2019 (see also [A/74/7/Add.24](#), para. 20). Any related operational costs should be adjusted accordingly.

### Civilian personnel

13. In his report, the Secretary-General indicates that the total number of staff proposed for deployment during the 2019/20 financial period does not include staff members who could not be separated owing to contractual requirements (see [A/74/532](#), summary, footnote c to the table on financial resources). Upon enquiry, the Advisory Committee was informed that the proposed budget for MINUJUSTH for 2019/20 included a provision for salary costs in the amount of \$2.3 million, related to the estimated salary costs for two years for five staff members, of whom two (one P-5 and one Field Service) were on long-term sick leave; and three (one P-4 and two Field Service) had been the subjects of suspensions of actions in accordance with a decision of the Management Evaluation Unit. The Committee was also informed that the provision would enable the Organization to meet its obligations towards the concerned staff members in accordance with the relevant staff regulations, following the end of the Mission's mandate. The Committee notes the exclusion of the five staff members from the proposed staffing table and the inclusion of their salary costs for two years in the proposed budget for MINUJUSTH for 2019/20. **The Advisory Committee trusts that the status of the five outstanding cases of separation of staff will be provided in the forthcoming performance report for MINUJUSTH.**

### *Capacity-building for national staff*

14. The Advisory Committee was informed upon enquiry that MINUJUSTH had organized workshops and training sessions, with an emphasis on capacity-building, for a total of 250 staff. In addition, the Mission had hosted job fairs and organized other outreach activities to assist its staff in gaining access to potential employers, including United Nations entities and private sector organizations. The Committee was further informed that, as at 27 November 2019, a total of 42 former national staff of MINUJUSTH had found employment in other entities. **The Advisory Committee notes the steps taken by MINUJUSTH to assist national staff in developing skills and finding employment following the closure of the Mission.**

### Operational costs

15. In the supplementary information provided to the Advisory Committee, under operational costs, the resource requirements for 2019/20 compared with the appropriations for 2018/19, as well as the expenditure patterns during 2019/20 for specific subclasses of expenditure as at 31 October 2019, were as follows:

(a) Resources requested under maintenance services amounted to \$422,000, representing a decrease of \$1,770,700 (or 80.8 per cent) compared with the apportionment for 2018/19. The total expenditure incurred for the period from 1 July to 31 December 2019 amounted to \$45,400;

(b) Resources requested under construction, alterations, renovation and major maintenance amounted to \$617,700, compared with \$0 in 2018/19. The total expenditure incurred for the period from 1 July to 31 December 2019 amounted to \$64,500;

(c) Resources requested under claims, write-offs and adjustments amounted to \$2,500,000, representing an increase of \$2,400,000 (or 2,400 per cent) compared with the apportionment for 2018/19. The total expenditure incurred for the period from 1 July to 31 December 2019 amounted to \$6,000.

**16. Considering the expenditure patterns during the first four months of the budget period 2019/20 for the above-mentioned items of expenditure, the Advisory Committee recommends a reduction of 5 per cent (or \$177,000) in the resources proposed.**

#### **Other programmatic activities**

17. In his report, the Secretary-General indicates that, from its inception, the Mission, in close partnership with the United Nations country team, has implemented other programmatic activities, for which the United Nations Development Programme (UNDP) has been the main implementing partner along with the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women). He further indicates that, in view of the withdrawal and liquidation of MINUJUSTH, the proposed budget for the Mission for the period from 1 July 2019 to 30 June 2020 does not include a provision for additional other programmatic activities. Some such activities from prior periods, which continue to be under implementation and are deemed on track for completion on or around the end of the Mission's mandate, will continue. Other such prior-period activities, which have been collectively assessed by the leadership of the Mission and the United Nations country team as unlikely to be completed before the end of the Mission's liquidation period, have been cancelled (ibid., paras. 40–41).

18. Upon request, the Advisory Committee was provided with a summary of the other programmatic activities that had been cancelled in view of the end of the Mission's mandate, as reflected in the annex to the present report.

**19. The Advisory Committee trusts that comprehensive information on the implementation of other programmatic activities will be included in the forthcoming performance report for MINUJUSTH.**

#### **Camp closure**

20. Regarding camp closure and the handover of premises, the Advisory Committee was informed upon enquiry that the Mission had undertaken several activities, aligned with the approved strategy for environmental management, including: environmental inspections prior to the closure of camps; disposal of solid and hazardous waste; excavation of contaminated soil and its removal for treatment; and the removal of the ablutions and wastewater treatment plants from the camps. The Committee was further informed that, prior to the handover of the camps, joint inspections had been conducted by involving both Government focal points and relevant Mission staff. The handover had been accompanied by the signing of an environmental certificate by both parties. The Committee was also informed that regular environmental inspections were planned for all remaining Mission premises. **The Advisory Committee once again stresses the importance of compliance with the relevant rules and regulations, including, but not limited to, the United Nations environmental and waste management policy and procedures, as requested by the General Assembly in paragraph 31 of its resolution 70/286. Furthermore, the Committee reiterates its view that lessons learned from the closed peacekeeping operations with respect to environmental clearance activities should be applied by the Mission (see also A/71/676, para. 44). The Committee trusts that further details on the steps taken will be included in the forthcoming performance report for MINUJUSTH.**

### Asset disposal

21. In his report, the Secretary-General indicates that the planned outputs for MINUJUSTH for the 2019/20 financial period include the disposal of an estimated 12,000 items of the Mission's assets through transfer to peacekeeping missions and other United Nations entities, commercial sale, destruction and gifting to the host Government and non-governmental organizations (see [A/74/532](#), para. 27). He further indicates that the Mission's assets would be disposed off in accordance with financial regulation 5.14 and financial rules 105.23 and 105.24, which would include the transfer of some assets to the successor mission, BINUH, where a demonstrated need for those assets had been identified (see [A/74/532](#), sect. V B). Further details on the transfer of assets to BINUH are included in the Advisory Committee's report on BINUH (see [A/74/7/Add.24](#), para. 12). A report on the final disposition of assets of MINUJUSTH will be presented to the General Assembly for its consideration during its seventy-sixth session (see [A/74/532](#), sect. V B).

22. Upon request, the Advisory Committee was provided with the status of disposition of the Mission's assets as at 22 November 2019, as reflected in the table below.

### Status of disposition of assets as at 22 November 2019

<i>Status</i>	<i>Number of items</i>
In stock	1 528
In use	237
In transit	5
<b>Subtotal</b>	<b>1 770</b>
Write-offs	
Write-off process initiated	3
Sold	2 862
Scrapped	98
Donated	384
Consumables <sup>a</sup>	1 983
Loss/theft	884
Destroyed	4 015
<b>Subtotal, write-off</b>	<b>10 229</b>
<b>Total</b>	<b>11 999</b>

<sup>a</sup> Consumables from MINUSTAH recorded as equipment during the migration from Galileo to Umoja in 2017.

23. The Advisory Committee trusts that accurate records will be maintained of the Mission's asset disposal process and that the liquidation of assets will be conducted in compliance with relevant financial regulations.

24. The Advisory Committee recalls that the General Assembly, in its resolution [73/313](#), considering that the disposal of assets is undertaken in missions both prior to and after the liquidation period, and taking into account the different financial regulations that apply for both periods, requested the Secretary-General to include in future performance reports and reports on the disposal of assets disaggregated information for assets disposed of before and after the liquidation period, if any. The Committee expects that, in future reports of the

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**Secretary-General on MINUJUSTH, the information on the disposal of assets will be provided in accordance with the request of the Assembly.**

### **III. Conclusion**

25. The actions to be taken by the General Assembly in connection with the financing of MINUJUSTH for the period from 1 July 2019 to 30 June 2020 are contained in section IV of the proposed budget ([A/74/532](#)). **Subject to its comments and recommendations above, the Advisory Committee recommends that the Assembly:**

(a) **Approve the budget for the maintenance of the Mission in the amount of \$49,122,900 for the financial period from 1 July 2019 to 30 June 2020;**

(b) **Appropriate the amount of \$49,122,900 for the maintenance of the Mission for the 12-month period from 1 July 2019 to 30 June 2020 to supersede the authority of the Secretary-General to enter into commitments up to the amount of \$49,450,100, as approved by the General Assembly in its resolution [73/317](#).**

## Annex

### Other programmatic activities cancelled in view of the end of mandate for MINUJUSTH

<i>Activity</i>	<i>Budget (United States dollars)</i>	<i>Status at time of cancellation</i>	<i>Reason for cancellation</i>
Rehabilitation of Anse à Veau commissariat	75 000	The procurement process was under way.	Cancelled because the activity would not be completed before the end of December 2019.
Capacity development of the Haitian National Police General Inspectorate in the conduct of audits on budget execution and policing services	15 000	A firm was selected for a direct contract, and the procurement process was under way.	Cancelled because it was concluded that the activity was not necessary at this stage of the Mission.
Construction of the Tribunal de Paix in Gressier	160 500	A soil study and an environmental impact study were received from the Government. The evaluation process for construction companies was completed and being reviewed.	Cancelled because the activity was over a year old and it would not be possible to complete construction before the end of the liquidation period, especially given the current instability in Haiti.
Construction of the Tribunal de Paix Section Sud	315 000	A soil study and an environmental impact study were received from the Government. The evaluation process for construction companies was completed and being reviewed.	Cancelled because the activity was over a year old and it would not be possible to complete construction before the end of the liquidation period, especially given the current instability in Haiti.
Diagnosis of governance and corruption challenges in Haiti	53 133	An assessment mission was conducted. A two-month survey by a consultant and a desk review by United Nations Office on Drugs and Crime (UNODC) staff was planned.	Cancelled because the activity would not be completed before the end of December 2019.
Support in drafting of a new national anti-corruption strategy	46 123	Planning was conducted for inter-institutional data collection workshops, coordination meetings and a desk review by UNODC.	Cancelled because the activity would not be completed before the end of December 2019.