

Recalling its subsequent resolutions 33/4 of 2 November 1978, 34/63 of 29 November 1979, 35/112 of 5 December 1980, 36/78 of 9 December 1981, 37/167 of 17 December 1982, 38/60 of 14 December 1983, 39/74 of 13 December 1984 and 40/95 of 12 December 1985,

Noting with satisfaction that the Preparatory Committee for the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy has successfully concluded its work related to the preparations for the Conference,

Recalling that the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy, to be held from 23 March to 10 April 1987 at Geneva, represents a global effort under the auspices of the United Nations specifically for the purpose of promoting international co-operation in this field for economic and social development,

1. Takes note of the report of the Preparatory Committee for the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy on its seventh and final session;¹⁰⁹
2. Expresses its appreciation to the Chairman and the members of the Preparatory Committee for the time and effort devoted to the preparation for the Conference;
3. Invites all States to participate in the Conference at an appropriately high level;
4. Decides to include in the provisional agenda of its forty-second session the item entitled "United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy".

101st plenary meeting
11 December 1986

B

The General Assembly,

Aware of the intensification of international co-operation in the peaceful uses of nuclear energy in order to ensure safer development of nuclear energy for the future,

Bearing in mind that the need to improve the safety of nuclear energy and the need for intensified international co-operation are in the forefront of public opinion,

Aware of the central role that the International Atomic Energy Agency is being given in this context,

Realizing that effects and consequences of possible nuclear accidents are of equal concern to all States, including those which may not be carrying out any nuclear activity on their territory,

Bearing in mind its resolution 41/36 of 11 November 1986 on the report of the International Atomic Energy Agency,

Convinced that it is in the interest of the international community that safety aspects be considered whenever nuclear energy is being discussed,

1. Appeals to all Governments to ensure that the highest standards of safety in the design and operation of nuclear plants are applied in order to minimize risks to life and health;
2. Further appeals to all Governments to take into account, when discussing nuclear energy matters during the United Nations Conference for the Promotion of Interna-

tional Co-operation in the Peaceful Uses of Nuclear Energy, the legitimate interests of neighbouring countries that could be affected by transboundary effects of the use of nuclear energy.

101st plenary meeting
11 December 1986

41/213. Review of the efficiency of the administrative and financial functioning of the United Nations¹¹⁰

The General Assembly,

Recalling its resolution 40/237 of 18 December 1985, by which it decided to establish the Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations,

Having considered the report of the Group¹¹¹ and the related report of the Fifth Committee,¹¹² as well as the comments on the report of the Group made by the Secretary-General¹¹³ and the Administrative Committee on Co-ordination,¹¹⁴

Expressing its appreciation to the Group for its report,

Taking fully into account the views expressed during the consideration of this item at the current session,

Recognizing the need for measures to improve the efficiency of the administrative and financial functioning of the United Nations with a view to strengthening its effectiveness in dealing with political, economic and social issues,

Recognizing the need to improve the planning, programming and budgeting process in the Organization,

Reaffirming the requirement of all Member States to fulfil their financial obligations as set out in the Charter of the United Nations promptly and in full,

Recognizing the detrimental effect of the withholding of assessed contributions on the administrative and financial functioning of the United Nations,

Recognizing further that late payments of assessed contributions adversely affect the short-term financial situation of the Organization,

I

RECOMMENDATIONS OF THE GROUP OF HIGH-LEVEL INTERGOVERNMENTAL EXPERTS TO REVIEW THE EFFICIENCY OF THE ADMINISTRATIVE AND FINANCIAL FUNCTIONING OF THE UNITED NATIONS

1. Decides that the recommendations as agreed upon and as contained in the report of the Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations¹¹¹ should be implemented by the Secretary-General and the relevant organs and bodies of the United Nations in the light of the findings of the Fifth Committee¹¹² and subject to the following:

(a) The implementation of recommendation 5 should not prejudice the implementation of projects and programmes already approved by the General Assembly;

¹¹⁰ See also sect. I, footnote 9.

¹¹¹ Official Records of the General Assembly, Forty-first Session, Supplement No. 49 (A/41/49).

¹¹² A/41/795.

¹¹³ A/41/663.

¹¹⁴ A/41/763, annex.

¹⁰⁹ Official Records of the General Assembly, Forty-first Session, Supplement No. 47 (A/41/47).

(b) The percentages referred to in recommendation 15, which were arrived at in a pragmatic manner, should be regarded as targets in the formulation of the Secretary-General's plans to be submitted to the General Assembly for implementation of the recommendation; further, the Secretary-General is requested to implement this recommendation with flexibility in order to avoid, *inter alia*, negative impact on programmes and on the structure and composition of the Secretariat, bearing in mind the necessity of securing the highest standards of efficiency, competence and integrity of the staff, with due regard to equitable geographical distribution;

(c) The Secretary-General should transmit to the International Civil Service Commission those recommendations having direct impact on the United Nations common system (recommendations 53 and 61), with the request that it report to the General Assembly at its forty-second session, so as to enable the Assembly to make a final decision; the expertise of the Commission should be availed of in dealing with the other recommendations over which the Commission has a mandate to advise and make recommendations;

(d) The Secretary-General should take into consideration the relevant provisions of General Assembly resolution 35/210 of 17 December 1980, in implementing recommendations 55 and 57, to the extent they are agreed upon;

(e) The Economic and Social Council, assisted as and when required by relevant organs and bodies, in particular the Committee for Programme and Co-ordination, should carry out the study called for in recommendation 8;

(f) The Committee for Programme and Co-ordination, assisted as required by the Joint Inspection Unit and other bodies, shall evaluate the implementation of the recommendations relating to the intergovernmental machinery and its functioning, as indicated in recommendation 70;

(g) In the implementation of recommendation 24, the provisions of General Assembly resolution 41/201 of 8 December 1986 should be duly taken into account;

2. *Requests* the Secretary-General and the Committee for Programme and Co-ordination to report to the General Assembly as indicated in recommendations 69, 70 and 71 of the Group;

II

PLANNING, PROGRAMMING AND BUDGETING PROCESS

1. *Decides* that the planning, programming and budgeting process shall be governed, *inter alia*, by the following principles:

(a) Strict adherence to the principles and provisions of the Charter of the United Nations, in particular Articles 17 and 18 thereof;

(b) Full respect for the prerogatives of the principal organs of the United Nations with respect to the planning, programming and budgeting process;

(c) Full respect for the authority and the prerogatives of the Secretary-General as the chief administrative officer of the Organization;

(d) Recognition of the need for Member States to participate in the budgetary preparation from its early stages and throughout the process;

2. *Reaffirms* the need to improve the planning, programming and budgeting process through, *inter alia*, the following:

(a) Full implementation of regulation 4.8 of the Regulations Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation, which governs co-ordination between the Committee for Programme and Co-ordination and the Advisory Committee on Administrative and Budgetary Questions;

(b) Implementation of the recommendations contained in paragraphs 25 to 54 of the report of the Committee for Programme and Co-ordination on the work of its twenty-sixth session;¹¹⁵

(c) Ensuring follow-up of implementation of the recommendations of the Committee for Programme and Co-ordination;

(d) Improvement of the representation of Member States in the Committee for Programme and Co-ordination in conformity with the provisions of paragraph 46 of the annex to General Assembly resolution 32/197 of 20 December 1977;

3. *Resolves* to achieve improvement in the consultative process for the formulation of the medium-term plan through:

(a) Full implementation of the Regulations Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation pertaining to the medium-term plan, as contained in the annex to General Assembly resolution 37/234 of 21 December 1982 and of the related Rules;

(b) Submission of the introduction to the medium-term plan, which constitutes an integral element in the planning process, to Member States for wide consultations;

(c) Consultations in a systematic way regarding the major programmes in the plan with sectoral, technical, regional and central bodies in the United Nations;

(d) Drawing up by the Secretary-General, in consultation with the Committee for Programme and Co-ordination and the Advisory Committee on Administrative and Budgetary Questions, of a calendar for such consultations;

4. *Approves* the budget process set forth in annex I to the present resolution;

5. *Reaffirms* that the decision-making process is governed by the provisions of the Charter of the United Nations and the rules of procedure of the General Assembly;¹¹⁶

6. *Agrees* that, without prejudice to paragraph 5 above, the Committee for Programme and Co-ordination should continue its existing practice of reaching decisions by consensus; explanatory views, if any, shall be presented to the General Assembly;¹¹⁶

7. *Considers it desirable* that the Fifth Committee, before submitting its recommendations on the outline of the programme budget to the General Assembly in accordance with the provisions of the Charter and the rules of procedure of the Assembly, should continue to make all possible efforts with a view to establishing the broadest possible agreement;¹¹⁶

¹¹⁵ Official Records of the General Assembly, Forty-first Session, Supplement No. 38 (A/41/38 and Corr.2).

¹¹⁶ See annex II to the present resolution.

8. *Requests* the Secretary-General to submit to the General Assembly, through the Committee for Programme and Co-ordination and the Advisory Committee on Administrative and Budgetary Questions, such supplementary rules and regulations as may be deemed necessary for the improvement in the planning, programming and budgeting process;

9. *Also requests* the Secretary-General to submit to the General Assembly at its forty-second session a proposal on the date for submission of the outline of the programme budget and also on the date for final approval of the outline by the Assembly;

10. *Further requests* the Secretary-General to report to the General Assembly at its forty-second session on the implementation of the present resolution.

*102nd plenary meeting
19 December 1986*

ANNEX I

Budget process

A. Off-budget years

1. The Secretary-General shall submit an outline of the programme budget for the following biennium, which shall contain an indication of the following:

- (a) Preliminary estimate of resources to accommodate the proposed programme of activities during the biennium;
- (b) Priorities, reflecting general trends of a broad sectoral nature;
- (c) Real growth, positive or negative, compared with the previous budget;
- (d) Size of the contingency fund expressed as a percentage of the overall level of resources.

2. The Committee for Programme and Co-ordination, acting as a subsidiary organ of the General Assembly, shall consider the outline of the programme budget and submit, through the Fifth Committee, to the Assembly its conclusions and recommendations.

3. On the basis of a decision by the General Assembly, the Secretary-General shall prepare his proposed programme budget for the following biennium.

4. Throughout this process, the mandate and functions of the Advisory Committee on Administrative and Budgetary Questions shall be fully respected. The Advisory Committee shall consider the outline of the programme budget in accordance with its terms of reference.

B. Budget years

5. The Secretary-General shall submit his proposed programme budget to the Committee for Programme and Co-ordination and the Advisory Committee on Administrative and Budgetary Questions in accordance with the existing procedures.

6. The Committee for Programme and Co-ordination and the Advisory Committee on Administrative and Budgetary Questions shall examine the proposed programme budget in accordance with their respective mandates and shall submit their conclusions and recommendations to the General Assembly, through the Fifth Committee, for the final approval of the programme budget.

C. Contingency fund and additional expenditures

7. The programme budget shall include expenditures related to political activities of a "perennial" character whose mandates are renewed annually, together with their related conference costs.

8. The programme budget shall include a contingency fund expressed as a percentage of the overall budget level, to accommodate addi-

tional expenditures relating to the biennium derived from legislative mandates not provided for in the proposed programme budget or, subject to the provisions of paragraph 11 below, from revised estimates.

9. If additional expenditures, as defined in paragraph 8 above, are proposed that exceed resources available within the contingency fund, such additional expenditures can only be included in the budget through redeployment of resources from low-priority areas or modifications of existing activities. Otherwise, such additional activities will have to be deferred until a later biennium.

10. A comprehensive solution to the problem of all additional expenditures, including those deriving from inflation and currency fluctuation, is also necessary. It is desirable to accommodate these expenditures, within the overall level of the budget, either as a reserve or as a separate part of the contingency fund set up in paragraph 8 above. The Secretary-General should examine all aspects related to the question and report, through the Advisory Committee on Administrative and Budgetary Questions and the Committee for Programme and Co-ordination, to the General Assembly at its forty-second session.

11. Pending a decision by the General Assembly on the question dealt with in paragraph 10 above, the revised estimates arising from the impact of extraordinary expenses, including those relating to the maintenance of peace and security, as well as fluctuations in rates of exchange and inflation, shall not be covered by the contingency fund and shall continue to be treated in accordance with established procedures and under the relevant provisions of the Financial Regulations and Rules. The Secretary-General should nevertheless make efforts to absorb these expenditures, to the extent possible, through savings from the programme budget, without causing in any way a negative effect on programme delivery and without prejudice to the utilization of the contingency fund.

ANNEX II

Statement made by the President of the General Assembly at the 102nd plenary meeting, on 19 December 1986¹¹⁷

... I have obtained a legal opinion from the Legal Counsel of the United Nations on three paragraphs of the draft resolution. The legal opinion reads as follows:

"You have requested our opinion on the legal consequences of three draft paragraphs which are under consideration for inclusion in a resolution to be adopted by the General Assembly on the United Nations budgetary process. These three paragraphs read as follows:

"5. *Reaffirms* that the decision-making process is governed by the provisions of the Charter of the United Nations and the rules of procedure of the General Assembly;

"6. *Agrees* that, without prejudice to paragraph 5 above, the Committee for Programme and Co-ordination should continue its existing practice of reaching decisions by consensus; explanatory views, if any, shall be presented to the General Assembly;

"7. *Considers it desirable* that the Fifth Committee, before submitting its recommendations on the outline of the programme budget to the General Assembly in accordance with the provisions of the Charter and the rules of procedure, should continue to make all possible efforts with a view to establishing the broadest possible agreement;"

"It is our opinion that these draft paragraphs read separately or together do not in any way prejudice the provisions of Article 18 of the Charter of the United Nations or of the relevant rules of procedure of the General Assembly giving effect to that Article."

That coincides with the views expressed by all delegations.

I concur with the foregoing, and I take it that the General Assembly also agrees with it.

¹¹⁷ Annexed to the resolution following a decision by the General Assembly