

UNITED NATIONS

SECRETARIAT

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## ADMINISTRATIVE INSTRUCTION

To: Members of the staff

From: The Assistant Secretary-General (Controller)  
Office of Financial Services

Subject: CONTRIBUTIONS FROM NON-MEMBER STATES

1. The General Assembly, under the terms of its resolution 3371 B (XXX) of 30 October 1975, recommended that

"in the drafting of United Nations treaties which call for additional expenses under the United Nations regular budget, the conference or other drafting body should consider including an article which places an obligation upon States not Members of the United Nations to contribute to those expenses if they become parties to the treaties";

and decided that

"regulation 5.9 of the Financial Regulations of the United Nations shall be amended to read as follows:

'Contributions from non-member States

'Regulation 5.9: States which are not Members of the United Nations but which become parties to the Statute of the International Court of Justice or treaty bodies financed from United Nations appropriations shall contribute to the expenses of such bodies at rates to be determined by the General Assembly. States which are not Members of the United Nations but which participate in organs or conferences financed from United Nations appropriations shall contribute to the expenses of such organs or conferences at rates to be determined by the General Assembly, unless the Assembly decides with respect to any such State to exempt it from the requirement of so contributing. Such contributions shall be taken into account as miscellaneous income.'"

2. This instruction is intended to establish procedures for giving effect to the provisions quoted in the preceding paragraph.

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3. For the purpose of financial regulation 5.9, the term "participate" means full participation with the right to vote.

(i) Treaty bodies

4. It will be the responsibility of the Office of Legal Affairs or, where appropriate, the secretariat of conferences or other treaty drafting bodies (a) to draw the attention of the conference or body concerned to the recommendation of the General Assembly cited in paragraph 1 above and (b) to inform the Contributions Section, Office of Financial Services, of any States not Members of the United Nations which become parties to treaties that contain provisions placing an obligation on such States to contribute to expenses financed from the United Nations regular budget.

(ii) International Court of Justice

5. The Office of Financial Services will be directly responsible for implementing that part of financial regulation 5.9 which relates to non-member States becoming parties to the Statute of the International Court of Justice.

(iii) Subsidiary organs of the General Assembly and of the Economic and Social Council

6. Where a State not a Member of the United Nations becomes a full member of, or eligible for election to, a subsidiary organ of the General Assembly (e.g., United Nations Conference on Trade and Development and the United Nations Industrial Development Organization) or of the Economic and Social Council (e.g., the Commission on Transnational Corporations), 1/ it will be the responsibility of the secretariat of the subsidiary organ concerned (a) to ascertain the participation of a non-member State in the organ concerned and to draw its attention to its financial obligations under financial regulation 5.9 of the United Nations; and (b) to inform the Contributions Section of the Office of Financial Services of any such participation. The financial obligation of a non-member State will commence as of the date on which it becomes a member of the subsidiary organ concerned or the date on which its written acceptance of becoming such a member or of its eligibility to election is received by the secretariat.

7. The full participation of non-member States in the activities of regional economic commissions also calls for contributions from those States towards the cost of the commissions unless the Economic and Social Council recommends to the General Assembly that a State be exempt from making such contributions and the Assembly acts on that recommendation. In either event, it will be the responsibility of the secretariat of the Economic and Social Council to draw the attention of the Contributions Section of the Office of Financial Services to all

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1/ For regional economic commissions, see para. 7 below.

resolutions adopted by the Economic and Social Council which relate to the admission of States not Members of the United Nations to membership in a regional economic commission.

(iv) United Nations conferences

8. Under rule 153 of the rules of procedure of the General Assembly "no resolution involving expenditure shall be recommended by a committee for approval by the General Assembly unless it is accompanied by an estimate of expenditures prepared by the Secretary-General". At the time of the preparation of such estimates, it will be the responsibility of the secretariat of the convening body to draw the attention of that body to the revised terms of financial regulation 5.9 which would require States not Members of the United Nations participating in a conference to contribute towards the expenses of that conference unless the General Assembly decides with respect to any such State to exempt it from so contributing.

9. In transmitting letters of invitation to States concerning their participation in a conference, non-member States should be notified (unless it has been decided otherwise by specific decision of the Assembly) that their acceptance and subsequent participation in a conference would result in their being liable for their share of the expenses of the conference.

10. Should a non-member States accept an invitation under the terms outlined above, or participate without prior notification, it will be the responsibility of the secretariat of the conference to so inform the Contributions Section of the Office of Financial Services.

11. Wherever it has been established that non-member States are required to contribute towards United Nations expenses under financial regulation 5.9, it will be the responsibility of the Office of Financial Services to ensure that appropriate action is taken by the General Assembly, on the recommendation of the Committee on Contributions, to assess such non-member States and to include the amounts involved in the approved estimates of income.

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