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UNITED NATIONS
COMPENSATION COMMISSION
GOVERNING COUNCIL

Decision concerning the extension of the temporary payment mechanism taken by the Governing Council of the United Nations Compensation Commission at its 137th meeting, on 2 July 2004

The Governing Council,

Recalling decision 197 (S/AC.26/Dec.197 (2003), which established a temporary payment mechanism for the payment of claims approved at the forty-eighth, forty-ninth, fiftieth and fifty-first sessions of the Governing Council,

Noting that the income into the Compensation Fund will continue to be inadequate to allow for payments under decision 100 (S/AC.26/Dec.100 (2000)/Rev.1) on all claims expected to be approved at the forthcoming Governing Council sessions,

1. Decides, on a provisional basis, that the provisions of decision 197 will continue to apply with respect to the distribution of payments immediately following each session of the Governing Council,
2. Reiterates that the funds available to the Commission for the payment of claims will be allocated as follows:
 - (a) The maximum amount of US\$200 million will be made available for payments every three months for distribution among successful claimants;
 - (b) Successful claimants in all categories will receive an initial amount of US\$100,000 or the unpaid principal amount of the award, if less;

(c) Subsequent rounds of payments of US\$100,000 (or the unpaid principal amount of the award, if less) will be made to successful claimants in all categories of newly approved claims and of claims approved as from the forty-eighth session in the order in which they have been approved, until the available funds for distribution have been exhausted;

(d) Payments will be made to successful claimants in the order in which their claims have been approved provided that all initial payments of newly approved claims will have priority over subsequent payments and that no payment shall be made that increases the total amount paid on any claim award until the payments made on every other outstanding claim award at least equals that total amount;

(e) If upon payment of the amounts referred to in sub-paragraphs (b) and (c) above on any claim, that claim will have a remaining balance of US\$1,000 or less, the Executive Secretary may pay the full remaining balance of the claim,

3. Decides also that the Governing Council may restore the operation of decision 100 or adopt further provisions for the payment of awards,

4. Decides further that the Governing Council will keep the payment mechanism under review.
