



Friday, 4 November 1955,
at 3.20 p.m.

New York

CONTENTS

	<i>Page</i>
Agenda item 49:	
Report of the Special Committee on Review of Administrative Tribunal Judgements (<i>concluded</i>).....	103
Agenda item 40:	
Report of the Negotiating Committee for Extra-Budgetary Funds (<i>concluded</i>)	103
Agenda item 38:	
Budget estimates for the financial year 1956 (<i>continued</i>)	103
Agenda item 43:	
Review of audit procedures of the United Nations and the specialized agencies: reports of the Secretary-General and of the Advisory Committee on Administrative and Budgetary Questions (<i>continued</i>).....	106

Chairman: Mr. Hans ENGEN (Norway).

AGENDA ITEM 49

Report of the Special Committee on Review of Administrative Tribunal Judgements (A/2909, A/2917 and Add.1) (*concluded*)

DRAFT REPORT OF THE FIFTH COMMITTEE TO THE GENERAL ASSEMBLY (A/C.5/L.344)

1. Mr. MENDEZ (Philippines), Rapporteur, submitted the draft report on the item (A/C.5/L.344) and drew the Committee's attention to a number of drafting changes in the text.
2. Mr. VAN ASCH VAN WIJCK (Netherlands) pointed out that paragraph 4 of the draft report summarized the proposals in paragraph 3 of the new article 11 of the Statute of the Administrative Tribunal; as it was, however, an incomplete summary, he proposed that the following sentence should be inserted after the second sentence: "If not requested to convene specially the Tribunal shall at its next session confirm its judgement or bring it into conformity with the opinion of the Court."
3. He also proposed that the following should be added to the second sentence of paragraph 20: "...and had declared that they would not consider themselves under an obligation to adopt in all events a review procedure, even if it would not have proved possible to devise a scheme which they considered satisfactory. In this connexion it was also pointed out that resolution 888 (IX) did not imperatively prescribe that the Special Committee should submit a scheme for a review procedure".
4. Lastly, he proposed that the following sentence should be added at the end of paragraph 23: "Moreover, it introduced a political element in a judicial procedure."

It was so agreed.

The draft report (A/C.5/L.344) was unanimously adopted as amended.

AGENDA ITEM 40

Report of the Negotiating Committee for Extra-Budgetary Funds (A/2945) (*concluded*)

DRAFT REPORT OF THE FIFTH COMMITTEE TO THE GENERAL ASSEMBLY (A/C.5/L.345)

The draft report (A/C.5/L.345) was adopted unanimously.

AGENDA ITEM 38

Budget estimates for the financial year 1956 (A/2904 and Add.1, A/2921, A/C.5/629, A/C.5/L.331) (*continued*)

General discussion (*continued)**

5. Mr. FENAUX (Belgium) associated himself whole-heartedly with the tributes that had been paid to the Secretary-General and the Chairman of the Advisory Committee on Administrative and Budgetary Questions and was gratified to note the very salutary change of atmosphere reflected in their statements to the 490th meeting of the Committee. Thanks to the Secretary-General's high concept of his task and his responsibilities, the Committee's discussions were conducted in an atmosphere of mutual respect and confidence.

6. For the second time, the Secretary-General was submitting to the General Assembly a smaller budget than that of the previous year and had also declared himself ready to accept the slight reductions proposed by the Advisory Committee, with the sole proviso that he should be empowered to transfer credits within the budget, if necessary. It was true that substantial supplementary estimates were to be submitted for 1955 and 1956 but they were largely designed to cover the extraordinary expenditure incurred by the International Conference on the Peaceful Uses of Atomic Energy, which had been generally considered a great success redounding to the credit of the United Nations, and the reimbursement of income taxes for 1955 pending the settlement of that question, which it was to be hoped was not far distant.

7. His delegation agreed with the Secretary-General that it would be better for the Fifth Committee to confine itself to laying down guiding principles and making general suggestions, leaving the technical details to the experts. The Advisory Committee had been established for that specific purpose and it was not the Fifth Committee's function to duplicate the Advisory Committee's work.

8. His Government had no desire to revive the controversies that had divided the Committee in the past, particularly with regard to public information, but it hoped that no effort would be spared in proceeding with the gradual, but comprehensive and thorough, reorganization of all departments of the Secretariat. It endorsed the suggestions of the Advisory Committee's

* Resumed from 503rd meeting.

Chairman concerning the Department of Public Information and considered that the appropriations for information should not exceed a reasonable percentage of the total budget and should be administered with particular circumspection. His Government was, however, opposed to the method of savage large-scale and repeated cuts and preferred the gradual approach which permitted the Secretary-General to adjust his administrative services without impairing them in any way.

9. With regard to the documentation services, it was generally acknowledged that some reorganization was called for and that substantial economies could be achieved, particularly by a strict control of priorities. On that point, however, the Member States should be honest enough to take the blame upon themselves rather than blaming the Secretariat, which they seldom upheld when any specific proposals for improvement were submitted to them. As the Secretary-General had said with regard to the subsidiary organs of the Economic and Social Council, the functional commissions and committees were inclined to expand the work programme in their own field without realizing what the increased work entailed for the Secretariat. All those who had participated in the work of the Economic and Social Council were aware that the consideration of the financial implications of the Council's actions, which appeared at the end of the agenda, was always done in haste. Yet, in accordance with rule 34 of the Council's rules of procedure, the cost of all the projects discussed during a session should be added up in order to determine whether the total sum was not beyond the means of the United Nations and whether some projects should not be modified, abandoned or postponed. At the twentieth session of the Economic and Social Council, the Under-Secretary for Economic and Social Affairs had rightly pointed out that the Council should be careful to study each of the measures it saw fit to adopt in the light of a comprehensive annual programme. The Belgian delegation felt that the financial implications of the measures already adopted should be taken into account from session to session, just as should the resolutions and the tasks entrusted to the Secretariat. Although the Secretary-General, in the programme of work (E/2598) which he had submitted to the Council and which that body had approved at its eighteenth session (resolution 557 (XVIII)), had stressed that there was a limit to the work that the United Nations could accomplish efficiently, many subsidiary organs of the Council disregarded that warning and literally exhausted the Secretariat with their demands for studies and publications which were not essential. Such bad practices should cease and the Secretary-General should be able to place full reliance on the clearly expressed will of the Member States represented in the Fifth Committee in order to resist the excessive demands of some of the United Nations subsidiary bodies.

10. With regard to the proposed savings on the translation of documents and publications, his delegation wished to stress the fact that any reduction that might be made should respect the principle of non-discrimination among the official languages of the United Nations and should not be applied at the expense of the French language, which was one of the two great official languages used throughout the Organization. The point at issue was a great deal more than a simple budgetary question, for a decline in the use of the French language in international relations would represent an intellectual deterioration for the international community.

11. Another field in which Member States and their delegations had great responsibilities was that of co-ordination. The United Nations and the specialized agencies had made great efforts to achieve internal co-ordination but outside the Organization co-ordination was still lacking at the governmental administrative level. Ministers frequently ignored each other's existence and technical ministries did not always accept the political supremacy of the Ministry of Foreign Affairs. The result was all too often chaos and contradiction, and, in the long run, a great waste of effort and money. It would therefore be a good thing if the Secretary-General were requested to ask Governments how co-ordination was achieved in their own countries with a view to holding a General Assembly debate on the subject, a step which would have the advantage of obliging national administrations to give that very important problem thorough study.

12. Turning to the question of the specialized agencies, he noted that many delegations were quite reasonably concerned at the increase in the budgets of some of those agencies. It would, however, be a mistake to pass general judgement on all the specialized agencies, for they did not all deserve criticism. In any case, the evil could not be remedied by a policy of centralization, setting up a huge international administration in which, under the guise of centralization of responsibility, there would in fact be a weakening of responsibilities. The smaller agencies, which met special needs in international life, should be safeguarded from the dangers of centralization and kept free of political influence. On the other hand, each agency should discipline itself and it was essential that there should be a close co-ordination of activities, both among the agencies themselves and between the agencies and the United Nations.

13. As the Secretary-General had requested Governments to offer suggestions concerning the work of the General Assembly, he wanted to state that, in the opinion of his delegation, the sessions of the Assembly were much too long and could without disadvantage be shortened by one month if better preparation was made — *inter alia*, by allowing the Secretariat sufficient time to produce the necessary documents — if the agenda was kept within reasonable limits, if the Committees would get down to work more promptly, and if delegations would apply some discipline to prevent both a dearth of speakers and an excessive flow of oratory. If the work of the Assembly were speeded up, the prestige of the United Nations would be enhanced and considerable savings would be possible. Members of delegations would return home in a less disillusioned mood than was at present the case, when they were forced to watch the Assembly drag indolently along throughout an entire season.

14. With regard to staff administration in general and geographical distribution in particular, his delegation, like some others, was by no means satisfied with the share its nationals were given of the senior posts in the Secretariat and hoped that the Secretary-General would duly put the matter right as soon as circumstances allowed. Nevertheless the Belgian delegation agreed with the Chairman of the Advisory Committee that it would be seriously infringing the Secretary-General's prerogatives under the Charter if the Advisory Committee were made responsible for supervising the application of the principle of geographical distribution. The paramount consideration in determining the recruitment policy was that of competence and in the event of conflict

the principle of geographical distribution must take second place to that. For the rest, the wide geographical basis prescribed by Article 101 of the Charter was a continuous and long-term effort and all that the Secretary-General could rightly be asked to do was to bear the instructions of the Charter on that point constantly in mind and to endeavour, in the course of changes in the staff, to see that the Secretariat was as fully international as possible in character.

15. His delegation could not but approve of the flexibility proposed by the Secretary-General in the training and use of his staff. The training of an international civil servant, however, presupposed the existence of a real international civil service, with its exigencies and obligations but also its attractions and safeguards. In that connexion he referred to the question of the review of judgements of the Administrative Tribunal and stressed the authority, independence and jurisdictional character that any tribunal of that nature should have. He added that the judgement of the Administrative Tribunal of the International Labour Organisation had rendered in respect of certain officials of UNESCO who had been dismissed had created a considerable impression in Belgium, where the Director-General's original decision had aroused public opinion, which considered that it derogated from the independence of the international civil service.

16. In conclusion, he wished to point out that if international civil servants were not given the guarantees of stability of employment and independence, as also the usual advantages to which they were entitled — regular home leave, education grants, etc. — it would be impossible to find candidates of the right calibre willing to leave their own countries at the risk of being refused a permanent contract at the end of their probationary period or even of being dismissed at the request of some Government. That would be very prejudicial to the United Nations.

17. Mr. CORVINGTON (Haiti) congratulated the Belgian representative on his admirable statement on the work of the Secretariat and on the international civil service. He endorsed most of his comments, particularly those concerning the use of the French language, but he regretted his severe strictures on the slow pace of the General Assembly's work.

18. M. PSOLKA (Czechoslovakia) said that in preparing the budget estimates the Secretariat should try not only to save money but to distribute funds in such a manner as to discharge the very important duties entrusted to the United Nations as efficiently as possible. The budget estimates for the financial year 1956 amounted to \$39,400,000. The Secretary-General had said that that was the lowest figure since 1949. The supplementary budget estimates, however, would bring the 1956 budget up to nearly \$46 million, \$6 million more than in 1955, which would be a record. It was imperative, therefore, that the appropriations approved for that period should correspond to the genuine needs of the United Nations.

19. The greater part of the budget was devoted to the costs of the Secretariat. His delegation had endorsed the reorganization of the Secretariat, on the assumption that it would increase output and reduce costs; but the reorganization had not fulfilled that hope, for only posts which had been vacant for several years had been abolished and the proportion of senior officials was as high as ever.

20. There was no doubt that the Secretariat did its work well. Nevertheless, it should not be allowed to become unwieldy; the Secretary-General should accordingly try to organize its services still better.

21. His delegation thought that the appropriations requested in some sections of the budget were excessive, or else were to be devoted to purposes contrary to the provisions of the Charter. If certain expenses were reduced, funds could be devoted to more useful tasks, such as assistance to under-developed countries. In the 1956 budget estimates appropriations were once again requested for various services, such as the United Nations Field Service, which had been set up in violation of the Charter. His delegation would vote against the appropriations — and it was no mean figure — requested for those purposes.

22. With regard to the Department of Public Information, there could be no disagreement with the comments of the Advisory Committee (A/2921, paragraph 91): "... the question arises whether in the reorganization of this Department all possible sources of economy have been tapped...". From 1956 onwards the Advisory Committee's recommendations for a substantial reduction in the costs of the Department of Public Information should be applied. His delegation also endorsed the Advisory Committee's comments concerning temporary staff and consultants.

23. Considerable savings could be effected by reorganizing the Department of Economic and Social Affairs. The work of that Department, which was of great importance, particularly for the under-developed countries, was closely linked with that of the Technical Assistance Administration. The respective spheres of action of Headquarters services and the regional economic commissions had not been clearly enough defined and that gave rise to many difficulties. The details of the implementation of programmes might safely be left to the regional economic commissions, while Headquarters could be responsible for the production of economic and social studies of a general character.

24. The Secretary-General had rightly pointed out that the problem of the volume of documentation had not been settled. It would accordingly be useful to consider all concrete proposals for dealing with that situation.

25. In his statement before the Committee the Secretary-General (A/C.5/630) had also said that he would have to ask for a supplementary appropriation of \$1,600,000 for reimbursement of income tax for 1955. The sums requested for that purpose since 1946 had exceeded \$10 million. His delegation thought that the provisions of General Assembly resolution 239 (III) should be strictly observed.

26. The Committee should study closely the question of geographical representation at all levels. Members of the Fifth Committee had repeatedly urged that the posts allotted to the various countries should be filled only by nationals of those countries, but due regard had not been paid to that consideration. The table on pages 146 and 148 of the document attached to the Secretary-General's report on the staff of the United Nations Secretariat (A/C.5/L.331) showing the geographical distribution of staff was not entirely in accordance with the facts.

27. A number of Member States, particularly the Asian, Latin American and Eastern European States, were not at present adequately represented in the Secretariat either as regards the number of posts or the grades

of the staff members from those countries holding appointments. In the category of under-secretaries, directors and senior officers, nearly one-third of the posts were held by nationals of North American countries and more than one-third by nationals of Western European countries, whereas other regions, particularly Asia and Latin America, were inadequately represented. Geographical distribution should ensure the objectivity of the Secretariat and the international character of the Organization. The principle that geographical distribution should be applied rigorously only to certain States was inadmissible; the view that the Secretariat could never be changed and that officials had a permanent right to the posts which they held was equally untenable. The majority of staff members, particularly those in the higher grades, were certainly entitled to long-term contracts, but the possibility of recruiting staff members for short periods should not be overlooked. Such a policy would be advantageous not only for the United Nations, which could contribute new cadres of staff members, but also for Member States which might call on the services of specialists with experience in international relations. Lastly, such a policy would promote co-operation between the Secretariat and Member States.

AGENDA ITEM 43

Review of audit procedures of the United Nations and the specialized agencies: reports of the Secretary-General and of the Advisory Committee on Administrative and Budgetary Questions (A/2974, A/2990) (continued)

28. Mr. ERHAN (Turkey) congratulated the Secretary-General and the Advisory Committee on the concise documentation which they had prepared in accordance with the Assembly's wish in its resolution 672 B (VII).

29. Two main considerations appeared to have guided the Assembly in adopting that resolution: the first was the increase in the activities of the United Nations and the specialized agencies, which was referred to in the preamble. That was a welcome development but the activities to be taken into consideration in the present instance were those relating to the utilization of budgetary credits. There had been a slight but regular decrease in expenditure since 1953 and that progressive decrease — another welcome phenomenon — should logically produce corresponding smaller audit requirements.

30. The second consideration which had guided the Assembly was stated in the first operative paragraph of the resolution; on the other hand, the reports of the Secretary-General (A/2974) and of the Advisory Committee (A/2990) agreed that the present audit system

had given satisfaction hitherto. If the appointment of auditors from a country far distant from the site of audit was likely to lead to additional expenditure, would it not be the same if, as the Secretary-General had proposed, an Office of External Audit which would presumably have a large staff were established?

31. It did not therefore seem desirable to change the present system, at least in the near future. It would be preferable to wait for some years; during that time, new States might become Members of the Organization with a resultant increase in financial operations. At that time it would be possible to establish a complete audit system which would meet present and future United Nations requirements and which would naturally be completely independent of the administration.

32. Mr. MERROW (United States) paid a tribute to the services rendered by the Canadian Auditor-General and the other auditors since the establishment of the Organization. Whenever the auditors had made a criticism it had been justified, and in every case the Administration had taken the necessary steps. There was not the slightest reason to think that a single penny had been dishonestly or illegally expended.

33. The Committee's principal effort should be to ensure that a searching and honest audit should continue. In principle, his delegation would favour the continuation of the present system of audit if it were possible to be assured that the same high level of audit service heretofore provided by the Canadian Government could be maintained. While it would not press the Canadian Government, the United States wondered if the Canadian Government would reverse its decision to withdraw from the United Nations Board of Auditors.

34. If, however, Canada stood by its decision, the Advisory Committee's proposals (A/2990) represented an alternative solution worthy of serious study. His delegation would like to see additional safeguards surrounding the selection of the Auditor-General. Since the Advisory Committee relied very largely on the auditors in its surveillance of the budget, it should be consulted or should concur in the selection of the Auditor-General, whose integrity and independence would then be further assured.

35. The choice of a new system and of an Auditor-General were all the more important since the Assembly must ensure the proper use not only of the large sums of money in the regular United Nations budget but also of the amount spent under voluntary programmes, a considerable proportion of which was supplied by the United States. The good administration of those funds, guaranteed by a careful audit, was a condition of the success of the United Nations work.

The meeting rose at 4.50 p.m.