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Twenty-first session
Agenda item 84REPORTS OF THE INTERNATIONAL LAW COMMISSION ON THE SECOND PART
OF ITS SEVENTEENTH SESSION AND ON ITS EIGHTEENTH SESSIONFinancial implications of draft resolution recommended by
the Sixth Committee (A/6516, para. 152)Report of the Fifth CommitteeRapporteur: Mr. D. Silveira DA MOTA (Brazil)

1. In accordance with rule 154 of the rules of procedure of the General Assembly, the Fifth Committee considered at its 1158th meeting on 1 December 1966 the financial implications of draft resolution I recommended by the Sixth Committee concerning an International Conference of Plenipotentiaries on the Law of Treaties (A/6516, para. 152).
2. For its consideration of the item the Committee had before it a report of the Secretary-General (A/C.5/1088) and the related observations of the Advisory Committee on Administrative and Budgetary Questions (A/6528). The Advisory Committee, while noting the estimates of costs submitted by the Secretary-General, expressed the view that the proposed conference would be a major special conference within the terms of paragraph 5 of General Assembly resolution 2116 (XX) of 21 December 1965.
3. One delegation, whose position of principle was supported by a second delegation, pointed out that paragraph 5 of General Assembly resolution 2116 (XX) provided that not more than one major special conference of the United Nations shall be scheduled in any one year. That delegation pointed out that during the discussion of the proposed diplomatic conference in the International Law Commission the representative of the Secretary-General had failed to draw the

attention of the Commission to the relevant provision in that resolution. Furthermore, in the Sixth Committee the representative of the Secretary-General had dealt with resolution 2116 (XX) only after representatives had raised the matter. At least two major conferences had already been called for the year 1968, and the consequences of the Sixth Committee's decision were the more regrettable since only a few weeks earlier the Secretary-General had warned the Fifth Committee about the tremendous strain on the available resources of the Secretariat in view of the steadily growing conference programme.

4. The representative of the Secretary-General pointed out that, in his understanding, there was nothing in resolution 2116 (XX) which precluded a committee or commission of the United Nations from proposing the holding of a conference at any particular time. The decision whether the proposed conference should in fact be held in a given year then rested with the General Assembly or other competent body which would take into account all relevant factors including the provisions governing the pattern of conferences. In any case, the General Assembly had not as yet laid down a criterion for defining the term "major special conference".

5. The Fifth Committee decided without objection to inform the General Assembly that the adoption of the recommendation contained in the report of the Sixth Committee (A/6516) concerning the convening of an International Conference of Plenipotentiaries on the Law of Treaties would call for an additional expenditure in 1967 of \$32,900 under section 2 of the budget estimates. In addition the requirements for the conference in 1968 were estimated at \$389,300, and at \$201,600 in 1969. The requirements for 1968 and 1969 would be taken into account at the time of the preparation of the initial budget estimates for those years.
