



Seventh session
Agenda item 42

BUDGET ESTIMATES FOR THE FINANCIAL YEAR 1953

The International Law Commission

(Revised estimates for sections 1 (chapter IV) and 20 (chapter I))

Tenth report of the Advisory Committee on Administrative and Budgetary
Questions to The seventh session of the General Assembly

1. The Advisory Committee on Administrative and Budgetary Questions has examined the revised estimates (A/C.5/505) submitted by the Secretary-General in respect of the International Law Commission under section 1 (chapter IV) and section 20 (chapter I) of the 1953 budget estimates.
2. Additional requirements, as estimated by the Secretary-General, for the 1953 session of the Commission amount on a gross basis to \$36,800, making with the provision already recommended by the Advisory Committee^{1/} a total of \$96,800.
3. The Advisory Committee has alluded in earlier reports to the practice whereby the International Law Commission has held its annual sessions (with the sole exception of the initial 1949 session) at Geneva, as well as to the fact that the Fifth Committee was not afforded an opportunity of considering the financial implications of the Commission's statute^{2/}.

1/ A/2157(paragraph 78), Official Records of the General Assembly, Seventh Session, Supplement No. 7.

2/ A/934(paragraph 39), Ibid., Fourth Session, Supplement No. 7; A/1554, Ibid., Fifth Session, Annexes, agenda item 42.

4. Article 12 of the Statute of the International Law Commission reads:

"The Commission shall sit at the Headquarters of the United Nations. The Commission shall, however, have the right to hold meetings at other places after consultation with the Secretary-General"

In fact, sessions away from Headquarters have constituted the rule rather than the exception.

5. By virtue of article 16 of the statute, the Secretary-General is required to provide, when necessary and within the limits of the budget, for the expenses of consultations with "scientific institutions and individual experts." For the year 1953, the International Law Commission has requested funds (estimated at \$1,500) to enable the special rapporteur on the regime of the territorial sea to consult experts and seek clarification of certain technical aspects of this topic.

6. Any future review of the articles of the statute should, in the opinion of the Advisory Committee, take account of the fact that, since the adoption of the statute (1947), the General Assembly approved in 1949 the payment of annual honoraria to the chairman and five rapporteurs of the Commission in respect of research and drafting work performed on behalf of the Commission between sessions. For this reason, the Advisory Committee does not find it possible, as regards the year 1953, to recommend an increase in the appropriation for expert assistance beyond that already authorized on an annual basis. Variations in the allocation of the over-all credit recommended under this head (\$7,500) would not, however, be open to objection.

7. While not recommending a reduction in the provision of \$3,500 proposed by the Secretary-General in paragraph 3 (a) of his report (A/C.5/505), the Advisory Committee notes that the average duration of sessions during the four years 1949 to 1952 fell short of nine weeks. The Committee was, however informed that special circumstances may tend to prolong the 1953 session.

8. The Advisory Committee, after careful review, makes the following recommendations:

(a) The number of substantive officers assigned from Headquarters to be reduced from four to three (reduction \$2,400);

(b) The estimate for temporary Geneva staff to be reduced by \$10,000; this estimate appears to have been prepared on too liberal a scale and to take insufficient account of the fact that the item for temporary assistance under chapter I of section 20 includes at least partial provision for one or two sessions of small or medium-sized Headquarters-based bodies;

- (c) The item for consultants (\$1,500) to be eliminated;
- (d) The provision for travel and subsistence of members to be reduced by \$1,500, being the approximate amount of the honorarium included in the original estimates for one of the five special rapporteurs whose work will, it is now anticipated, be completed by the end of 1952.

9. The foregoing recommendations take account of the extra provision for services which should, in the Committee's opinion, be available at the Geneva Office. Their effect is to reduce the proposed additional estimates from \$36,800 to \$21,400, (section 1: \$6,800; section 20: \$14,600). The Advisory Committee accordingly recommends the following total appropriation:

Section 1, chapter IV	\$66,800
Section 20, chapter I, (iii).....	14,600
Total	<u>\$81,400</u>

The corresponding total proposed by the Secretary-General amounts to \$96,800.

Analysis of reductions recommended on the additional estimates:

Section 1, chapter IV	(i) Travel and subsistence for members (honorarium for rapporteur)	\$1,500
	(ii) Travel and subsistence of staff	2,400
	(iii) Consultants.....	1,500
	Reduction on section 1	\$ 5,400
Section 20, chapter I (iii)	Temporary assistance	10,000
Total		<u>\$15,400</u>
