

UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/9353
29 November 1973

ORIGINAL: ENGLISH

Twenty-eighth session
Agenda items 89 and 79

REPORT OF THE INTERNATIONAL LAW COMMISSION ON THE WORK
OF ITS TWENTY-FIFTH SESSION

PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1974-1975 AND
MEDIUM-TERM PLAN FOR THE PERIOD 1974-1977

Administrative and financial implications of the draft resolution
recommended by the Sixth Committee (A/9334, para. 128)

Report of the Fifth Committee

Rapporteur: Mr. Ernesto C. GARRIDO (Philippines)

1. At its 1614th meeting, on 29 November 1973, the Fifth Committee, in compliance with rule 155 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/1557) on the administrative and financial implications of the draft resolution adopted by the Sixth Committee at its 1415th meeting, on 15 October 1973 (A/9334, para. 128). The related report of the Advisory Committee on Administrative and Budgetary Questions is contained in document A/9008/Add.14.
2. Under the terms of the draft resolution, the General Assembly would approve the programme of work planned by the International Law Commission for 1974 and a 12 weeks' session for that year.
3. In his statement (A/C.5/1557), the Secretary-General indicated that the extension of the Commission's session would entail additional costs estimated at \$73,000, comprising \$52,000 for temporary conference servicing staff, \$4,000 for printing, \$15,000 for subsistence allowance payable to the members of the Commission, and \$2,000 for subsistence allowance for substantive staff detailed from Headquarters. An additional amount of \$15,000 would also be required under section 34 (Staff assessment), offset by an increase of the same amount under income section 1 (Income from staff assessment).
4. In its report, the Advisory Committee on Administrative and Budgetary Questions noted that, of the increased requirements, an amount of \$12,000 was due to the

recalculation of the costs for temporary assistance in Geneva at an exchange rate of Sw.frs. 3.09 = US\$ 1, whereas the initial estimates were based on a rate of Sw.frs. 3.40 = US\$ 1. In this respect, the Advisory Committee recommended that for the sake of consistency, and to facilitate the submission of revised estimates for the budget as a whole should that become necessary for reasons of currency fluctuations, all the estimated requirements of the Commission should be calculated at the rate used in the proposed programme budget. Accordingly, the Advisory Committee recommended that the Fifth Committee inform the General Assembly that, should it adopt the draft resolution recommended by the Sixth Committee, additional requirements of \$61,000 (at the rate of US\$ 1 = Sw.frs. 3.40) would be required under section 25 of the budget for the biennium 1974-1975, together with an amount of \$14,000 under section 34 (Staff assessment); the latter to be offset by an increase in the same amount under income section 1 (Income from Staff assessment).

5. The Advisory Committee also indicated, in paragraph 3 of its report, that if the Commission were to meet seven times a week (which is the normal weekly pattern of meetings of the Main Committees of the General Assembly, including the Sixth Committee), the duration of the Commission's session could be reduced by three weeks with a consequential saving estimated at \$20,000, and reiterated its suggestion that the Commission consider the possibility of a somewhat tighter schedule with a view to shortening the over-all duration of the session. 1/

6. One delegation stated that, consistent with the position it had expressed at the Sixth Committee, it opposed increases in the budget which were not offset by savings in other areas. Accordingly, that delegation felt that the Conference on Prescription (Limitation) in the International Sale of Goods should be postponed to 1975. Another delegation said it could not support the proposed extension of the Commission's session to 12 weeks because the question of rationalizing the methods of work of the Commission had not received proper study; nor could it support the request for additional staff.

7. The Fifth Committee decided, by 57 votes to 9, with 2 abstentions, to inform the General Assembly that, should it adopt the draft resolution recommended by the Sixth Committee (A/9334, para. 128), an additional appropriation of \$61,000 would be required under section 25 of the budget for the biennium 1974-1975, together with an amount of \$14,000 under section 34, the latter to be offset by an increase in the same amount under income section 1.

8. The Fifth Committee further decided, without objection, to draw to the attention of the General Assembly the savings that would accrue were the International Law Commission to introduce a tighter schedule of meetings.

1/ Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 8 (A/9008), para. 25.3.