



UNITED NATIONS

GENERAL
ASSEMBLY



GENERAL

A/1538
20 November 1950

Fifth session
Agenda item 39

BUDGET ESTIMATES FOR THE FINANCIAL YEAR 1951

SUBSISTENCE ALLOWANCES FOR MEMBERS OF COMMISSIONS, COMMITTEES,
AND OTHER SUBSIDIARY BODIES

Report of the Fifth Committee

Rapporteur: Mr. B.G. FOURIE (Union of South Africa)

1. In its report on the budget estimates for 1950 presented to the General Assembly at its 276th meeting on 10 December 1949 (A/1232, paragraph 65), the Fifth Committee requested the Secretary-General, in consultation with the Advisory Committee on Administrative and Budgetary Questions, to undertake a comprehensive review of the adequacy of the rate of subsistence allowances paid to members of commissions, committees or other subsidiary bodies of the General Assembly and other organs of the United Nations. It was requested that a report on this matter, which should take account of such factors as revaluation of currencies and changes in the cost of living, should be submitted to the fifth session of the General Assembly.
2. On the basis of facts presented by the Secretary-General concerning costs of subsistence, both in the New York area and in areas away from Headquarters where United Nations commissions or committees are in session, the Advisory Committee reviewed present subsistence rates and submitted to the General Assembly, in its second report of 1950 (A/1312, paragraphs 322-328),* its recommendations relative thereto. The Fifth Committee, pursuant to instructions given by the General Assembly at its 285th plenary meeting, considered these recommendations at its 258th and 259th meetings held on 31 October and 4 November 1950.
3. In addition to the Advisory Committee's recommendations and an accompanying

* See Official Records of the General Assembly, Fifth session, Supplement No. 7.

draft resolution (A/C.5/L.62), the Fifth Committee had before it a communication dated 30 October 1950 from the President of the General Assembly (A/C.5/394) requesting consideration, in accordance with rule 152 of the rules of procedure, of a draft resolution adopted by the Sixth Committee, under which members of the International Law Commission would receive a special allowance - the amount to be determined by the General Assembly. As regards the amount of such allowance, the Fifth Committee was informed that the Sixth Committee had approved a voeu to the effect that "it expresses the desire that the special allowance provided for in the draft resolution adopted by it on 28 October 1950 should be \$35 per day".

4. In submitting its recommendations, the Advisory Committee drew attention to the fact that the categories of organs or subsidiary organs the members of which should be eligible for subsistence allowances from the United Nations budget were determined by the General Assembly in resolution 231 (III) of 8 October 1948. Accordingly it had judged that it was not the intent of the Fifth Committee, in requesting a comprehensive examination of subsistence rates, that this question of eligibility should also be the subject of further review. Similarly, it expressed the opinion that reconsideration of the question of the purpose of these allowances would be inappropriate. The accepted principle that they represent subsistence and not a fee for service was therefore re-affirmed. It was further suggested that the General Assembly might wish to reconsider the question of including, within the common system recommended, all expert bodies the members of which are presently eligible for allowances on a differing basis.

5. After examination of relevant data, the Advisory Committee reached the conclusion that the \$20 per diem rate currently in effect at Headquarters should be increased to \$25 per diem as of 1 January 1951 and that the \$20 rate should be continued in respect of meetings away from Headquarters. In reviewing the rates paid to members of commissions and committees of inquiry and conciliation, the Advisory Committee found that while actual hotel and food costs are not so high as in New York, new cost factors arise from the fact that members of these bodies are absent from their homes for a year at a time and frequently serve in areas where special clothing is required. In view of these factors, and in the interest of administrative simplicity, it recommended a flat subsistence rate at the local currency equivalent of \$20 per diem for all commissions of inquiry or conciliation meeting away from Headquarters.

/6. At the 258th meeting

6. At the 258th meeting of the Fifth Committee, the representative of the United States of America presented an amendment (A/C.5/L.64) to the draft resolution based on the recommendations of the Advisory Committee, providing for an increase in subsistence allowance for expert bodies to \$35 per diem at Headquarters and \$30 per diem elsewhere. He agreed, however, with the Advisory Committee's recommendation that the allowance for members of commissions of inquiry and conciliation who are representatives of their Governments, should be maintained at the local currency equivalent of \$20 per diem. In explaining his proposal, the United States representative stated that the request of the Sixth Committee for a per diem of \$35 for members of the International Law Commission raised a serious doubt, in the mind of his delegation, as to the adequacy of the rates proposed by the Advisory Committee in the case of experts who were not in receipt of income from other sources and who had to maintain themselves at Headquarters or in Geneva for considerable periods of time. On the assumption, therefore, that the \$20 per diem had been insufficient in the past and having regard, moreover, to such considerations as the increase in living costs, the fact that hotel expenses, etc., varied considerably, the difficulties occasioned by exchange restrictions, the rates of subsistence allowance paid by the Governments of many Member States, the impossibility of avoiding a certain amount of hospitality expenditure and the natural desire of those absent for prolonged periods to have their wives accompany them, his delegation had concluded that a per diem of \$35 for New York was not unreasonable. It had also reached the conclusion that a possible alternative solution whereby members of expert bodies would receive a smaller amount for subsistence plus a daily allowance or fee, presented very serious drawbacks and, moreover, would undermine the important principle that experts, in giving their services freely to the United Nations, do so as a matter of honour and of obligation. The United States delegation, furthermore, attached very great importance to the principle that, in the matter of subsistence allowances, all expert bodies should be treated equally. No exceptions to the general policy decided upon should therefore be authorized.

7. At its 259th meeting, the Fifth Committee had before it, in addition to the above-mentioned draft resolutions, a paper furnished by the Secretary-General

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(A/C.5/396) listing those bodies the members of which are eligible for subsistence allowance, together with the locations of their meetings and the budgetary implications of the present scale of payments (\$554,360), the Advisory Committee's recommendations (\$566,155), and the United States proposals (\$615,840). The Fifth Committee was informed that, since the Secretary General's budget estimates for 1951 had been based on the Advisory Committee's recommendations, adoption of the United States proposal would involve an increase of \$49,685 in the amounts budgeted.

8. During the discussion of the United States proposal, the view was widely supported that, regardless of the rate of subsistence decided on, no special treatment should be accorded to any particular commission or committee. While the principle that any amount paid in the form of a daily allowance should be for subsistence purposes only and should not include a special fee for services was likewise endorsed, some delegations were of the opinion that the question of subsistence allowance, on the one hand, and the bases for payment of a fee for services, on the other, should be considered separately.

9. With respect to subsistence allowance, the rate of \$35 per day (for Headquarters) proposed in the United States amendment, though supported by some delegations, was strongly opposed by others on the ground that an increase of 75 per cent could not be justified in the absence of specific statistical and other relevant data and of a thorough and objective analysis of the situation comparable to that which the Advisory Committee had undertaken and in the light of which it had made its recommendations. Any such decision, moreover, would be bound to have serious repercussions in a number of directions - not least in connexion with the subsistence allowances payable to members of the Secretariat - as the representative of the Secretary-General had properly pointed out. It was suggested also that favourable action on the United States amendment would be difficult to reconcile with the position consistently taken by the Fifth Committee on other issues, and the Committee was therefore urged to accept the recommendations of the Advisory Committee.

10. On being put to the vote, the amended draft resolution as presented by the United States (A/C.5/L.64) was rejected by 23 votes to 14, with 3 abstentions. The recommendations of the Advisory Committee (A/C.5/L.62) were then approved by 31 votes to none, with 10 abstentions.
11. The Fifth Committee was next invited to consider whether, in the light of the above decision, any exceptions to the general rule should be authorized. On the understanding that the proposal made by the Sixth Committee in this connexion referred to the question of daily subsistence allowance for the International Law Commission, the Fifth Committee decided, by 19 votes to 15 with 7 abstentions, that it was unable to recommend the establishment of a special rate of \$35 per day for members of that body.
12. It was also brought to the Committee's attention that a special allowance of \$10 per diem, in addition to the normal subsistence allowance of \$20, had been approved by the General Assembly in 1949 for members of the Administrative Tribunal. It was the understanding of the Fifth Committee, however, that any such previous decisions in respect of special daily allowances would be superseded by the following draft resolution which it recommends to the General Assembly for adoption:

SUBSISTENCE ALLOWANCES FOR MEMBERS OF COMMISSIONS, COMMITTEES
AND OTHER SUBSIDIARY BODIES OF THE GENERAL ASSEMBLY AND
OTHER ORGANS OF THE UNITED NATIONS

The General Assembly

1. Reaffirms the principles and conditions for payment of transportation expenses and subsistence allowances as laid down in resolution 231 (III) of 8 October 1948;
 2. Agrees that subsistence allowances for members of commissions and committees eligible under resolution 231 (III) meeting at Headquarters should be raised from \$20 to \$25 per diem as of 1 January 1951, as recommended by the Advisory Committee (A/1312, paragraph 325);
 3. Agrees that members of commissions and committees meeting away from Headquarters should continue to receive subsistence allowance of \$20 per diem;
 4. Concurs with the recommendation of the Advisory Committee (A/1312, paragraph 326) that subsistence allowance for members of commissions of inquiry or conciliation meeting away from Headquarters should be paid at the local currency equivalent of \$20 per diem.
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