

109. Mr. GARCÍA (Guatemala) stated that the Committee should not decide on provisional figures. The Committee should therefore postpone its vote to a later date and wait until the Secretary-General had submitted his estimates.

110. The CHAIRMAN pointed out that, by taking a decision on the recommendations of the Advisory Committee at the first reading, the Committee would not be in any way prejudging the decision it would take on the source of credits which would be necessary for the establishment of one or several new centres.

*The recommendations of the Advisory Committee on section 21 of the budget estimates were approved by 36 votes to none, with 6 abstentions.*

111. In reply to Mr. ASHA (Syria), Mr. COHEN (Assistant Secretary-General in charge of the Department of Public Information) stated that he would submit to the Committee, on 21 October, the Secretary-General's estimates on the financial implications of the establishment of two new information centres in East and West Africa.

### Reply to the request for information by the representative of Poland

112. In reply to Mr. TARN (Poland), Mr. PRICE (Assistant Secretary-General in charge of the Department of Administrative and Financial Services) stated that he had brought to the attention of the Secretary-General the question of the interview given by representatives of the Legal Department to *The New York Times*. The Secretary-General thought that after the long statement made on the subject at the 202nd meeting by Mr. Kernö, Assistant Secretary-General in charge of the Legal Department, it was not necessary for him to make another statement.

113. Mr. TARN (Poland) said that, in those circumstances, it was surprising that the statement of Mr. Kernö, Assistant Secretary-General in charge of the Legal Department, did not appear in the Press release published after the meeting at which that statement had been made.

The meeting rose at 6 p.m.

## TWO HUNDRED AND FIFTH MEETING

*Held at Lake Success, New York, on Friday, 21 October 1949, at 10.45 a.m.*

*Chairman: Mr. A. KYROU (Greece).*

### **Budget estimates for the financial year 1950: (a) budget estimates prepared by the Secretary-General (A/903); (b) reports of the Advisory Committee on Administrative and Budgetary Questions (A/934) (first reading, (continued))**

#### PROGRAMME OF WORK

1. Before inviting the Committee to continue discussion of the budget estimates, the CHAIRMAN reviewed the work in prospect. Consideration of section 17 of the budget estimates, Common Staff Costs, had been deferred to enable the Secretary-General to adjust his estimates to conform to decisions already taken by the Committee. Section 20, United Nations Office at Geneva, might be discussed early the following week, when representatives would have received and studied the relevant document which would be circulated in the meantime. Sections 22 and 23, relating to the Economic Commissions for Asia and the Far East and for Latin America respectively, involved consideration of the financial implications of certain resolutions adopted by the Economic and Social Council at its ninth session. While the Secretary-General's original estimates could be discussed as they stood, on the understanding that supplementary estimates would be submitted with respect to the recent Economic and Social Council resolutions, the possibility of covering the same ground twice would be avoided if the Committee postponed consideration of those sections until the Secretary-General had revised his estimates and the Advisory Committee on Administrative and Budgetary Questions had been able to consider and report on them. Section 24, Hospitality, could be dealt with immediately and, he hoped, speedily.

2. Section 25 relating to the advisory social welfare services of the United Nations, was the subject of debate in the Third Committee. The Chairman of that Committee had informed him, however, that it was highly likely that his Committee would approve the continuation of the programme on the basis proposed in the Secretary-General's budget estimates. To save time the Fifth Committee might follow the precedent set at the third session of the General Assembly, and consider the relevant estimates on first reading, on the understanding that if the Third Committee took a different decision from that expected, the estimates would be reconsidered.

3. The Second Committee had completed consideration of technical assistance for economic development, the subject of section 25a, and he was receiving a letter from its Chairman informing him (Mr. Kyröu) of the conclusions reached and of the fact that the Second Committee had approved a programme in keeping with the estimates contained in that section. The Fifth Committee could, therefore, deal with them immediately.

4. Sections 25b, International Centre for Training in Public Administration, 26, Transfer of the Assets of the League of Nations to the United Nations, and 27, International Court of Justice, could also be dealt with without delay.

5. In addition certain items had been deferred pending the submission of supplementary estimates by the Secretary-General. Such items were: (a) section 1, chapter IV, International Law Commission, concerning which a draft resolution had been approved by the Sixth Committee; supplementary estimates, now being prepared by the Secretary-General, would have to be considered by the Advisory Committee before re-submission to the Fifth Committee; (b) section 3, chapters

I and III concerning the costs involved in holding meetings of the Economic and Social Council and the Commission on Human Rights in Geneva; the estimates awaited consideration by the Advisory Committee; (c) section 4, chapter I, which had been postponed pending the report of the Advisory Committee on the costs involved in holding meetings of the Trusteeship Council, its Commission and Committees, in Geneva. The report would be available in the course of the day.

6. There were two items on the agenda of the General Assembly which could be discussed at any time by the Fifth Committee. Those were item 40, concerning unforeseen and extraordinary expenses for 1949 and advances from the Working Capital Fund (A/1007), and item 36, Headquarters of the United Nations (A/1009). Item 47, relating to the expenses of the Permanent Central Opium Board would not be taken up until later, and item 45, concerning the election of members of subsidiary bodies could be dealt with in the near future. Members of the Committee would recall that further consideration of item 44, on the establishment of an Administrative Tribunal, had been deferred until after the first reading of the budget estimates and could be taken up towards the end of the following week.

7. In the circumstances, he proposed that the Committee should not meet again until the following Tuesday, so that in the interval the Advisory Committee could consider and report on matters outstanding.

*It was so decided.*

## PART V

### SECTION 21 (*continued*)

8. The CHAIRMAN recalled that the representative of Liberia had submitted a formal proposal (A/C.5/L.19) for the establishment of an information centre in Liberia, West Africa. The Secretary-General's estimate of the cost of the undertaking was given in document A/C.5/321, which might suitably be referred to the Advisory Committee on Administrative and Budgetary Questions for consideration and report.

9. Sir William MATTHEWS (United Kingdom) pointed out that document A/C.5/321 also contained estimates of the cost involved in establishing an information centre somewhere in East Africa. In referring it to the Advisory Committee, therefore, the Fifth Committee should state that it desired advice solely on point (1) of the first paragraph.

10. The CHAIRMAN said that the Secretary-General's second estimate had been prepared as a result of the USSR representative's proposal that an information centre should be established in East Africa. It might be simplest to ask the Advisory Committee to consider the financial implications of both proposals simultaneously.

11. Mr. MACHADO (Brazil), speaking as a member of the Advisory Committee, had no objection to that Committee's considering the budgetary implications of the proposal to establish information centres, the Fifth Committee being the final judge. On the question of policy, however, he pointed out that the second proposal, relating to the establishment of an information centre in territory that did not belong to a Member State, was an innovation, on which it might be advisable to obtain the views of the Sixth Committee and

the Fourth Committee. In his view it was not for the Fifth Committee to initiate or decide on such substantive matters, and if document A/C.5/321 were referred to the Advisory Committee, it should be made clear that it was without prejudice to the policy questions involved.

12. The CHAIRMAN suggested that it would be preferable to refer the entire document to the Advisory Committee, and if the report of that Committee contained any reference to Non-Self-Governing Territories — as it certainly would — the matter could then be referred to the Fourth Committee.

13. Sir William MATTHEWS (United Kingdom) said it was clear that the United Nations could not set up an information centre in any Trust Territory without the approval and assistance of the Administering Authority. The Fifth Committee would only be wasting time in considering the financial implications of that proposal, and he suggested that the subject should be ruled out of order.

14. Mr. LARRAÍN (Chile) agreed with the United Kingdom representative; at the same time, he was strongly in favour of the establishment of an information centre in Liberia.

15. Mr. CRISTÓBAL (Philippines) recalled that the Polish representative had suggested, and the representative of Liberia had agreed, that the Secretary-General should be asked to finance the new information centre out of savings on the budgets of established centres. In spite of that, the Secretary-General's report requested a new appropriation for the purpose.

16. Mr. AGHIDES (Chairman of the Advisory Committee on Administrative and Budgetary Questions) regretted the discussion on a matter outside the Committee's competence, and recommended the methodical procedure of the first proposal: reference to his Committee for consideration and report. Unless another Committee asked it to consider the financial implications, the Fifth Committee could not properly discuss the question of establishing an information centre in a Non-Self-Governing Territory.

17. Mr. RAFAEL (Israel) agreed with the Chairman of the Advisory Committee. He proposed formally that the Fifth Committee should adopt the first two paragraphs of the Liberian proposal in principle, and that document A/C.5/321 should be referred to the Advisory Committee for consideration of the estimates connected with the Liberian proposal only.

18. The CHAIRMAN pointed out that the first two paragraphs of the Liberian draft resolution made up the preamble, and that nothing would be gained by adopting them in principle.

19. Mr. TARN (Poland) explained that his proposal that the new information centre should be financed out of savings on the budgets of other centres had not been put forward formally. He might, however, eventually submit a formal resolution for a cut in the budgets of those centres, the funds so obtained being applied to the establishment of the new centre.

20. He suggested that it would be possible to vote on the Liberian resolution if the enacting terms were phrased so as to request the Secre-

tary-General to set up an information centre in Liberia.

21. The CHAIRMAN explained that the Fifth Committee would have to wait for the Advisory Committee's report on the estimates involved.

22. Mr. HALL (United States of America) favoured the establishment of an information centre in Liberia. He proposed that the Liberian resolution should be referred to the Advisory Committee for redrafting with instructions to consider the Secretary-General's estimates on that proposal.

23. Mr. ROSCHIN (Union of Soviet Socialist Republics) thought there was no need for the Fifth Committee to decide, as a matter of policy, that an information centre should be established in Liberia; in the past such matters had been decided simply by the appropriation of the necessary funds.

24. Mr. VAN ASCH VAN WIJCK (Netherlands) pointed out that there would be no need to refer the Liberian resolution to the Advisory Committee, as that Committee was concerned only with the relevant estimates.

25. The CHAIRMAN suggested that the Committee should formally request the Advisory Committee to submit a report on the Secretary-General's estimates for the establishment of an information centre in Liberia.

*It was so decided.*

## PART VII

### SECTION 24

26. Passing over sections 20, 22 and 23 for the reasons previously given, the CHAIRMAN asked the Committee to consider section 24, Hospitality, for which the Secretary-General's estimate had been approved and recommended by the Advisory Committee.

*There being no objection, the Secretary-General's estimate was approved.*

## PART VIII

### SECTION 25

27. The CHAIRMAN reminded the Committee that discussion of the estimates under section 25, Advisory Social Welfare Services, would be taken on the understanding that if the Third Committee decided on a programme other than was provided for in the Secretary-General's estimates, the appropriation would be reviewed. However, the Social Commission and the Economic and Social Council had recommended a programme on approximately the same level of expenditure as that carried out in 1949.

28. Mr. MACHADO (Brazil) pointed out that there were two parts to resolution 243 E (IX) of the Economic and Social Council, the first providing that the services should be placed on a permanent basis, and the second providing that the work should be continued in 1950 on approximately the same level of expenditure as in 1949. He thought it would be valuable for the Committee to hear the point of view of the Third Committee.

29. Sir William MATHEWS (United Kingdom) said that the point of difference between him and the Brazilian representative lay in the word "permanent", which in English implied "never-ending". The English text of the resolution used

the phrase "on a continuing basis", which was a more accurate expression of what was required.

30. The CHAIRMAN invited the Deputy Director of the Social Activities Division of the Secretariat to speak on the point at issue.

31. Mr. DELIERNEUX (Secretariat) quoted the English and French texts of the relevant part of the Economic and Social Council's resolution providing that the advisory social welfare services should be placed on a continuing basis (French text: "*leur donner une existence permanente*"). It was generally accepted in the Third Committee that the uncertainty whether the services would continue from year to year caused considerable inconvenience, and that they should be put on a more stable footing. Although the services had been established with some doubt and mental reservations in certain quarters, three years' experience had convinced the fifty-two participating Governments of the great value of the services in carrying out the part of the Charter relating to the promotion of social progress and better standards of life. Nevertheless, it would still remain for the General Assembly to vote the necessary funds each year, and there was no wish to imply that the services were to be established in perpetuity.

32. Mr. MACHADO (Brazil) reminded the Committee that the fixing of the amount of the estimates was of secondary importance; the main point at issue was to decide whether appropriations, until then voted on a provisional basis, should be placed on a more permanent one.

33. The CHAIRMAN pointed out that such a decision did not come within the jurisdiction of the Fifth Committee. He again suggested that, since it was only the first reading of the budget, the Secretary-General's estimates, as approved by the Advisory Committee, should be provisionally agreed to.

34. Mr. ROSCHIN (Union of Soviet Socialist Republics) drew attention to paragraph 205 of the Advisory Committee's report (A/934), which expressed the hope that a greater measure of participation by recipient Governments would lead to a reduction in direct expenditure on the part of United Nations. He asked the representative of the Secretariat to indicate what measures had been taken in that direction and with what results.

35. Mr. ASHA (Syria) paid a tribute to the work of the Department of Social Affairs and its work in the Middle East, mentioning particularly the name of Sir Raphael Cilento, who was in charge of that work; he hoped it would continue.

36. The budget estimates gave only the total sum required for section 25, with no indications as to how that sum would be spent. He asked if the representative of the Secretariat would give details, since it would obviously help the Committee in its decision to know what activities were contemplated, and in what areas.

37. Mr. SHANN (Australia), referring to sections 25, 25a, and 25b of part VIII as a whole, reminded the Committee of the Australian proposal, made at the 192nd meeting, to transfer those items to the technical assistance budget. He fully realised that such a proposal was impractical until after the Special Technical Assistance Conference had met. The expenses in ques-

tion, however, were operational in character, whereas the United Nations budget was primarily administrative; he therefore repeated his request that the following year, at which time there would presumably be a technical assistance budget, consideration should be given to the transfer of the sections under discussion to that budget.

38. He also asked the Secretary-General to take these sections into account when considering the effect of devaluation and the utilization of soft currencies, since they offered a particularly good opportunity for the use of such currencies.

39. With regard to fellowships, his delegation felt that there could be some improvement in their distribution, and more emphasis might be laid on Asia. It deprecated the tendency always to study social security in the United States of America since, with all respect to that country, there were others (his own country and New Zealand) in which social legislation was equally well or better advanced, and which might suitably act as host countries.

40. Mr. TRANOS (Greece), referring to paragraphs 202-207 of the Advisory Committee's report, and with particular reference to paragraph 205, felt that the part played by the Secretariat in that connexion could not be over-emphasized; he wished to associate himself with the observations made by the Advisory Committee.

41. Mr. DELIERNEUX (Secretariat), in answer to the Soviet representative's question, said that financial participation by recipient Governments had been considered by the Secretary-General very seriously, following repeated resolutions of the Third and Fifth Committees and of the Economic and Social Council, and that the results were encouraging; every effort was being made to increase the extent to which participating countries shared in the expenses of the advisory social welfare programme.

42. With regard to the fellowship programme, he pointed out that the United Nations share of the costs of a fellowship had been 3,000 dollars in 1947, and 2,000 dollars in 1949; it was hoped, in spite of the general rise in prices, to reduce the amount in the coming year.

43. He emphasized that some countries asking for services contributed just as much to those services as did the United Nations. When experts were sent out, the recipient country provided all the administrative facilities, office accommodation, internal transport etc., and also paid the *per diem* allowances. As far as the holders of the fellowships were concerned, the Government to which they belonged — they were usually civil servants — paid their salaries during their absence, and their travel as far as the port of embarkation, which in the case of a country such as China was no small contribution.

44. As regards the breakdown of the total amount for section 25 requested by the representative for Syria, he drew the Committee's attention to document A/C.3/521, submitted when the Third Committee began its discussion of the subject, section V of which gave all the necessary information. The sum of 175,900 dollars was asked for experts; it was contemplated that probably twenty experts would be sent to some twenty countries. Some countries had asked for one expert, some for a group; in certain cases a group of countries had asked for a group of experts: for example, Bolivia,

Peru, Guatemala and Mexico had jointly asked for a group of United Nations experts to investigate the problem of the Andean Indians.

45. Regional liaison officers had been asked for in order to help countries formulate their needs more exactly. Too often requests, especially those originating with the under-developed countries which had not the technical staff to set forth their needs precisely, were too vague. In such cases liaison work was of great importance, particularly since it was essential to co-ordinate United Nations action with the national effort.

46. Not only was an attempt being made to provide technical staff but also to arrange exchanges of such staff between countries, and to conclude bilateral and multilateral agreements for that purpose. The very under-developed countries, however, had no technical staff whatsoever, and it was more usual for them to ask for their young people to be sent to special schools; to meet that contingency a provision of 80,000 dollars had been earmarked for regional seminars. There would probably be two or three such seminars, certainly one to study the problem of the Andean Indians, and one for Eastern Europe, dealing with the rehabilitation and re-education of invalids, to which a United States specialist was being sent. As regards seminars for the Near East, a request had been received from Egypt that a larger one should be held there next year.

47. The question of host countries for fellowships in social security was being considered by the Secretariat but the Secretariat could only act on requests from Governments; it had, indeed, suggested to the more under-developed countries that they might gain from fellowships in countries where conditions were not too different and far removed from those in the recipient country, but such suggestions were not always well received, the Government in question usually insisting that, under General Assembly resolution 216 (III), such a decision was one for the Government itself. The Secretariat had, however, been successful, to the extent of having fellowship holders in Australia, Chile and Mexico; it would do all it could to promote the idea and hoped the governments would co-operate.

48. Mr. PRICE (Assistant Secretary-General in charge of the Department of Administrative and Financial Services), in answer to the Australian representative, promised that the Secretary-General would bear in mind the possibility of a transfer of sections 25, 25a and 25b to the technical assistance budget. Furthermore, the sections in question would be carefully studied in connexion with devaluation and the utilization of soft currencies.

49. Following a reference by Mr. ASHA (Syria) to the question whether the advisory social welfare services (section 25) would be permanent or merely on a continuing basis, Mr. PRICE (Assistant Secretary-General in charge of the Department of Administrative and Financial Services) said that was a matter for the Third Committee; the Fifth Committee had to decide on the 1950 estimates, which were in no way permanent.

50. Mr. JUTRAS (Canada) thought that any discussion of section 25 was premature and would, in fact, prejudice the work of the Third Committee. If, however, a decision had to be taken forthwith on section 25, he would have to refer

to his delegation's statement to the Third Committee, in which the Canadian Government's views on the point at issue were given. Any vote cast by the Canadian representative on the Fifth Committee must be subject to those same reservations.

51. The CHAIRMAN reminded the meeting that the procedure he had suggested — that of provisionally approving the estimates for section 25 — had been followed at the preceding General Assembly.

52. Mr. JUTRAS (Canada) made it clear that he was not opposing the taking of a provisional decision at that point, but merely explaining what would be his delegation's attitude in such an event.

53. Mr. MACHADO (Brazil) considered that it had been a mistake to include the estimates in the 1950 budget at all, since they had been authorized for 1949 only; the Secretary-General had been anticipating the Third Committee's decision. From the point of view of correct procedure, only those items on which a decision had already been reached by the appropriate Committee should be included in the budget.

*Section 25 was approved, subject to its being approved by the Third Committee.*

#### SECTION 25a

54. The CHAIRMAN informed the meeting that section 25a, Technical Assistance for Economic Development, which derived from General Assembly resolution 200 (III), had been unanimously endorsed by the Second Committee; the Secretary-General's estimates had been approved by the Advisory Committee.

55. Mr. TARN (Poland) thought that the same difficulty arose as in the preceding section, namely, that only preliminary observations on the estimates could be made, as stated in paragraph 208 of the report of the Advisory Committee on Administrative and Budgetary Questions (A/934).

56. Mr. WEBSTER (New Zealand) assumed that the Advisory Committee would make a further examination of the estimates before the second reading of the budget.

57. Mr. MACHADO (Brazil) considered that the question had been fully settled by the third session of the General Assembly. There was therefore no need to wait for further observations.

58. While agreeing with the Australian representative as to possible eventual integration of section 25a in the technical assistance budget, he nevertheless recommended its approval at the present stage.

59. Mr. AGHNIDES (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that when the report of his Committee was being drafted, it was not known in what way General Assembly resolution 200 (III) was linked with the larger issue. Resolution 222 (IX) of the Economic and Social Council had recommended the General Assembly to approve the programme proposed by the Secretary-General for the continuation of the operations in question and his suggestions for an increased appropriation in 1950 to cover the activities authorized by resolution 200 (III). That is, it had recommended the

expansion of activities in 1950, necessitating the increase of the estimates from 259,000 dollars to 539,000. The Secretary-General would appear merely to have anticipated the decision of the fourth General Assembly and the Advisory Committee had concurred.

60. Mr. LARRAÍN (Chile) said — and the CHAIRMAN concurred — that after the unanimous approval of the Second Committee it was natural that the Secretary-General should ask for allocations for the section.

*Section 25a was approved.*

#### SECTION 25B

61. The CHAIRMAN said that, at its recent session, the Economic and Social Council by resolution 253 (IX) had approved the Secretary-General's report regarding the proposed 1950 programme for an international centre for training in public administration. The Advisory Committee had approved the estimates, subject to a reduction of 10,000 dollars — the grant requested for the International Institute of Administrative Science in Brussels.

62. Mr. NASS (Venezuela) did not support the Advisory Committee's proposed reduction, inasmuch as the International Institute of Administrative Science might prove of great assistance. Since the Advisory Committee's objection had been that the grant would constitute an embarrassing precedent, he proposed that the difficulty should be solved by treating the 10,000 dollars as in the nature of a contractual payment, in return for which the Institute would provide certain well-defined services.

63. Mr. MACHADO (Brazil) and Mr. HALL (United States of America) supported the Venezuelan proposal.

64. Mr. FIELD ROBINSON (United Kingdom), also associating himself with the Venezuelan proposal, suggested that it might be specified that the sum in question was to be used for the financing of the Institute's Committee on Administrative Practices.

65. Mr. AGHNIDES (Chairman of the Advisory Committee on Administrative and Budgetary Matters) referred to the Secretary-General's report on International Facilities for the Promotion of Training in Public Administration (E/1336), section D, paragraph 3 of which expressed the opinion of the International Civil Service Advisory Board that a modest start should be made, thus avoiding the risk of failure through over-expansion, as well as the duplication of existing training institutions and facilities. The Board, of which he was Chairman, had felt that the services under discussion were already provided by other institutions.

66. As Chairman of the Advisory Committee, therefore, he stood by the report of his Committee.

67. Mr. MACHADO (Brazil) thought that when the Secretary-General had consulted the International Civil Service Advisory Board, the matter in question had already been settled by the General Assembly. The appropriation was a new departure and the Committee had to go carefully. Nevertheless, he was in favour of the grant.

68. Mr. NASS (Venezuela) while agreeing in principle that the start should be modest, pointed out that nothing could be more modest than United Nations activities in the field at issue; two years had gone by in discussion before a beginning had been made. The sum of 10,000 dollars was also very modest. He was prepared, however, to agree to the United Kingdom amendment that the grant should be conditional on the Brussels Institute's using the sum for financing its Committee on Administrative Practices.

69. Mr. VAN ASCH VAN WIJCK (Netherlands), referring to paragraph 212 of the Advisory Committee's report (A/934), asked for further particulars regarding the advice given by the International Civil Service Advisory Board to the Advisory Committee.

70. Mr. AGHNIDES, speaking as Chairman of the International Civil Service Advisory Board, said the Board had not examined the budgetary implications connected with the setting up of the International Centre for Training in Public Administration. It had examined only the programme to be carried out by the Centre, and had suggested that it should include the following activities:

- (a) Periodic international administrative seminars;
- (b) A system of fellowships;
- (c) Assistance to Governments in developing public administration facilities and programmes;
- (d) Facilitation of the exchange of technical information on public administration subjects.

71. The Advisory Committee had felt that if a grant were made to the International Institute of Administrative Science at Brussels other institutions of a similar nature might request such a grant.

72. The CHAIRMAN put to the vote the Venezuelan representative's proposal that the recommendations of the Advisory Committee in connexion with section 25b, International Centre for Training in Public Administration, should be increased by 10,000 dollars.

*The proposal was approved by 28 votes to none, with 12 abstentions.*

73. Mr. PALTHEY (Secretariat) pointed out that if the Secretary-General had accepted the reduction recommended by the Advisory Committee it would have been for the reason stated by the Chairman of the International Civil Service Advisory Board, namely, that to make a grant to a certain institution might create a precedent. The Fifth Committee's report should therefore state why that grant had been authorized in the case of the International Institute of Administrative Science.

74. The CHAIRMAN thought that the representatives of Venezuela and the United Kingdom would perhaps assist the Rapporteur in drafting a suitable paragraph for the Fifth Committee's report to explain the increase in the budget estimates for section 25b.

## PART IX

### SECTION 26

*Section 26, Transfer of the assets of the League of Nations to the United Nations, was approved unanimously.*

## PART X

### SECTION 27

75. The CHAIRMAN drew the attention of the members of the Committee to a letter from the President of the International Court of Justice to the Chairman of the Fifth Committee (A/C.5/L.7) and to the memorandum by the Secretary-General on the budget estimates for the International Court of Justice (A/C.5/303).

*At the invitation of the Chairman, Mr. Garnier-Coignet, Deputy Registrar of the International Court of Justice, took his place at the committee table.*

76. Mr. GARNIER-COIGNET (Deputy Registrar of the International Court of Justice) said that in the consideration of the budget estimates of the International Court of Justice, it should be remembered that the Court's activities, and hence its budget, were not within its own control. The budget provided for three categories of expenditure: firstly, for expenses of a constitutional nature resulting from the application of the Court's Statute; secondly, for expenses incurred by the Registry; and thirdly, for expenditure which varied according to the cases brought before the Court. As the Court dealt only with cases submitted to it by Governments and organizations competent to request advisory opinions, it could not, by itself, either increase or reduce its expenditure.

77. The Court's budget estimates had amounted to 691,000 dollars for 1948 and to 650,000 dollars for 1949. The Court was agreeable to the lump-sum reduction recommended by the Advisory Committee for 1950 and hence was asking for 600,000 dollars. When the question of revaluation of currencies was studied, the Court would propose a further reduction in those items which could bear reduction, namely, those in the second and third categories. In preparing its budget and in accepting the Advisory Committee's recommendation, the Court had made as few requests as possible. However, three new cases had recently been referred to the Court and there might be more. Its activities in 1950 might lead it to incur expenditure in excess of the low figure it had agreed to. The Court wished, therefore, to have the assurance that if such a situation arose it would be able to obtain the sums it required in conformity with the Advisory Committee's draft resolution relating to the Working Capital Fund (A/934, page 10). It might even be necessary to ask for a supplementary estimate in 1950.

78. He referred next to paragraph 222 of the Advisory Committee's report (A/934), which stated that savings were possible on the provision for temporary assistance. That was an excellent principle but it could not always be applied. Its Statute and rules required the Court to follow a certain procedure, when a case was submitted to it. For example, in the case of hearings, all statements by the representatives of States were taken verbatim and were translated and distributed immediately to the Judges and to the representatives of the other party to enable them to prepare their replies. Verbatim reporters, interpreters, translators and stenographers had therefore to be employed. The Court's permanent staff consisted of about twenty officials, excluding the ushers. There were no verbatim reporters on the permanent staff — only three bilingual stenographers and two stenographers who acted as private secretaries.

There were four secretaries, three of whom acted as interpreters. Under those conditions, the most economical solution was to employ temporary staff when cases were being heard, and that practice had been followed during the twenty-eight years of the Court's existence.

79. He drew the Committee's attention to the question of the application of the staff assessment plan to the staff of the Court and of the Registry (A/C.5/303). The Court's attitude to that question was known to members. He had been instructed to confirm the figures submitted by the Court in connexion with the salaries of the Registry staff and to reaffirm that in the opinion of the Court the provisions of General Assembly resolution 239 (III) could not be applied to the Court, firstly because their application to the staff of the Court and Registry would be contrary to the provisions of the Statute, which was an integral party of the Charter, and secondly because those provisions were designed to meet a certain situation which did not exist at The Hague, where the Court had its seat.

80. Replying to a question by Mr. TARN (Poland), Mr. GARNIER-COIGNET (Deputy Registrar of the International Court of Justice), pointed out that only four secretaries were employed on the staff of the Registry. Those officials also acted as interpreters and translators and helped with the drafting of documents.

81. Mr. ROSCHIN (Union of Soviet Socialist Republics) said that the USSR delegation would support the Advisory Committee's recommendations, but felt that the budget of the International Court of Justice could be reduced still further than had been suggested by that Committee. Chapter IV (i) should be reduced as should chapter III (iv). The increase in the salaries of the staff was not justified.

82. Sir William MATTHEWS (United Kingdom) pointed out, in connexion with the staff assessment plan, that the salaries of individual employees were not affected. He asked in what way the Court felt that the staff of the Registry differed from the staff of any other organ of the United Nations, and whether it was necessary for the Court to press the fact that it considered that the provisions of General Assembly resolution 239 (III) could not be applied to the staff of the Court and Registry.

83. Mr. GARNIER-COIGNET (Deputy Registrar of the International Court of Justice) suggested that the discussion of the question of the application of the staff assessment plan to the Court and Registry should be postponed. That was a question of a legal nature, which could be discussed at the time the Committee dealt with the whole question of the staff assessment plan.

84. Replying to a further question by Sir William MATTHEWS (United Kingdom) Mr. GARNIER-COIGNET (Deputy Registrar of the International Court of Justice) pointed out that the difference between the gross and net budget of the Court appeared to be about 33,000 dollars.

85. Mr. HALL (United States of America) felt that the staff assessment plan was a budgetary

matter as well as a legal one. It would be confusing for delegations to consider part of the budget on its net total and part on its gross total.

86. Referring to the archives of the Nürnberg Tribunal, he pointed out that several delegations had expressed a wish that those archives should be given to an international body for safe custody, and had felt that it might be desirable to transfer them to the International Court of Justice. He would like to know the Court's attitude to such a transfer, the probable cost of putting the archives in condition and the cost of maintaining a service for the consultation of those archives by scholars.

87. Mr. GARNIER-COIGNET (Deputy Registrar of the International Court of Justice) said the Registrar had been approached by the French and United States Governments on the question whether the Court would agree to accept custody of the Nürnberg archives. The first approach had been made about one year ago, and the answer given by the Registrar had not been final as the Court had been unable to find out exactly what services it was being asked to undertake. A further approach had been made recently, but the situation remained the same.

88. The Court reserved the right to consider whether or not it should agree to the Registry's accepting custody of the archives in question.

89. Possibly the Registry might draw on the budget appropriations for temporary assistance to cover the cost of such a service, but as yet it did not know what the service was to be, whether, for example, the documents were simply to be kept in a room, or whether they were to be catalogued and indexed. Nor did the Registry know in what way the documents were to be made available for research workers. It was therefore difficult to estimate even approximately the expense involved. The supplementary expenditure for temporary personnel, however, might amount to about 6,000 dollars.

90. Mr. MACHADO (Brazil) said that as the Registrar of the International Court of Justice had agreed to the Advisory Committee's recommendation regarding the budget of the Court, the Brazilian delegation agreed with the observations made in paragraph 223 of the Advisory Committee's report (A/934) regarding advances from the Working Capital Fund.

91. Referring to the staff assessment plan, he pointed out to the Deputy Registrar that it had been possible to establish a net salary basis for the staff of the Registry because a net salary scheme was in force for the staff of the United Nations. But a new salary scheme was under consideration, though he was not sure whether the new scheme would apply to the staff of the Registry of the Court.

92. Referring to the question of devaluation, he pointed out that the Judges' salaries were not paid in dollars, and if the Fifth Committee agreed, he would suggest that the question of those salaries should be included in the study on devaluation being carried out by the Secretary-General.

The meeting rose at 1 p.m.