

UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/3426
5 December 1956
ENGLISH
ORIGINAL: ENGLISH/
SPANISH

Eleventh Session
Agenda item 52

SYSTEM OF TRAVEL AND SUBSISTENCE ALLOWANCES
TO MEMBERS OF ORGANS OF THE UNITED NATIONS

Report of the Fifth Committee

Rapporteur: Mr. Francisco A. FORTEZA (Uruguay)

Introduction

1. The General Assembly, at its 587th plenary meeting on 15 November 1956, decided to refer to the Fifth Committee for consideration and report item 52 of the agenda of the eleventh regular session as follows: System of travel and subsistence allowances to members of organs of the United Nations. The Committee had before it a report on the subject submitted by the Secretary-General (A/3130) pursuant to General Assembly resolution 875 A (IX) of 4 December 1954, and the comments thereon of the Advisory Committee on Administrative and Budgetary Questions (A/3161). The consideration of the item took place at the 534th, 535th and 537th meetings of the Fifth Committee, held on 22, 23 and 26 November.
2. The reports examined by the Fifth Committee were submitted in accordance with operative paragraph 4 of resolution 875 A (IX), in order to assist the General Assembly in its consideration of the application of a uniform system of allowances to all eligible bodies. The Secretary-General in his report drew the attention of the General Assembly, however, to certain related matters that arose concerning the over-all question of payment of travel and subsistence expenses to members of eligible bodies. These related questions were also examined and reported on by the Advisory Committee. The Fifth Committee itself saw advantage in considering in successive stages, firstly the principal question of the application

of a uniform system of subsistence allowances and, secondly, the related matters to which the attention of the General Assembly had been called, namely the reimbursement of travel expenses to representatives to the General Assembly, the fixing of a reasonable time-limit for the presentation of claims, the rate of subsistence allowances paid to members of subsidiary organs who were located at the place of meeting, the rate of the allowances to be paid during periods of actual travel and the desirability of consolidating in a single resolution the decisions and directives previously taken by the General Assembly on the question of the payment of travel and subsistence allowances.

Application of uniform rates of subsistence allowances

3. The report of the Secretary-General (A/3130, paragraphs 5 to 10) traced the history of the question which had resulted in General Assembly resolution 875 A (IX). Under the terms of this resolution the Assembly considered that in principle a uniform rate of subsistence allowances should be paid to members of all ~~xxxx~~ eligible bodies, subject only to a distinction being made in respect of the place of meeting. It further decided, pending consideration at its eleventh session of the application of a uniform system to all eligible bodies, to continue until 31 December 1956 the special allowance of \$35 per diem paid to members of the International Law Commission, which had been authorized by resolution 485 (V) of 12 December 1950.

4. The Advisory Committee, in its report (A/3161, paragraphs 4 and 5) recommended that, as from 1 January 1957, rates of allowances, to be determined by the General Assembly, should be applied uniformly to all eligible bodies, including the International Law Commission. It was recognized that the system of subsistence allowances currently in force had uniform application, with the exception of the special allowances paid to members of the International Law Commission. In consequence, it was to this particular question that the Committee directed its attention.

5. Some representatives considered that the reasons which had led the General Assembly at its ninth session to continue the special allowance of \$35 per diem in respect of members of the International Law Commission still remained valid. They believed that there were pertinent considerations which, in the case of the International Law Commission, clearly justified an exception to the general rule

of a uniform payment. They drew the Committee's attention to the continuing importance of the work of the Commission, which demanded that its membership should consist of eminent jurists. They cited further the necessity for these members to interrupt their normal labours for a period which normally exceeded two months in every year in order to accomplish work of maximum usefulness to the United Nations. It was evident, in their view, that, as compared with most of the other United Nations bodies whose sessions were normally of some two to three weeks' duration, the work of the International Law Commission made far greater demands upon its individual members. While these delegations did not question the principle of the uniform system and were in favour of any reasonable measures for reducing expenditures, they believed that for the reasons they had given, the General Assembly should maintain its previous decision to pay a special allowance to members of that Commission; consequently they could not endorse the recommendations of the Advisory Committee, which, if adopted, would mean a substantial reduction in the amount of allowance which was at present being paid.

6. Other representatives drew the Fifth Committee's attention to the decision of the General Assembly (resolution 459 (V)) that payment of a subsistence allowance did not represent a fee for services rendered. They believed in consequence that, since there was general acceptance of this decision, the principle of a uniform rate of allowance should be upheld and should govern, without exception, the payment of subsistence allowances to members of all eligible bodies. They felt that the desirability of applying the lower figure in conformity with a uniform system had been fully considered by the Advisory Committee, and assumed that for subsistence purposes the normal rate of the allowance was adequate.

7. Some representatives, including those who had supported the provisional arrangements agreed upon at the ninth session of the General Assembly, felt that, in view of the fact that the term of office of the present members of the International Law Commission was due to expire 31 December 1956, the time had come to apply a common system uniformly as from 1 January 1957. They were not of the opinion that the arguments which had been presented justified any departure from

/...

the application of such a system, and that in consequence the special allowance fixed by resolution 485 (V), should be discontinued and the recommendation of the Advisory Committee supported.

8. The Fifth Committee by 56 votes to none, with 12 abstentions, approved the recommendation of the Advisory Committee as set out in paragraph 4 above.

Reimbursement of travel expenses for representatives to the General Assembly

9. The principle aim of the Fifth Committee's discussion of this aspect of the system of travel was to provide the Secretary-General with a clear directive for his future guidance on the question of reimbursement of travel expenses of a permanent representative or a member of a permanent mission, who had been designated as a representative or alternate representative to the General Assembly. The Secretary-General had called the attention of the General Assembly to this question in paragraphs 24 to 27 of his report.

10. Throughout the discussion there was a full endorsement by members of the Committee of the provisions of General Assembly resolution 14 D (I) adopted on 13 February 1946, that the number of persons whose travel expenses to the General Assembly would be paid should not exceed five for each Member; that such persons would be either accredited representatives or alternate representatives to the Assembly; and that the liability of the United Nations for reimbursement of travel expenses in respect of any of the five journeys would be limited to the cost of a round trip between the capital city of a Member State and the place of meeting (or to the actual cost of the travel, if that should be a lesser amount). It was further generally understood that a journey, for which the United Nations would pay under these provisions, should be made within a reasonable period of time for the best accomplishment of the work connected with an Assembly session.

11. It was recognized that the decision of the Assembly in resolution 14 D (I), was motivated by the desire to equalize as far as possible the opportunities of Members to participate in the activities of the United Nations. The general interpretation of the resolution by the Secretary-General had been that no travel expenses chargeable to the Organization should arise in respect of the attendance

of a Government representative at a meeting of an eligible body where the place of meeting was also the duty station of such a representative. The Secretary-General had deemed it his duty to interpret resolution 14 D (I) in a restrictive sense. However, he had accepted the principle, provided that the total number of persons whose travelling expenses to and from meetings of the General Assembly did not exceed five for each Member, that if a permanent representative or a member of a permanent mission were accredited as a representative or alternate representative to the General Assembly, his travelling expenses to and from the capital city of his country should be reimbursed if he left Headquarters immediately before the opening of a session for the purpose of obtaining instructions from his Government; and that one-way travelling expenses should be reimbursed, if he returned to his capital city for the purpose of reporting to his Government at the end of a session.

12. The Advisory Committee in its report (A/3161) expressed its agreement with the general interpretation of resolution 14 D (I) by the Secretary-General, as noted above, but expressed some doubt as to the validity of admitting exceptions. It considered that, in view of the situation which had developed, a specific decision of the Assembly on this matter would be desirable.

13. The Chairman of the Advisory Committee also stated during the discussion, that in his view, it would be useful if the Fifth Committee would consider at the same time the application of the provisions of resolution 14 D (I) to special or emergency sessions of the General Assembly.

14. There was considerable support in the Committee for the practice which had been followed by the Secretary-General and which gave to those members of permanent missions who were accredited representatives or alternate representatives to the General Assembly, an opportunity to consult their Governments on matters connected with the Assembly. In this connexion, a number of representatives stated that the reimbursement of travel expenses was a matter of particular concern to those countries which sent small delegations to the Assembly and which felt it necessary to include as representatives or alternate representatives, one or more members of their permanent mission. In consequence,

/...

they believed that it would be reasonable and equitable to pay the full cost of a round-trip for a member of a permanent mission when he went home to report to his Government after the close of an Assembly session and subsequently returned to resume his functions at Headquarters, since they were of the opinion that the provisions for reimbursement should cover the travel expenses up to five persons, irrespective of whether they came specifically for the General Assembly or were members of permanent missions. It was in any event assumed that Governments would be guided by strict necessity in exercising this facility.

15. Since it was conceivable that, during the course of an Assembly session, an accredited representative might be summoned by his Government for urgent consultation, it was also the view of several delegations that the practice which had been adopted should be extended to cover this possibility.

16. At the 525th meeting of the Committee, the representative of India made oral proposals to modify paragraph 3 (a) of the statement of principles which followed the draft resolution set out in annex I to the Secretary-General's report. These proposals would provide that:

- (a) The actual travel expenses, but not subsistence expenses, of representatives or alternate representatives of Member States to regular sessions of the General Assembly should be paid, provided that the number of persons whose expenses would be so paid should be limited to five for each Member State;
- (b) In respect of any session of the General Assembly other than a regular session, travel expenses to be paid should be limited to one representative or alternate representative for each Member State;
- (c) If a permanent representative or member of a permanent mission were designated as a representative or alternate representative by a Member State, his travel expenses should be paid if a journey to his capital city and back to the Headquarters of the United Nations was undertaken before or after the session of the General Assembly, provided that such travel was within that allowed for five representatives for each Member State.

17. An amendment to this proposal was suggested by several delegations which would allow, under the conditions cited, for payment of travel expenses to a member of a permanent mission during a session of the Assembly. This amendment was accepted by the sponsor.
18. During the discussion, the circumstances in which the General Assembly had adopted its resolution 14 D (I) were reviewed. The wisdom of the Assembly was underlined in providing a means whereby each Member State would have the possibility of including among its representatives to the Assembly sessions legislators, trade union leaders, senior civil servants or other persons who were in close touch with public opinion in the Member State concerned. It was open to question, however, whether too liberal an interpretation should be given to that resolution, and the point was made that before such proposals as those of the representative of India were adopted, it would be prudent to ask the Secretary-General and the Advisory Committee to give their views on the financial implications.
19. It was pointed out that the underlying principle was not a matter of reimbursing the expenses incurred by an individual, but of reimbursing those expenses which a Government was entitled to incur in accordance with resolution 14 D (I), in order to participate in the activities of the United Nations. In this connexion, the General Assembly itself had thought it advisable to make an exception to the general rule that travelling expenses of Government representatives should not be reimbursed, so that a Member might have no difficulty in appointing as its representatives to the Assembly persons of its choice.
20. The Committee adopted, without objection, the proposals of the representative of India as set out in paragraphs 16 and 17 above.
21. It was the Committee's view that the United Nations would not reimburse the expenses of five round-trips, unless those journeys had been made by five different representatives or alternate representatives.
22. The decision of the Committee had regard only to sessions of the General Assembly and not to any other organ or subsidiary organ of the United Nations.

It was also understood that, except for the number of journeys authorized, a uniform practice would apply to both regular and special sessions of the General Assembly.

Time-limit for the presentation of claims

23. The Committee considered a suggestion of the Advisory Committee, noted in paragraphs 13 and 14 of its report (A/3161) that, from the point of view of good financial management, a time-limit might be fixed within which all claims in respect of reimbursement should be submitted. The Committee agreed, without dissent, that the United Nations should not be liable for any claim for reimbursement of travel expenses which was submitted later than 31 December of the year following that of the close of the relevant session.

Rate of subsistence allowance to members located at the place of meeting

24. At its 534th meeting, the Fifth Committee agreed without objection that as suggested by the Secretary-General in paragraphs 16 to 18 of his report, the present practice of reducing to \$10 the rate of daily subsistence allowance payable to "local" members of an eligible body should be continued, and that the criterion for this purpose would be the duty station of the member and not, as at present, a choice between duty station and place of residence. The Committee also agreed without objection that the allowance should be paid only for the days on which a "local" member actually attended a meeting.

Rate of subsistence allowance applicable during period of actual travel

25. At its 534th meeting, the Fifth Committee endorsed a continuation of the present practice, and agreed without objection that during periods of travel aboard vessels, trains and airplanes the daily rate of subsistence allowance should be \$8.

Consolidation of existing regulations

26. The existing decisions and directives of the General Assembly with regard to the payment of travel and subsistence expenses to members of organs and subsidiary

/...

organs of the United Nations are spread over several resolutions; namely, 14 D (I) of 13 February 1946, 70 (I) of 19 November 1946, 231 I (III) of 8 October 1948, 459 (V) of 1 December 1950, 485 (V) of 12 December 1950 and 875 A (IX) of 4 December 1954. The Secretary-General had felt that it would be extremely useful, both from a legislative and from an administrative point of view, to have incorporated in one comprehensive resolution all the existing decisions on the subject, together with such decisions as the Assembly might take on the questions to be dealt with at its eleventh session. To that end he had included in annex I to his report the draft of such a comprehensive resolution, together with a statement of principles which should govern the particular payments to be made. The Advisory Committee saw considerable merit in the Secretary-General's suggestion.

27. In the light of the Fifth Committee's decisions in principle on the particular questions detailed in the present report and the clarification which had emerged in the discussion of the issues involved, the Committee believed that the draft resolution which had been presented should be recast to indicate clearly both the principles which should govern the payment of travel and subsistence allowances and the basis of their application. It was also the view of a number of members that the Secretary-General should be provided with a clear directive for the purpose of establishing such administrative rules and procedures as may be necessary for the implementation of the agreed provisions. At the 537th meeting, the Committee considered a revised draft resolution presented by its Rapporteur after consultation with a number of delegations (A/C.5/L.396).

28. For the reasons given at the ninth session of the General Assembly, the representative of the Union of Soviet Socialist Republics did not believe that, as provided in paragraph 1 d (i) of the draft resolution, it was appropriate for the United Nations to pay travel and subsistence expenses in respect of a rapporteur or chairman of a subsidiary organ who was called upon to present in an expert capacity the report of such subsidiary organ to a parent body. His delegation was further of the opinion that the existing arrangements for payment of expenses incurred by the Board of Auditors were such that the provision in

paragraph 1 d (iv) of the draft resolution was not required. Following an explanation that the relevant provision in paragraph 1 d (i) was in accordance with the past practice, the Committee approved this provision by 48 votes to 8, with 5 abstentions. With respect to paragraph 1 d (iv), the representative of the Secretary-General explained that, should this provision be adopted, the Secretary-General, in respect of members of the Board of Auditors, would reimburse travel and subsistence expenses only and, in addition, would pay for the expenses of any audit staff required as submitted by the Government concerned. The Committee approved paragraph 1 d (iv) by 48 votes to 8, with 4 abstentions. 29. The Committee approved the draft resolution (A/C.5/L.396) as a whole by 61 votes to none, with 1 abstention.

Recommendation of the Fifth Committee

30. Accordingly, the Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

SYSTEM OF TRAVEL AND SUBSISTENCE ALLOWANCES TO
MEMBERS OF ORGANS OF THE UNITED NATIONS

The General Assembly,

Believing that the payment out of United Nations funds of travel and subsistence expenses to members of organs and subsidiary organs of the United Nations should continue to be based on the pattern set out in General Assembly resolution 231 I (III) of 8 October 1948,

Believing further that previous decisions and directives regarding the payment of such travel and subsistence expenses should be consolidated,

1. Decides that from 1 January 1957 the following principles shall govern the payment out of United Nations funds of travel and subsistence expenses to members of all organs and subsidiary organs of the United Nations;

(a) Travel and subsistence expenses shall be paid out of United Nations funds in respect of members of organs or subsidiary organs who serve in their individual personal capacity and not as representatives of Governments;

(b) Except as provided in sub-paragraphs (c) and (d) below, neither travel nor subsistence expenses shall be paid out of United Nations funds in respect of members of organs or subsidiary organs who serve as representatives of Governments;

/...

(c) With a view to equalizing as far as possible the opportunities of Member States to participate in the activities of the United Nations, travel but not subsistence expenses shall be paid in the following cases:

- (i) In respect of representatives or alternate representatives to the General Assembly, subject to such conditions as may be laid down by the Secretary-General, and provided that the number of persons whose expenses will be so paid shall not exceed five for each Member State in respect of regular sessions of the General Assembly, and one for each Member State in respect of special sessions of the General Assembly;
- (ii) In respect of one representative of each Member State participating in a functional commission or a sub-commission of the Economic and Social Council, where such representatives are nominated by their Governments in consultation with the Secretary-General and subsequently confirmed by the Council;
- (iii) In respect of one representative of each Member State participating in the Commission on Narcotic Drugs;

(d) Travel and subsistence expenses shall be paid in respect of the following persons regardless of whether they serve in their individual personal capacity or as representatives of Governments:

- (i) A rapporteur or chairman of a subsidiary organ who is called upon to present in an expert capacity the report of such subsidiary organ to a parent body;
- (ii) One member of a commission acting as its representative on a second commission or committee;
- (iii) One representative of any Member State participating in a commission of inquiry or conciliation instituted by the General Assembly or by the Security Council, except where the organ concerned decides that an alternate for each member is necessary, in which case payment may also be made in respect of an alternate;
- (iv) Members of the Board of Auditors.

/...

2. Decides that the principles set forth in paragraph 1 above shall also apply to any subsidiary organ that may be established in the future, unless the resolution establishing such subsidiary organ provides otherwise;
3. Decides that the application of these principles shall be in accordance with the provisions contained in the annex to the present resolution.
4. Authorizes the Secretary-General to establish such administrative rules and procedures as are necessary for the implementation of the provisions of the present resolution.

ANNEX

APPLICATION OF PRINCIPLES GOVERNING THE PAYMENT OUT OF
UNITED NATIONS FUNDS OF TRAVEL AND SUBSISTENCE EXPENSES
TO MEMBERS OF ORGANS AND SUBSIDIARY ORGANS OF THE
UNITED NATIONS

Travel expenses

1. Provided that in all cases payment of travel expenses to the General Assembly shall be limited to five persons for each Member State for regular sessions and to one person for special sessions of the General Assembly, travel expenses may be paid in respect of a permanent representative or a member of a permanent mission who is designated by a Member State as a representative or alternate representative to the General Assembly. Such travel expenses shall be paid provided the journey is undertaken in connexion with a session of the General Assembly, either before, during, or after such session.
2. In the case of representatives, payment of travel expenses shall be limited to the cost of round-trip travel between the capital city of a Member State and the place of meeting, or to the actual cost of travel undertaken if that should be a lesser amount. In all other cases, payment of travel expenses shall be limited to the actual cost of round-trip travel between the place of residence or duty station and the place of meeting.
3. Payment of travel expenses shall be limited to the cost of first-class accommodation or its equivalent by recognized public transport via a direct route.
4. The United Nations shall not be liable for the payment of any claim for reimbursement of travel expenses which is submitted later than 31 December of the year which follows the closing date of the session of the organ or subsidiary organ to which the claim relates.

Subsistence allowances

5. The subsistence allowance shall provide for the extra expenses which an individual normally incurs in attending an official meeting or session and shall not include any element of fee or remuneration for services rendered.

/...

6. The subsistence allowance shall be paid uniformly to members of all eligible bodies, and shall be at the rate of \$25 per diem in respect of meetings at Headquarters (New York) and the equivalent in local currency of \$20 per diem in respect of meetings away from Headquarters, provided, however, that the allowance shall be reduced to \$10 per diem, or its equivalent in local currency, in respect of a member whose duty station is also the place of meeting. Subsistence allowances at these rates shall be limited to the period during which a member's presence is required at the place of meeting, except that a member receiving the \$10 allowance shall receive the allowance only for the days during which he actually attends a meeting.

7. The subsistence allowance will be \$8 per diem during periods of travel aboard vessels, trains and airplanes.