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QUESTION OF THE DISPOSAL OF THE FORMER ITALIAN COLONIES

Financial implications of the draft resolution
proposed by the First Committee (A/1089)

Report of the Fifth Committee

Rapporteur: Dr. Maria Z. N. WITTEVEEN (Netherlands)

1. In accordance with rule 142 of the rules of procedure of the General Assembly, and with the request of the President in his letter dated 14 November 1949 to the Chairman of the Fifth Committee (A/C.5/352), the Fifth Committee, at its 225th meeting held on 16 November 1949, considered the effect on the budget estimates for 1950 of the draft resolution adopted by the First Committee on 12 November 1949 concerning the disposal of the former Italian colonies (A/1089).

2. The Fifth Committee had before it a report by the Secretary-General (A/C.5/351) giving estimates as to the financial implications of the provisions for the various United Nations organs established by the first three sections of the draft resolution, provisions which would be made by the Secretary-General in accordance with the authority granted to him under section D. The Committee also had before it the twenty-fourth report of 1949 of the Advisory Committee on Administrative and Budgetary Questions (A/1091) which had considered these estimates following reference to it by the Fifth Committee of the Secretary-General's report.

3. The Secretary-General estimated that the total expenses to be incurred in 1950 in connexion with sections A, B and C of the draft resolution of the First Committee would amount to \$488,300, divided as follows:

	Dollars (US)
(a) United Nations Commissioner and Council for Libya	267,900
(b) Advisory Council for Italian Somaliland	87,000
(c) United Nations Commission for Eritrea	133,400

The Committee was informed by the Secretary-General that this expenditure, which he requested should be appropriated under section 6 of the 1950 budget, /would be

would be partly compensated by the amount of assessments, estimated at \$20,000, to be levied on the salaries of internationally recruited and temporary replacement staff. The Secretary-General pointed out that it was assumed that no expenditures would be required prior to 1 January 1950. Should any expenditures prove necessary in 1949, he would endeavour to absorb such costs within the present appropriation for section 6 and, if this should prove impossible, he would withdraw the necessary funds from the Working Capital Fund as expenses relating to the maintenance of peace and security.

4. The Advisory Committee, in its report, recommended that the total estimates be provisionally approved at a figure of \$400,000, representing a reduction of \$88,300 in the appropriation requested by the Secretary-General. In making this recommendation, the Advisory Committee expressed the view that no sufficient justification existed for the payment contemplated in section D, paragraph 2(b), of the draft resolution of travel and subsistence expenses to the three Council members representing the population of the three regions of Libya or to the Council member representing the minorities in the area concerned, and that a reduction of \$26,000 on this item could therefore be made. It pointed out that further savings would accrue with respect to travel and subsistence of the Council for Libya in the event that any of its members appointed representatives who are already serving in the area. As to the Commission for Eritrea, the Advisory Committee drew attention to the savings on the item of travel expenses of the members which would result if the members proceeded direct to their destination without assembling previously at the Headquarters of the United Nations. Furthermore, it expressed doubts as to the necessity for payment of travel and subsistence expenses to alternate members, in view of the fact that the Commission's field operations are not expected to exceed six months in duration. The Advisory Committee suggested that other possibilities of savings might be expected to arise as a result of a review of the proposed rate of \$20 per day subsistence allowance for members of the three bodies under reference, to take account of factors such as the revaluation of currencies and changes in the cost of living. In the opinion of the Advisory Committee, savings should also be possible as a result of reductions in the number of staff to be assigned to the three bodies in question, and as a result of taking more fully into account the overall effects of recent currency revaluations. The belief was expressed by the Advisory Committee that, having regard to these considerations, the estimates as recommended in the sum of \$400,000 should be sufficient for all the purposes in view and that no need should arise to invoke paragraph (a) of the draft resolution with respect to unforeseen and extraordinary expenses for 1950 which the Fifth Committee will

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propose to the General Assembly for adoption.

5. The Fifth Committee noted that, as regards the question of reimbursement of certain of the expenses to be incurred by the United Nations in connexion with the draft resolution of the First Committee, the Secretary-General intends to enter into negotiations with the designated Administering Authority of Italian Somaliland for the purpose of seeking reimbursement of all costs relating to the Advisory Council, on the ground that facilities would be made available by the United Nations to an advisory council serving a non-member of the Organization. It was also noted, however, that no reimbursement would be claimed in the case of the remaining two bodies.

6. The question as to what expenditure in connexion with the disposal of the former Italian colonies should be borne by the United Nations gave rise to a discussion in the course of which some members of the Fifth Committee voiced the opinion that the Organization should assume responsibility for all financial implications of its decisions, while other representatives felt that the members of the Councils, and of the Commission, the designated Administering Authority, and also the territories in the process of becoming independent, should bear either all or part of the costs resulting from the implementation of the resolution recommended by the First Committee. It was also pointed out that the proposed arrangement with respect to travelling and subsistence expenses, as far as Libya and Somaliland were concerned, constituted a deviation from the resolution on the payment of those expenses to representatives of the General Assembly and members of commissions and other bodies, adopted by the General Assembly at its previous session (resolution 231(III)). In this connexion the representative of the Secretary-General explained the grounds on which the Secretary-General had made his proposals.

7. Several members of the Fifth Committee endorsed the observations of the Advisory Committee concerning the recommendations on administrative and financial questions contained in the draft resolution of the First Committee, namely, that in conformity with rule 142 of the rules of procedure of the General Assembly, and on other grounds, it would be more appropriate for such questions to be left to the Fifth Committee, especially since in one particular case a commitment extending over a period of ten years is contemplated. The General Assembly having delegated its budgetary and administrative powers to the Fifth Committee, the Committee felt that it alone was competent in these matters, subject to approval of its recommendation by the General Assembly itself.

8. The Fifth Committee then proceeded to vote on the specific proposals submitted in the course of the general discussion. A Polish proposal to request the Sixth Committee's views as to the legality of those provisions of the draft resolution relating to Italian Somaliland, in view of the terms of Articles 81 and 84 of the Charter, was rejected by 19 votes to 5, with 6 abstentions. The Committee next rejected, by 28 votes to 5 with no abstentions, a proposal made by the representative of the Union of Soviet Socialist Republics that the United Nations should not be involved in any expenditure as a result of decisions taken regarding the disposal of the Italian colonies and that no appropriation for this purpose should therefore be included in the 1950 budget. The Committee then approved, by 18 votes to 11 with 1 abstention, a proposal submitted by the representative of Syria amending a proposal of the United States delegation (which amendment was accepted by the latter) to increase the estimates recommended by the Advisory Committee by an amount of \$52,000, for the following specific purposes:

- (a) \$26,000 for expenses contemplated in section D, paragraph 2(b) of the draft resolution relating to travel and subsistence of the three Council members representing the population of the three regions in Libya and of the Council member representing the minorities in the area concerned;
- (b) \$5,000 on account of expenditure contemplated in section C, paragraph 4, of the draft resolution relating to travel expenses which would be incurred as a result of the members of the Commission for Eritrea assembling at the Headquarters of the United Nations before proceeding to Eritrea;
- (c) \$21,000 on account of expenditure contemplated in section D, paragraph 2(b), of the draft resolution relating to payment of travel and subsistence expenses to alternate members of the Commission for Eritrea.

Total estimates in the amount of \$452,000 were then approved by 24 votes to 5, with 3 abstentions.

9. The Fifth Committee therefore decided to recommend to the General Assembly that note should be taken of the effect on the budget estimates for 1950 of the adoption by the General Assembly of the draft resolution of the First Committee, namely, that this would involve gross expenditure for 1950 in the amount of \$452,000.